

PUBLIC HEARING/BOARD of SELECTMEN MEETING

SEPTEMBER 22, 2004 – 7:30 P.M.

TOWN HALL/LOWER LEVEL CONFERENCE ROOM
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, B. Manners, D. Masters, J. Plock, P. Yanity (D. Masters left early as she was not feeling well.)

PUBLIC HEARING – 7:30 P.M.

The Town of Ridgefield will hold a public hearing on September 22, 2004 at 7:30 p.m. at the Town Hall, 400 Main Street, Ridgefield, CT, Lower Level Conference Room to review and discuss its proposed Application(s) to the State Department of Economic Community Development for funds under the Small Cities Program.

BOARD of SELECTMEN MEETING – Immediately following the Public Hearing

AGENDA

1. Set date for Town Meeting and Referendum for Eureka
2. Request for appointment – Fishing and Game Constable (Tom Belote)
3. Charter Revision Commission – Discussion
4. Open Space Task Force Interview: Dan Buckley
5. Preservation Ordinance – set date for Public Hearing & Town Meeting
6. State funds for fountain repair and Rotary playscape; approve resolution
7. Transfers in Finance
8. WPCA Reappointments – Ronald Hill and Gary Zawacki
9. Approval of minutes – August 18 and September 1, 2004
10. First Selectman's Report –
 - Proclamations: Family Night, October RSO Month, George Brunstad
 - Reappointment of AAC members by P&Z and AAC
 - Peter Hill, Master Road Builder achievement

ECONOMIC DEVELOPMENT COMMISSION MEETING – Immediately following the BOS Meeting

Discuss Medical Center, Route 7

R. Marconi called the Public Hearing to order at 7:30 p.m. R. Marconi read the Public Hearing announcement:

The Town of Ridgefield will hold a Public Hearing on September 22, 2004 at 7:30 p.m. at the Town Hall, 400 Main Street, Ridgefield, CT, Lower Level Conference Room to review and discuss its proposed Application(s) to the State Department of Economic Community Development for funds under the Small Cities Program.

The purpose of the Public Hearing is to obtain citizens views on the Town's community development and housing needs and review and discuss specific project activities in the areas of housing, economic development or community facilities which could be a part of the Town's Application (s) for funding. The Town is considering submitting an Application for rehabilitation of housing units at Ballard Green Senior Housing in an amount of \$500,000. Other potential or proposed projects eligible for Small Cities funding may also be reviewed and discussed at this hearing.

The Town will also review the status of its current Small Cities project and programs at this hearing in anticipation of this submission.

An additional twelve units are being proposed for Ballard Green. This \$500,000 grant will be added to the \$1,250,000 already obtained from the state for this project. The estimate for the cost of the project is \$2 million. The additional \$250,000 needed will hopefully come from the retained earnings of the Housing Authority. This \$500,000 is not for construction of the new units, but can be used to update parking and the infrastructure.

Alex Cassidy - inquired as to residency and income requirements. The income standard is determined by the State and the Housing Authority. Ballard Green is already open to application by non-residents.

Dom D'Addario, Tanton Hill Rd. - inquired as to the cost to taxpayers. It is proposed that there be no cost to the taxpayers with \$1,250,000 and \$500,000 in grants and the balance from the Housing Authority's retained earnings.

John Katz, Ridgebury Road – indicated that Planning & Zoning will hold hearings on the proposed building project at Ballard Green.

A.J. DiMattia, Old Branchville Road – inquired as to whether the \$1,250,000 is a loan or a grant. The answer is that it is a grant.

Mary Ann Miller – inquired as to the placement of the new units. They will be attached to the existing units and will look similar in style.

R. Marconi closed the Public Hearing, and called to order the Board of Selectmen Meeting.

BOARD of SELECTMEN MEETING

1. Set date for Town Meeting and Referendum for Eureka – Jay Wahlberg presented the letter received from Robinson & Cole, bond counsel, detailing six different forms of ballot label questions which could be used for the Town Meeting to approve funding for the Bennett’s Pond payment as decreed by the court. A thirty-day notice is needed prior to a referendum. The concensus was that the ballot label questions were not properly structured. It was agreed that Board members would meet in Mr. Marconi’s office at 9:00 a.m. on September 23rd to call the bond counsel to discuss the proposed ballot questions. Mr. Marconi reported that bond counsel is familiar with the Town charter, and counsel has stated the need for a referendum.

John Katz, Ridgebury Road – stated that the court has decreed that the Town of Ridgefield must pay \$3,450,000 to Eureka; interest is accruing daily, and the Board of Finance has suggested that funds be taken out of the undesignated fund balance. Bonds can also be issued to pay Eureka in total or as a portion of the payment.

Following the conversation on September 23rd with bond counsel, this issue will be placed on the BOS Meeting Agenda for October 6, 2004.

2. Request for appointment – Fishing and Game Constable (Tom Belote) – Mr. Belote was not present. This is a non-paying position decreed by the State, whose duties shall be limited to the enforcement, in the municipality of their appointment, of state and local fish and game laws and regulations issued by the Commissioner of Environment Protection, any local ordinance related to hunting, fishing and trapping. R. Marcon is to research the powers of this position and report back at the next BOS Meeting on October 6.
3. Charter Revision Commission – Discussion – Several individuals have come forward and applied to serve on the Commission. R. Marconi reported on meeting with bond counsel on September 24 to discuss revision issues and the make-up of the Commission (not fewer than 5 and not more then 15 members.) A nine-member Commission has been decided upon. One of the issues is the proposed staggering of 4 year terms for Board of Selectmen members. Also under discussion is whether the Town Clerk and Town Controller should be appointed or elected? Mr. Marconi requested that the Board members read thru the charter and highlight items that they wish to address in the revision.

Alex Karsanidi was on the Charter Commission for the last revision and commented that it took approximately three months for the Charter Commission to get going; their charge was not immediately clear. He

suggested that Bob Jewell, representing the previous Commission, would be an asset to the new Commission.

John Katz, Ridgebury Road – indicated that he did not see a reason for previous Charter Commission members to serve again; the new Commission needs to be given a charge they can follow.

4. Open Space Task Force Interview: Dan Buckley – Mr. Buckley came forward to introduce himself and present his credentials to the Board. He is a 10 year resident of Ridgefield and appreciates the Open Space policy as part of the Town’s agenda. He has a biology background and currently lives adjacent to open space. He is active outdoors – mountain biking, skiing, soccer, softball with the kids. He has used Bennett’s Pond frequently and appreciates the trail maintenance.

R. Marconi read the charge to the Open Space Task Force; they are to work closely with the Conservation Commission. The goal is to achieve 30% open space in the Town. John Olson and now Dan Buckley have been interviewed to date. The five-person Task Force is to include a member of the Conservation Commission and Ellen Burns.

5. Preservation Ordinance – set date for Public Hearing & Town Meeting – Keith Jones and Gary Singer presented their proposed “Ordinance Concerning the Preservation of Historic Structures”, and their updated list of 600+ historical sites. 32 structures on the original 1979 list have been demolished. Mr. Jones and Mr. Singer are requesting a Public Hearing to discuss this proposed ordinance. There are 40 other Connecticut communities who have a similar ordinance in place.

J. Plock expressed her concern over the wording of the ordinance. She found it too vague and confusing. Who decides what is “significant” – an addition, a façade, etc.? Mr. Singer replied that if a demolition permit is required, then that would trigger the possibility of the ordinance coming into effect. The Building Department is responsible for issuing demolition permits. If the structure is 75 years old or older, then demolition could not occur for ninety days. Ms. Plock also was concerned about the referral to State statutes dealing with building, fire and demolition codes. It appears to her that this proposed ordinance is attempting to add on to existing state codes. Is this appropriate and legal to do so?

P. Yanity expressed his concern for the burden that would be placed on the homeowner. These demands are not realistic, plus the costs to the homeowner.

B. Manners indicated that she likes the intent of the Preservation Ordinance and does not have a problem with the ninety-day waiting period. This time

period does give other residents time to register their objection to the proposed demolition; but she does have a problem with some of the language. What is meant by the term “alteration”? She also has a problem with the penalty – imprisonment -- No!

J. Plock inquired as to what is the homeowner to get penalized for – failure to take out a permit or failure to wait the ninety days? Do we really need an ordinance? What other vehicle would work to achieve the same end – protection of 75+ year old structures? Such an ordinance needs to be made “user-friendly”, one in which the homeowner does not feel threatened. She agreed that it is important to get something in place now to help protect the older structures in the town, and also expressed concern over the number of tear-downs that are occurring.

Mr. Singer stated that Connecticut statutes indicate that the only way a delay in demolition can be decreed has to be thru an ordinance. Connecticut statute states that all “adjoining” property owners have to be informed of a demolition prior to the occurrence of such a demolition.

P. Yanity inquired as to why a special permit is necessary; can’t demolition requirements be tied in to the issuance of a building permit?

R. Marconi agreed that the Board should investigate what other vehicles would be available to serve the same purpose – He will speak with the Building Department and come back with other ideas. Letters from the following individuals have already been received relative to this issue:

- Betty Brosius, Director of Planning – Ridgefield Planning & Zoning Commission
- Charles Silbert
- Mary E. Miller
- Leslie Ide, Chair – Ridgefield Historic District Commission

6. State Funds for Fountain Repair & Rotary Playscape; Approve Resolution

B. Manners moved and J. Plock seconded a motion to approve the Resolution for the Cass Gilbert Fountain and Rotary Playscape: The Board of Selectmen resolve that Rudy Marconi, First Selectman of the Town of Ridgefield, be and hereby is authorized to execute on behalf of the Town of Ridgefield Personal Service Agreements with the State of Connecticut for financial assistance to complete planned improvements to: (a) the Cass Gilbert Fountain, and, (b) the municipally owned, operated and maintained recreational facility described as the Rotary Playscape. Motion passed 5-0.

7. Transfers in Finance – Jay Wahlberg, Town Controller, presented the request forwarded by Charles Fisher relative to the installation of the Parks and

Recreation maintenance building. **J. Plock moved and P. Yanity seconded a motion to approve Board of Finance Memorandum #200505 to increase Item #30551-56111, Parks Maintenance Building by \$66,000 to provide additional funding for the foundation work needed to assemble the steel building, and a decrease of available LOCIP Funding by \$66,000. Motion passed 4-0.**

8. **WPCA Appointments – Ronald Hill & Gary Zawacki - B. Manners moved and J. Plock seconded a motion to reappoint Ronald Hill and Gary Zawacki for an additional term on the WPCA. Motion passed 4-0.**
9. **Approval of Minutes – August 17 & September 1, 2004 - J. Plock moved and P. Yanity seconded a motion to approve as amended the minutes of the August 18, 2004 Board of Selectmen Meeting. Motion passed 4-0.**

J. Plock moved and P. Yanity seconded a motion to approve as amended the minutes of the September 1, 2004 Board of Selectmen Meeting. Motion passed 4-0.

10. **First Selectman's Report –**

- Proclamations:
 - **J. Plock moved and P. Yanity seconded a motion to proclaim Monday, September 27, 2004 as Family Day. Motion passed 4-0.**
 - October RSO Month – R. Marconi read the Proclamation designating October 2004 as Ridgefield Symphony Orchestra Month. Board of Selectmen members signed the proclamation.
 - George Brunstad, a Ridgefield resident, recently swam the English Channel in honor of his 70th birthday. It was agreed to honor him at an upcoming BOS meeting.
- R. Marconi read a letter received from the University of Connecticut School of Engineering informing the Town of Ridgefield that Peter Hill has completed the Connecticut Road Master Program and was to be honored during the 2004 Road Master Graduation ceremony on September 22, 2004 at the University of Connecticut, in Storrs, CT. It was agreed that R. Marconi would write a letter from the Board of Selectmen congratulating Mr. Hill on his accomplishment.
- Reappointment of AAC members by P&Z and AAC was tabled until a later meeting.
- It was agreed not to renew the Children's Corner lease at this time as several years still remain before the lease is due for renewal.

- A response has been received from Police Chief Richard Ligi relative to vandalism in Ballard Park. In his letter dated September 13, 2004, Chief Ligi reported that members of the Police Department have conducted 140 security checks of Ballard Park after dark from April 15, 2004 thru August 18, 2004. They have arrested one individual for Simple Trespass in the park during this time period. In addition to the Police Officers, Parks & Rec employs Park Rangers from Memorial Day weekend thru Labor Day weekend. The Police Commission suggests that the entrances to Ballard Park be posted with the closing hours and define the closing time as 9 p.m. during Daylight Savings Time and then modify the closing time to 6 p.m. during Daylight Standard Time. Now that Labor Day weekend has passed and there are no longer Park Rangers, the Police Department will have patrols pay a little more attention to the park.
- A letter had been received from Sabina Slavin, President of the Ridgefield Symphony Orchestra asking if the RSO could place a banner in front of Town Hall for the month of October in honor of Ridgefield Symphony Orchestra Month. The decision was no as it would start a precedent for other organizations who would want to do likewise.
- A September 10, 2004 letter had been received from the Board of Education inviting the Board of Selectmen to attend the September 29, 2004 meeting of the Board of Education. Irv Goldman, Esq., Board counsel, will update the Board on its litigation with Atlantic Conn Transit, Inc. Mr. Goldman's presentation will take place in executive session in the Board Conference Room, Town Hall Annex, beginning at 6:30 p.m.
- Nels Berg's target date for completion of his employment is October 15. He may be asked to stay on longer, perhaps one day/week. There are a few issues remaining. Funds are available for all concerns with the exception of the water problem at Barlow School. A water specialist has been hired to do further testing and suggest solutions that are available in the market. The problem could be solved completely by the extension of the water main, but this is an expensive solution. Paul Anderson has indicated that the Master Building Committee will no longer need regular meetings after December, and he will probably be asking for formation of a Close-Out Committee. J. Plock suggested the formation of a Municipal Building Committee in addition to the Close-Out Committee. It is especially important that the roofs be checked annually to keep the warranties intact.
- **P. Yanity moved and B. Manners seconded a motion to approve participation in the CL&P Municipal Rebate Program for installation of energy efficient lighting systems throughout all of the Town's municipal buildings at an estimate of \$194,240.36, with CL&P's monetary contribution estimated to be \$149,885.07 and the Town's**

contribution estimated to be \$44,385.30. With an estimated annual energy savings of \$40,452, the Town should experience a return of investment within 1.1 years. Motion passed 4-0.

J. Plock moved and P. Yanity seconded a motion to adjourn the Board of Selectmen Meeting at 9:50 p.m. Motion passed 4-0.

ECONOMIC DEVELOPMENT COMMISSION MEETING

Mr. Marconi called the Economic Development Commission Meeting to order at 9:50 p.m. to discuss the proposed medical center on the Route 7 SVG property. The amendment to the Town of Ridgefield Zoning Regulations and CTP Rezone Application has been received by the Planning & Zoning Commission for consideration again. A site walk has been scheduled for Sunday September 26, 2004, and a public hearing will be scheduled for October 5, 2004. R. Marconi stressed the need for the Economic Development Committee to support this rezoning application. He will write a letter from the Board of Selectmen to the Planning & Zoning Commission urging them to approve this rezoning request.

P. Yanity moved and J. Plock seconded a motion to adjourn the Economic Development Commission Meeting at 9:55 p.m. Motion passed 4-0.

Respectfully submitted,

Janet L. Johnson