

## **BOARD of SELECTMEN MEETING – AUGUST 20, 2008**

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

### 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, A. Bodner, B. Manners, D. Masters

Absent: J. Plock (due to illness)

### **Special Town Meeting**

*Notice is hereby given that a **Special Town Meeting** will be held on August 20, 2008, 7:30 P.M., Town Hall Large Conference Room, 400 Main Street, Ridgefield, CT to act on: 1) the approval of a \$50,000 donation to the Boys' and Girls' Club renovation/expansion project (the result of monies from unanticipated capital project close-outs; and 2) the approval of \$150,000 for sidewalks and various other capital improvements.*

Minutes of Special Town Meeting under separate cover.

### **Board of Selectmen Meeting Agenda**

1. Pension Commission Interview: Art Aaronson
2. Ridgefield Arts council Interview: Noelle Carr
3. Turner Hill Discussion
4. Transfers: Jay Wahlberg
5. Tax Refunds Approval
6. Chef's Warehouse
7. Selectman's Report
8. Approval of Meeting Minutes: 8/6/08

R. Marconi called the Board of Selectmen Meeting to order at 8:10 p.m., immediately following the Special Town Meeting.

**B. Manners moved and D. Masters seconded a motion to add two items to the end of the evening's agenda: 1) Bob Knight – Applicant for the Economic Development Commission, and 2) Executive Session – Finance Director's Position. Motion passed 4-0.**

#### 1. Pension Commission Interview: Art Aaronson

Mr. Aaronson came forward to introduce himself to the BOS and express his interest in serving on the Pension Commission. R. Marconi read the email received from Mr. Aaronson and reviewed his CV which outlines Mr. Aaronson's experience in his current position as Portfolio Manger and Tax Exempt Portfolio Manager/Trader for GE Asset Management in Stamford, CT and previous experience as VP, Investments for Princeton Insurance Companies in Princeton, NJ. Mr. Aaronson is a CPA, and also indicated that he is a Democrat. The current make-up of the Pension Commission is five Republicans and one Democrat, and thus an additional Democrat member is needed. In response to questioning by D. Masters, Mr. Aaronson indicated that he has been attending the Pension Commission meetings since

February and is comfortable with the decisions and direction the Pension Commission is steering. A. Bodner pointed out the higher the return on the portfolio, the smaller the contribution needed by the Town, which is the goal. Low risks often result in low returns, but the goal is to not expose the pension funds to unnecessary volatility. Is 8 ½% a realistic rate of return? Mr. Aaronson stated that a portfolio is needed that can meet the Pension Commission's objectives, but balances the risks. He feels he can be very helpful in serving on the Commission. As a CPA, he likes "things in balance".

**B. Manners moved and D. Masters seconded a motion to appoint Art Aaronson to fill the vacancy on the Pension Commission for a three-year term expiring 6/01/11. Motion passed 4-0.**

2. Ridgefield Arts Council Interview: Noelle Carr

Noelle Carr came forward to introduce herself to the Board of Selectmen and express her interest in serving on the Ridgefield Arts Council. From 1998 to 2006, Ms. Carr was the Director of Photography for World Wrestling Entertainment, Inc., of Stamford, CT. Her degree is in Art History. She has been attending the meetings of the Arts Council and has spoken with Nancy Baldwin. R. Marconi reviewed her resume in photography but she also is a painter.

D. Masters asked Ms. Carr what focus she would like to bring to the Arts Council? Ms. Carr responded that there are not currently any individual artists on the Council. Current Council members are more involved with music and dance. She would like to assist with press releases and publicity strategies. She feels Ridgefield could use more visual arts events and commented on how the Art Walk is a "great night in Town". She would like to see something at the Library featuring Ridgefield artists.

**Andy Bodner moved and B. Manners seconded a motion to appoint Noelle Carr to fill one of the vacancies on the Ridgefield Arts Council for a two year term. Motion passed 4-0.**

3. Turner Hill Discussion

The following individuals came forward to discuss again the Turner Hill issue: Aimee Pardee, Inland Wetland Agent, Dr. Ben Oko, Chairman of the Conservation Commission, and Susan Baker, Carroll Brewster, and Patricia Sesto, all members of the Conservation Commission. Chairman, Ben Oko had sent the BOS a memo on 8/19/08 indicating that the Conservation Commission had reinspected Turner Hill in March 2008 and enclosed a map from that time.

Also attached was a memo dated 9/14/07 detailing an Open Space Violation Proposal for the Turner Hill Subdivision, which was a follow-up to the August 8, 2007 meeting with the Board of Selectmen on this issue. This memo states that at the 8/8/07 meeting of the Board of Selectmen, there was consensus that overall, the use of town open space for exclusive, private purposes is not acceptable; however the "no setback" concept of the Turner Hill Subdivision has resulted in peculiar circumstances for some homes that warrant relief from the town. The memo details parameters that were agreed upon in order to address the numerous encroachments on town open space and to provide defined relief for particular hardships created by the "no setback" development standard. The proposal set forth clearly defined maintenance procedures, the circumstances that warrant relief, and a relief plan. The memo states that "while these parameters were formulated in response to the Turner Hill problems, if necessary, could be applied to similar circumstances elsewhere in town.

Dr. Oko stated that the map was done in March 2008. Some residents have added structures, playground equipment, grills, etc. in the open space and some of these items/structures have not been removed. The Conservation Commission is seeking Board of Selectmen guidance as to how they can proceed with enforcement. These violations need correction. R. Marconi asked if the Commission had visited the

Turner Hill area since March 2008. The answer is no. The Town property is being mowed 1-2x/year, but not all the time.

Michelle Kliever, 24 Lynn Place, indicated that she has lived at Turner Hill since 2005. Her shed has been moved. She is concerned about the map's correctness. She has offered to visit homeowner's individually and talk to them about how to be in compliance and move their structures, etc. B. Manners expressed appreciation for residents who comply voluntarily – this is the best approach of all.

Pat Sesto expressed understanding of each property being a different situation, but she would like to see the September 14, 2007 memo used. She would like to see a letter from the Board of Selectmen to each Turner Hill resident reviewing the Open Space Violation Proposal and a phone number to call to get each situation resolved. The expectation should be compliance.

Andy Bodner indicated his understanding of the situation in that some of the Turner Hill residents have intruded on the Town's Open Space and the Commission wants "more support". Dr. Oko responded that the Commission desires a clear statement from the BOS as to how to proceed with the next step for compliance.

R. Marconi stated support for Ms. Klever's offer to contact individual residents and look at each situation. A letter from the BOS can be drafted and sent to the Commission for their review. Each situation in violation should be visited and specific terms of compliance should be outlined, with a copy of the 9/14/07 memo enclosed. The homeowner will be given a number to contact.

D. Masters indicated that there is a "patchwork of different circumstances". Some new homeowners have inherited some of these situations. When we previously walked Turner Hill, the homeowner's response was to have the property lines marked.

Dr. Oko indicated that the process needs to be finalized by the BOS and notification sent to the individual homeowner's. Violators were notified two years ago. These issues need to be resolved and especially if residents want to sell their properties.

Andy Bodner indicated that there are no stakes in the ground – thus, a problem. The BOS had been in agreement that certain properties should be given special consideration.

R. Marconi stated that he will draft a letter for the Conservation Commission to review and vote upon.

#### 4. Transfers: Jay Wahlberg

The following members of the Parks & Recreation Commission came forward to discuss the increased utility expenses relative to the Barlow Pool and Children's Corner: Eileen Cipella, Barbara Dobbin, Phil Kearns and Paul Roche, Director. Paul Roche reviewed the history of the Parks & Recreation Commission's responsibilities for the Barlow Pool.

J. Wahlberg is requesting close-out approvals for the 2007-08 fiscal year. There are increased utility expenses totaling \$31,475 which have been passed on by the Board of Education. The Board of Education has already sent their report to the State for fiscal year 2007-08. Paul Roche indicated that there is no accurate measure of what utility costs are used for the pool. He feels this allocation is fair, and he is satisfied with how the building is being managed. The estimate is that 12,000 gallons of oil/year are used for the pool. The pool has to be kept at a certain temperature to be used as a "competitive pool". They have looked into a pool cover, but that is a hard thing to manage – the pool lane lines would have to

be moved. A. Bodner asked if there is any way to charge back expenses for this past year? J. Wahlberg replied, "no".

**B. Manners moved and A. Bodner seconded a motion to approve Department of Finance Memorandum #200817, Parks & Recreation, Appropriation from General Contingency to cover the actual utility costs for the Barlow Mountain Pool, 2007-2008, (\$62,242 vs. \$30,500 as budgeted), increase Utilities #10358-52050 by \$31,475 and decrease General Contingency #10890-59101 by \$31,475. Motion passed 4-0.**

Paul Roche in his memo to the BOS dated June 20, 2008, stated how since Parks & Recreation did not anticipate this high additional utility expense for the 2007-08 fiscal year, they did not budget for such in the 2008-09 fiscal year either. He has discussed this issue with the Barlow Pool renters – RAC and the Board of Education regarding a fuel surcharge for 2008-09. R. Marconi indicated acknowledgement of the need to provide funds for the additional energy costs forecasted for Barlow Pool, but he is reluctant to transfer these funds from General Contingency so early in this fiscal year. Additional funds have been budgeted for heating oil expenses for municipal building needs for 2008-09, but the oil costs have not yet been locked in. Once the fuel charges are set, then a transfer to cover the increase in costs for Barlow Pool could come out of the oil surplus fund rather than out of General Contingency.

Barbara Dobbin expressed the need to have the increased \$25,000 in utility costs for Parks & Recreation established prior to the next budget session. This will ensure accurate representation of costs going into next year's budget process.

**A. Bodner moved and B. Manners seconded a motion to approve one item of Department of Finance Memorandum #200901, Parks & Recreation, Appropriation with a Corresponding Increase in Revenue Estimate and Charge to General Contingency for Fiscal Year 2008-09, to cover the increase in expense appropriation with a corresponding increase in revenue estimate and a charge to general contingency to cover expected budget shortfall, increase #10907-44265, Barlow Mountain Pool Revenue, \$30,875, and a decrease in General Contingency, #10890-59101, \$30,875. Motion passed 4-0.**

Approval of the following Dept. of Finance Memorandums was requested by J. Wahlberg to close-out the 2007-08 year.

**D. Masters moved and A. Bodner seconded a motion to approve Department of Finance Memorandum #200904, Capital Non-Bond Projects Close-Out & Transfer of Funds, Finance Department, providing for the closing of non-bonded capital projects and any excess funds shall be transferred to a capital reserve fund, increase #31095-44826, Capital Reserve Fund, \$92,405 and increase various numbers, Capital Project Funds, \$92,405. Motion passed 3-0, (B. Manners out of the room).**

**D. Masters moved and B. Manners seconded a motion to approve Department of Finance Memorandum #200821, Inter-Departmental & Intra-Departmental Transfer, Finance Department, for the Highway Department has incurred snow removal and energy related costs above the estimated budget appropriation, and a transfer of funds from the Community Golf Course to cover said shortfalls, Increase #10602-51007, Highway Department, \$2,000, #10670-52018, Highway Department, \$500, #10690-52050, Highway Department, \$4,000 and Decrease #10282-52050, Community Golf Course, \$4,000 and #10680-52012, Highway Department, \$2,500. Motion passed 4-0.**

5. Tax Refunds Approval

**B. Manners moved and D. Masters seconded a motion to approve the refund applications totaling \$24,176.66, as submitted by Jane Berendsen-Hill, Tax Collector, in her memo dated 8/14/08. Motion passed 4-0.**

6. Chef's Warehouse –

Charlie Fisher came forward to review his May 7, 2008 memo to R. Marconi outlining the reconstruction efforts of the Chef's Warehouse area within the Venus Building which are the Town's responsibility within the lease agreement:

A/C renovations	\$141,269
Wheelchair Lift for H/C Access	64,966
(required by law to do this and this is the cheapest way to go)	
Asbestos Removal	52,372
Second Floor Men's Restroom Repairs	31,000
Main Entrance Reconstruction	125,000
TOTAL	\$415,307

The Chef's Warehouse reconstruction investment is approximately \$1.5 million with the \$415,307 detailed above as the Town of Ridgefield's portion. In addition, the effort required to comply with the AAC's suggestion for reconstructing the front of the building to mimic its original look is approximately \$49,000. Chef's Warehouse thinks the Town should pay for this redo as well. Chef's Warehouse has suggested rent abatement as an alternative to pay for these expenses. Based on their current rental agreement of \$26,822.66, this would equate to 15.5 months abatement without the AAC suggested improvements. This will be Chef's Warehouse corporate headquarters and will employ 50-60 people at this Ridgefield location. Chef's Warehouse are purveyors of food for white tablecloth restaurants.

Charlie Fisher commented on how the roof of the Venus Building also needs to be addressed. In 2002, approximately \$880,000 was approved by the Board of Finance for roof repairs. This would be enough to do one-half of the roof with 50 year architecturally styled shingles. Leakage is being experienced in the Chef's Warehouse, Dairyland and Playhouse areas. The dollars already allocated will cover repairs for the leaking areas. A. Bodner inquired as to the cost to do the entire roof – an additional \$500,000. Is it economically better to redo the whole roof? This additional expenditure would require a Public Hearing and a Town Meeting for approval. Charlie Fisher will get new numbers as to the difference between doing one-half and the whole roof. This is an aesthetic decision also – what are the options? Previously, an engineer had come up with suggestions for different types of roofing: slate-type roof (repair problems), a rubber-type which looks like slate (problems with installation and expensive to repair) and 50-year architectural shingles (the best solution). We already went out to bid and have received cooperation in holding the estimate open.

B. Manners questioned how are we going to pay for this Chef's Warehouse repair – abatement of rent or paid for directly by the Town thru a special appropriation by the Board of Finance. A decision needs to be made. The Board of Finance is not meeting until the fall. We are abating the rent already for up to twenty-four months. This would add on another 15.5 months of abatement. Chef's Warehouse is paying on the utilities during the abatement period. They currently have a twenty-year lease in five year increments. If we give an abatement for an additional 15.5 months, would they be willing to sign the lease for the next five years? D. Masters indicated that she favors an abatement approach – this would get the roof repair going more quickly.

Going forward – Michael DeCata, President of Chef’s Warehouse, will be invited to attend the September 3 BOS meeting to discuss possible rent abatement to cover the roof redo. Charlie Fisher will confirm the cost to redo the front entrance.

7. Selectman’s Report- “Going Green” – 10 solar panels have been given to the Town because of Boehringer Ingleheim’s purchases – 5 panels to be installed at the Parks & Rec facility and 5 panels at the Firehouse.

8. Approval of Meeting Minutes: 8/6/08 – Tabled until the next Board of Selectmen Meeting.

9. Possible Approval of Bob Knight (Dan Mandelker) to the Economic Development Commission (EDC)

**D. Masters moved and A. Bodner seconded a motion to appoint Bob Knight (Dan Mandelker) to fill one of the vacancies on the Economic Development Commission for a one-year term. Motion passed 4-0.**

10. Executive Session – Finance Director’s Position

**B. Manners moved and A. Bodner seconded a motion to recess the Board of Selectmen Meeting at 11:00 p.m. and go into Executive Session to discuss the Finance Director’s position with Laurie Scholl, Director of Human Resources and a potential candidate invited to participate. Motion passed 4-0. At the conclusion of the Executive Session, the BOS reconvened the BOS Meeting. A. Bodner moved and B. Manners seconded a motion to adjourn the BOS Meeting at 11:30 p.m.**

Respectfully submitted,

Janet L. Johnson