

BOARD of SELECTMEN MEETING – JULY 28, 2010

TOWN HALL/LARGE CONFERENCE ROOM – 7:30 P.M.

UNREVISED/UNAPPROVED 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. Lease Renewals: Intellectual Edge, Loosen Up Massage Therapy, Ridgefield Symphony Orchestra
2. New Lease: Goodwill Industries
3. Walpole Site Lease from State of Connecticut – Set Public Hearing & Special Town Meeting Dates
4. State-Owned Property for Sale: 94 Bobby's Court
5. ROAR Proposed Building Expansion
6. Jesse Lee Tax Abatement Request
7. Branchville Parking Lot Fee Implementation Proposal
8. Receipt and Review of Charter Revision Commission Final Report
9. Deer Committee Possible Site Selection for Fall Controlled Hunt
10. Historic Preservation Documents Grant Resolution
11. Selectman's Report
12. Approval of Meeting Minutes: 6/23/10, 6/30/10

R. Marconi called the Board of Selectmen to order immediately following the Fire Commission Special Meeting.

J. Plock moved and D. Masters seconded a motion to accept the recommendation from the Fire Commission to appoint Nick Paproski and Brian Mazzone to fill the two vacancies in the Fire Department contingent upon passing of the physical and police background check. Motion passed 5-0.

1. Lease Renewals: Intellectual Edge, Loosen Up Massage Therapy, Ridgefield Symphony Orchestra

Intellectual Edge, Inc. -

J. Plock moved and B. Manners seconded a motion to approve the renewal of the lease between the Town of Ridgefield and Intellectual Edge, Inc., for the premises of 223A&B, 222B&D, and 224 on the second floor of the Venus Building, 90 East Ridge, Ridgefield, CT, for a period of five years, with one five-year option to renew, with an amendment to the Lease as follows: "Paragraph 17th is amended by the addition of the following sentence at the end thereof: "*In the event of a holdover, the rent shall at the election of the landlord by 125 percent of the rent in effect during the final year of the lease.*" Motion passed 5-0.

Jan Rifkinson, New Rd. inquired as to the rent charged and where does the rent income go? R. Marconi responded that the annual rent is \$16,269.00 and rent income is put into the General Fund.

Ridgefield Symphony Orchestra, Inc.

The Ridgefield Symphony Orchestra previously occupied the space now occupied by Chef's Warehouse. The increased charge for the Orchestra's new space was not effective until the time of the lease renewal. The new rent is \$13,000-\$14,000/year.

B. Manners moved and J. Plock seconded a motion to approve the renewal of the lease between the Town of Ridgefield and the Ridgefield Symphony Orchestra, Inc., for approximately 1,019 square feet, being Rooms 228, 225D, 225B, 225A and 225 on the Second Floor of the Venus Building, 90 East Ridge, Ridgefield, CT, (an exchange of space from the previous lease) for a period of five years, with one five-year option to renew, with an amendment to the Lease as follows: "Paragraph 17th is amended by the addition of the following sentence at the end thereof: "*In the event of a holdover, the rent shall at the election of the landlord by 125 percent of the rent in effect during the final year of the lease,*" and inclusion of the previous first amendment as follows: "The paragraph entitled "Rent" is amended by the addition of the following at the end thereof: "*In the event Tenant elects to exercise its option to extend the term hereof for an additional five (5) years, the rent for the lease year commencing February 17, 2010 shall be computed by multiplying the rent per square foot as of February 16, 2010 as modified by the CPI increase as of June 2009 times 1,019 square feet.*" Motion passed 5-0.

Virginia Roebuck, Loosen Up Massage Therapy

J. Plock moved and D. Masters seconded a motion to approve the renewal of the lease between the Town of Ridgefield and Virginia Roebuck (Loosen Up Massage Therapy), for approximately 298 square feet of space known as Rooms #222A and #222C on the second floor of the Venus Building, 90 East Ridge, Ridgefield, CT, beginning September 1, 2010, with four one (1) year options to renew, with an amendment to the Lease as follows: Paragraph 17th is amended by the addition of the following sentence at the end thereof: "*In the event of a holdover, the rent shall at the election of the landlord by 125 percent of the rent in effect during the final year of the lease.*" Motion passed 5-0.

2. New Lease: Goodwill Industries

The Goodwill trailer has been at several locations in Ridgefield, but no rent has previously been charged. Director of Finance, Kevin Redmond, proposed a lease of \$1/yr, renewable on an annual basis, and the donation of \$750/month payable to the revenue fund established for maintenance of the Cass-Gilbert fountain.

J. Plock moved and B. Manners seconded a motion to approve the proposed one (1) year lease between the Town of Ridgefield and the Goodwill Industries International, Inc., with a one-year option to renew, for the premises located at Grove Street, Ridgefield, CT as shown on map attached to the lease with designation of "Parcel A – approximate area 1,430 sq. feet", for the rent of \$1.00/year, with the Tenant agreeing to contribute on a monthly basis, \$750.00, to be paid into a special revenue fund established by the Town of Ridgefield and used to provide assistance in maintaining, including the annual placement and removal of the cover of the "Cass-Gilbert Fountain". Motion passed 5-0.

3. Walpole Site Lease from State of Connecticut – Set Public Hearing and Special Town Meeting.

The State of Connecticut is willing to lease to the Town of Ridgefield, the 2.146 acres of land on Route 7 (the former Walpole site) for a period of ten years commencing on July 1, 2010, for \$1/year, with an option to renew for an additional ten years, for possible use as an athletic field. Town Counsel, D. Grogins, indicated that the State did remediation on the property as paint and stains from the fencing manufacturing had seeped into the landscape. There is a clause in the lease that indicates that the clean-up has been completed and the Town of Ridgefield is not responsible for any future remediation.

J. Plock inquired as what would happen if the State desires to take back the property. R. Marconi pointed out how we have a ten year lease with the option to renew for an additional ten years. State Representative John Frey worked on this and he did try to have the property conveyed to the Town of Ridgefield, but the State of CT did not want to do so. Termination of the lease would occur if we fail to follow the terms of the lease. There is no timeframe for creation of the athletic field.

J. Plock moved and D. Masters seconded a motion to set a Public Hearing for September 22, 2010, 7:30 p.m., Town Hall Large Conference Room, 400 Main Street, Ridgefield, CT, to discuss the proposed lease of 2.146 acres of land from the State of Connecticut (the former Walpole property) to the Town of Ridgefield for an Athletic Field, and a Town Meeting at least ten days following if appropriate. Motion passed 5-0.

4. State-Owned Property for Sale: 94 Bobby's Court

The property on Bobby's Court was purchased by the State years ago in their preparation for Super 7, which is no longer under consideration. Thus, the State is offering some of these properties for sale. **A. Bodner moved and B. Manners seconded a motion to approve the notification to the State of Connecticut that the Town of Ridgefield has no interest in exercising the right of first refusal to purchase the State-owned land at 94 Bobby's Court, Ridgefield, CT. Motion passed 5-0.**

5. ROAR Proposed Building Expansion

John Katz and Alison Dotson, the new ROAR Director, came forward to discuss ROAR's proposed expansion of the parking and exercise area. They showed a map depicting the current footprint and the proposed expansion of approximately 1,000 sq. feet. The planted buffer zone will stay, but will be narrower in size. D. Masters indicated recall of when the buffer zone was put in to prevent runoff and encroachment into the wetlands. We must be sure to not remove anything that was previously a "fix" for something else. Peter Hill indicated that the proposed expansion does not create a problem. R. Marconi suggested definition of the boundaries for the purpose of amendment of the lease. ROAR's proposal is on the agenda for the September 14 Planning & Zoning meeting. ROAR is entirely self-funded. A. Bodner inquired as to possible coordination with the Police Department's canine facility? Chief Roche indicated that the ROAR facility and the canine facility cannot be merged. They are two diverse organizations with two different missions.

B. Manners moved and D. Masters seconded a motion to set a Public Hearing for September 22, 2010, and a Town Meeting on October 6, 2010, both at 7:30 p.m., Town Hall Large Conference Room, 400 Main Street, Ridgefield, CT, relative to the Ridgefield Operation for Animal Rescue, Inc. (ROAR) proposed building/parking lot expansion at the intersection of South Street and South Street By-Pass, Ridgefield, CT. Motion passed 5-0.

6. Jesse Lee Abatement Request

This abatement request needs to be approved each year per Al Garzi, Assessor. Mr. Garzi received a July 1, 2010 request letter for this abatement from Ginny Konopka, Treasurer of Jesse Lee Memorial United Methodist Church. One-half of the dollars are paid for by the State of New York Department of Transportation.

J. Plock moved and B. Manners seconded a motion to approve the Jesse Lee United Methodist Church's request for tax abatement of \$860.83 which represents the portion of

their Real Property Tax Bill attributable to the lease of 50 parking spaces to the State of Connecticut, Department of Transportation. Motion passed 5-0.

7. Branchville Parking Lot Fee Implementation Proposal

Debbie Scholl, Director of Human Resources, Fred Field, Ridgefield's Parking Officer, and John McNicholas from the Parking Authority, came forward to discuss the proposed fee implementation for the Branchville Train Station parking lot. Mr. Field indicated that flyers had been put on the vehicles parked at the train station two different days indicating that this topic would be discussed at the July 28th BOS Meeting. John McNicholas provided an overview of this topic and how the Parking Authority came to this decision for fee implementation. The Parking Authority is charged with providing a "safe parking environment". The Branchville Parking Lot was filled with potholes and presented a liability to the Town of Ridgefield. Blacktop repairs and re-lining were completed, but extensive work needs to be done with the lot surface, increased lighting and improved walkways.

The Parking Authority canvassed neighboring towns on the Danbury Line. Danbury, Redding and Bethel all charge \$250 for an annual parking permit. Cannondale and Wilton do not charge for parking at this time. All revenue received has to be put into a special fund for maintenance of the parking lot per the lease agreement with the State of CT. Snow plowing costs average about \$4,000/year. The fund dollars can be carried over to the next year. The parking lot will consist of 150 spots with 130 for permit parking and 20 day spots at \$6/day. Mr. McNicholas indicated that they do not want to "oversell". A. Bodner stated that the \$6 daily fee seems high, and how are the 130 permit spots to be allocated? J. McNicholas responded that the Parking Authority plans to allocate the spots thru the lottery system as in other nearby towns. Redding charges \$5/daily fee.

R. Marconi reviewed letters and email that have been submitted relative to this topic:

- Scott Berman feels that the \$6 daily fee is too high and especially when the use of public transportation is being encouraged.
- Joe King, a Wilton resident, wrote both to Wilton's First Selectman and R. Marconi of Ridgefield, asking why charge for parking now when the focus is on reduction of traffic on Route 7 and an increase in the use of public transportation.
- Sally Snyder asked about the possibility of a senior discount? Seniors get discounts on MetroNorth tickets. It costs about \$600/month to commute.

J. McNicholas indicated how the Parking Authority wants to encourage use of the train, but they do not want to oversell the permit spaces. They want to provide spaces for those who have purchased their annual permit. A. Bodner suggested a third tier of a \$3 daily rate for those who do not receive the yearly permit, but this may be difficult to administer. Peter Hill, Director of Highways, indicated that he thinks Branchville has 166 parking spaces – 20 daily spaces, 4 handicapped spaces, and 6 Whistle Stop spaces. This would mean 136 permit spaces.

Mr. Hicks, Bobby's Court does not oppose the \$250 charge but expressed concern over the proposed lottery. He would prefer to line up at Town Hall. He needs to be able to purchase the annual permit.

Andy Bodner suggested that the first lottery time be for those who can show a three-month train ticket receipt.

J. McNicholas indicated that he could call MetroNorth to see how many monthly tickets are sold for the Branchville station.

The Parking Authority also needs to establish violation charges and a policy regarding overnight parking. Currently there are cars that are parked overnight at Branchville.

Jan Rifkinson, New Rd. suggests charging \$1/day for parking with a kiosk system and eliminate the lottery problem. Debbie Scholl indicated that they did not research the use of a kiosk system, but looked only at the lottery process which is used currently by other towns on the Danbury Line.

Richard Solomon, Pilgrim Hill Rd. commutes daily from Branchville and he feels the current lighting is OK and doesn't feel that additional dollars need to be put into the Branchville parking. What about charges for weekend parking? R. Marconi responded that the current maintenance charges include electricity for lighting, paving and plowing. The parking lot base needs to be reclaimed with the installation of better drainage. The lot needs to be redone correctly rather than band-aid fixes. Our lease with the State of CT indicates that the parking lot is a State-owned facility and thus we cannot limit the parking to just Ridgefield residents.

Bruce Snyder, Saunders Lane commented on Ridgefield's \$120 million budget and why can \$35,000-\$40,000 not be found to allocate to maintenance of the Branchville parking lot? R. Marconi stated how the proposed repairs would cost closer to \$50,000. 70% of the budget is for the Board of Education. If we were to find the \$50,000, we would then have to cut elsewhere.

R. Marconi indicated that he will contact the State of CT to confirm what guidelines can be established for use of the Branchville parking lot.

Ms. O'Day, a Branchville commuter from Redding, indicated that she commutes one day/week and at \$6/day, she would be paying more than the \$250 annual permit charge.

John Katz, Ridgebury Rd. stated how he appreciates the Parking Authority's work on this issue, but it needs to be looked at with the eyes of a recession. The issue is how does a commuter get a space to park?

Ed Tyrrell, Pond Rd. indicated that he buys an annual permit at Purdy's for \$375. The lot there is striped, paved and well-lit. The Branchville lot is a disgrace – this is “not Ridgefield”!

A Ridgefield resident suggested a hand-tag for the annual permit that can be transferred from one car to another.

A Ridgefield resident indicates how she is happy with the lighting at Branchville and she returns from New York late every night.

B. Manners moved and D. Masters seconded a motion to approve the request of the Parking Authority for implementation of parking lot fees of \$250/annual permit and \$5/day for daily parking at the Branchville Train Station, pending establishment of an equitable process for issuing of the permits. Motion passed 5-0. The Parking Authority would then return to the Board of Selectmen for approval of the permit issue process and a fee start date.

8. Receipt and Review of Charter Revision Commission Final Report

John McNicholas, Chairman of the Charter Revision Commission (CRC) and Town Counsel David Grogins came forward to discuss the CRC's final report. Bond Counsel Frank Ercole also reviewed the report. Mr. Grogins indicated that a majority vote by the BOS is needed to bring the revised charter to the electorate. The BOS can reject the revised charter, accept, or reject in part.

No revisions can be suggested at this time. The updated charter will then be sent to a referendum, and he would suggest that it be included on the election ballot for November as there needs to be a minimum number of votes of the electorate on this issue.

J. Plock moved and D. Masters seconded a motion to approve all sections of the Charter Revision Commission Final Report, including the changes designated on Pages 15, 16, 17 and 18, with elimination of the last sentence of the second paragraph of Bonds & Notes, Section 3-10. Motion passed 5-0.

Dom D'Addario, Tanton Hill Rd., asked how many changes were made? R. Marconi indicated that many of the changes were "technical changes". These are the relocation of items and not substance changes. The notice in the press will detail what exactly is being voted upon. The questions will be ready by September 1st, as the questions have to go to the Secretary of State in Hartford on September 2nd.

J. Plock expressed a thank you from the BOS for an outstanding job – the new document is much more "user friendly".

9. Deer Committee Possible Site Selection for Fall Controlled Hunt

Tom Belote, Chairman of the Deer Management Implementation Committee, Police Chief John Roche, Sid Kelley, Vice-Chair of the Deer Management Implementation Committee, and Stef Zandri, Hunt Master, came forward to present to the BOS for their comments and possible approval the list of the Committee's proposed controlled hunt locations for the 2010-2011 Controlled Deer Hunt.

The Deer Management Committee met with the Conservation Commission on June 14, 2010 and reviewed the list of properties presented to the Conservation Commission in a memo dated May 13, 2010, for their consideration as the properties for culling during the 2010 controlled hunt. The hunting season for archery begins on October 15th and runs until January 31, 2011. Shotgun/muzzleloader begins on November 17th and runs until December 31st. The Conservation Commission walked the properties submitted to them by the Deer Management Committee and approved the list for the 2010-2011 Controlled Hunt.

The following parcels were dropped from consideration by the Deer Management Implementation Committee: Perry Lane, Reed Park, Peaceable Swamp Spectacle Swamp (large parcel), Spectacle Swamp (small parcel), Canterbury and Pine Mountain.

The following parcels will continue on the proposed list but will have reduced hunting periods: **Hemlock Hills** – Most effective in the first three weeks of the year's hunt. The special season winter hunt in February should be pursued.

Lynchbrook – Cut back to a.m. only as children cut thru Lynchbrook after school.

Powdermaker – Last year the deer stand was placed next to the bus stop. Consideration should be given to moving it and drop October.

Keeler Court – Suggest November 1 thru January 31st.

Shadow Lake – This property still needs to be deeded to the Commission

Levy Park – a.m. only to comply with use patterns of the park.

New requested parcels for the 2010-2011 Controlled Hunt include:

Laurel Lane – There is an easement attached to the Laurel Ridge development that does not allow hunting, which should be obeyed. There are trails leading from the easement thru the open space. There is a homeowner's association who it would be appropriate to work with for posting, etc.

Limestone Road – There is no parking at the access. The property is very steep.

Linden Road – Archery only – The area to be hunted has no trails. The Soluri open space does have trails that will be used, so care needs to be taken to hunt only the area designated.

Old Sib – Archery only

Old Trolley – Archery only

George Washington Highway/Scodon Drive - Archery only

Last year was the fourth year for Ridgefield's hunt and the number was the top in the State – 416. Redding was second with 343. Wilton dropped from first in the State to 32nd. Is this the result of the culling of the herd in previous years? R. Marconi asked how do we know when the hunt is making an impact on Lyme Disease and the car accident rate? The DEP is keeping track of the numbers. Wilton indicates that they have seen a difference in five years of hunts. The Audubon Society reports an increase in vegetation – environmental landscaping.. The Fairfield County Deer Management Analysis reported for 2008, the economic cost of deer to Ridgefield of \$8,907,818 and Wilton of \$6,355,719.

D. Masters indicated that she supports the premise of the Controlled Hunt, but is very concerned about the list of even more properties this year. Hunt dates go from early October thru February with different dates at the various properties. It is difficult for residents to keep track of what properties are being hunted when. Ridgefield's citizens are losing use of the Town's open space for recreation. T. Belote responded that 7 properties were dropped and 6 were added. The total number is not greater.

B. Manners pointed out that the Town voted to support the controlled hunts, but residents near the various parcels should be able to come and comment at a public hearing. T. Belote responded that three public hearings have been held in the past and no Ridgefield residents came. Somehow the public has not previously been reached. The Conservation Commission does not want to hold a public hearing. A. Bodner stated how residents understand the properties and understand the issues and need to have the opportunity to discuss their concerns. How about a public hearing sponsored jointly by the Board of Selectmen and the Deer Management Implementation Committee? It would also be helpful to know the exact number of days hunted at each parcel last year and compare to this year's proposed number of days. It is also important to reduce the number of days for the hunt during the Fall leaf season.

Will Murtough – Pheasant Lane expressed concern about the proposed George Washington Highway/Scodon Drive hunt. This is a 35 acre parcel which is a small area for hunting, and these roads are filled with homes and many small children. The hunters will have to come very close to the homes.

Marc & Sharleen Greco, Old Sib Road stated how they had attended the Conservation Commission meeting and they want Old Sib taken off the proposed hunt list. This parcel was hunted in 2004 and it was a very bad experience. The neighborhood became divided over the hunting issue. It was a strain having the hunters in the neighborhood and resulted in an increase in traffic and no room to park.

What about baiting? Mr. Belote responded that the Connecticut DEP permits baiting. The deer come to the stand and can be removed without running. It is the best way.

Andy Bodner stated how the Town decided to support controlled hunts. The Deer Management Implementation Committee has spent many hours planning these hunts safely.

J. Plock moved and D. Masters seconded a motion to hold a Public Information Hearing on August 11, 2010, at 7:00 p.m., with a Special Board of Selectmen Meeting to follow, Town Hall/Large Conference Room, 400 Main St., Ridgefield, CT, to receive resident's concerns, suggestions, comments relative to the Deer Management Implementation Committee's proposed hunt locations for the 2010-2011 Controlled Deer Hunt. Motion passed 5-0.

10. Historic Preservation Documents Grant Resolution

Andy Bodner moved and D. Masters seconded a motion to approve the request of the Town Clerk, Barbara Serfilippi, for the BOS to authorize R. Marconi, First Selectman, to enter into and sign a contract with the Connecticut State Library for the Town of Ridgefield to receive the Historic Documents Preservation Grant of \$3,000 funded by Public Act 00-146. Motion passed 5-0. This is the ninth year Ridgefield will have received this grant.

11. Selectman's Report

R. Marconi indicated receipt of a copy of the letter of resignation to Leslie Ide, Chairperson, of the Historic District Commission from John Connors, after 26 years of service as a Commissioner. Copies of the June 15, 2010 letter were distributed to the Board of Selectmen for their review.

The BOS will be notified when union contract negotiations begin for the various departments/unions.

12. Approval of Meeting Minutes: 6/23/10, 6/30/10

J. Plock moved and A. Bodner seconded a motion to postpone approval of BOS meeting minutes of 6/23/10 and 6/30/10 until the BOS Special Meeting on August 11, 2010. Motion passed 5-0.

R. Marconi moved and J. Plock seconded a motion to adjourn the Board of Selectmen Meeting at 10:50 p.m. Motion passed 5-0.

Respectfully submitted,
Janet L. Johnson