

SPECIAL TOWN MEETING & BOARD of SELECTMEN MEETING

OCTOBER 4, 2006

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

Special Town Meeting – 7:30 P.M.

Notice is hereby given that a Special Town Meeting will be held on October 4, 2006, 7:30 P.M., Town Hall Lower Level Conference Room, 400 Main Street, Ridgefield, Connecticut to act on the proposed 25-year lease of the Town of Ridgefield-owned Ridgefield Theatre Barn located at 37 Halpin Lane to the Ridgefield Workshop for the Performing Arts.

Minutes of the Special Town Meeting are under separate cover.

Board of Selectmen Meeting Agenda (immediately following Town Meeting)

1. Golf Committee Interviews: Marlene Gerhard, Judy Breekland
2. Reappointment of Bill Reynolds, Building Inspector (every 4 years)
3. Economic Development Commission Report
4. Danbury Airport
5. Parking Violation Fines Discussion
6. Commission on Aging
7. Approval of Meeting Minutes: 9/20/06
8. Selectman's Report
9. Possible Executive Session – Land Purchase Discussion

R. Marconi called the Board of Selectmen Meeting to order at 7:45 p.m. immediately following the Special Town Meeting.

1. Golf Committee Interviews: Marlene Gerhard, Judy Breekland
There are two vacancies on the Golf Committee. Applicant Lisa Cardinal was previously interviewed by the BOS on 9/6/06.

Judy Breekland came forward to introduce herself to the Board of Selectmen. R. Marconi read her August 25 letter expressing her desire to be considered for one of the vacancies on the Golf Committee. Ms. Breekland commented on how the golf course is a great piece of property, she “loves this course”, and how every year it is better thanks to Frank and Tony. She has been playing golf for 15 years, the last five years in Ridgefield, and previously at private courses. She has attended a Golf Committee meeting.

J. Plock inquired as to any improvements she might suggest – Ms. Breekland replied that the building needs a little work.

B. Manners inquired about the food service this year? – The response was “not too good”, it has not worked out too well. B. Manners replied that this response will give the Board cause to follow-up.

Andy Bodner commented on how it is important for the Golf Committee members to recognize that the golf course is a town asset, and that they in turn set the fee schedule. There can be tension between making it affordable to the residents and non-residents and still provide income to the town. Ms. Breckland replied that being retired, it is the “great deal” in town. She thinks the current pricing is fair for both residents and out-of-town golfers as well.

D. Masters inquired if Ms. Breckland could make the change from being focused on the women’s golf program to serving on the Golf Committee and focusing on what is best for all the golfers, the maintenance of the course and other “big picture” concerns. Ms. Breckland did not consider that to be a problem. She commented on the friendliness of the workers. Ms. Masters asked about the relationship of the golf course with the neighbors. Is she familiar with the issues? She replied that she appreciates the need to work closely with the neighbors.

Marlene Gerhard came forward to introduce herself to the BOS. R. Marconi read the September 5th email received from Ms. Gerhard expressing her candidacy to serve on the Golf Committee. Ms. Gerhard commented on how she has always been a public course player. She appreciates this golf course asset for the Town. She has served as a secretary for the Women’s League and is currently Handicap Chairman.

D. Masters inquired if Ms. Gerhard has attended any meetings of the Golf Committee. What about the issues the Committee encounters and the relationship with the neighbors? Ms. Gerhard attended the last meeting of the Golf Committee.

Andy Bodner repeated his previous inquiry about the philosophy regarding fees. It is the role of the Golf Committee to ensure that the golf course is profitable. Ms. Gerhard replied that as a resident, the golf course is a “great deal”. The course is much improved with the new irrigation system, new drainage, and the removal of rocks.

J. Plock asked for any improvement suggestions. Ms. Gerhard replied that a couple of the ladies’ tees should be moved “out”, in particular at the 10th hole as a line of trees is causing interference. She also mentioned that she is the one who was responsible for the placement of the birdhouse on the 2nd hole.

R. Marconi read the email received from Jay Saks expressing the Golf Committee’s endorsement of the candidates.

D. Masters moved and B. Manners seconded a motion to appoint Marlene Gerhard and Judy Breckland to fill the two vacancies on the Golf Committee. Motion passed 5-0.

2. Reappointment of Bill Reynolds, Building Inspector (every 4 years) – R. Marconi read the charter relevant to the required reappointment of the Building Inspector every four years, and indicated that he recommends the Mr. Reynolds be reappointed. **J. Plock moved and B. Manners seconded a motion to approve the reappointment by the First Selectman of Bill Reynolds as Building Inspector for the Town of Ridgefield for an additional four-year term. Motion passed 5-0.**

3. Economic Development Commission Report – Robert Cascella, Chairman of the Economic Development Commission, came forward to present the Commission’s September 25, 2006 report. (The ordinance establishing the EDC requires that the Commission shall prepare and submit to the BOS annually on October 1, each year, a report of its activities and its recommendations for improving the economic condition and development of the town.) Mr. Cascella summarized the “Activities to Date” which include six regular meetings, including a comprehensive tour of the Schlumberger property; a working relationship developed with Schlumberger, DECD, CERC, and Northeast Utilities; a proposed Public Relation, Marketing, and Advertising campaign for Ridgefield, which has been approved for funding by the BOS and is now pending Board of Finance approval; and the adoption of a Mission Statement.

“Activities Ahead” include the design and implementation of the Public Relations, Marketing, and Advertising campaign, including a Ridgefield brochure and website; an inventory of available properties; a public forum on Economic Development; the exploration of available grant monies and programs; the formation of an alliance with the Ridgefield Chamber of Commerce to share resources; study the proposed changes to the Planning & Zoning regulations as they pertain to economic development; and the implementation of an Action Plan when an inquiry about the town is received.

The request was made by the Board of Selectmen that any article being forwarded to the press be submitted to R. Marconi previous to publication. This procedure will serve to ensure and enhance the communication process.

Mr. Cascella asked the Board of Selectmen for their continued support and the desire to keep the dialogue “wide open”. R. Marconi expressed appreciation and thank you to the Economic Development Commission. The Commission was appointed and they have “dug right in”. Mr. Cascella communicated his pleasure in working with the various members of the Economic Development Commission.

4. Danbury Airport – Michael Kroposki, David Marker, and Dr. Michael Autuori, Ridgefield P&Z representative, came forward to discuss again, as they had at the previous BOS meeting, the Part 150 study of Danbury Airport conducted by Louis Berger for the City of Danbury. Debbie Trinker also came forward. Since the last Board of Selectmen Meeting, the BOS members have reviewed the report. The minutes of the “working group” are not consistently followed up in the study report. Michael Kroposki and Strat Sherman are seriously considering challenging the report by filing a suit prior to November 6.

J. Plock indicated that she will not be voting on this issue because of the appearance of a conflict of interest. However, she would like to state that she has conducted research and the courts are not currently accepting any responsibility for noise abatement and related issues and are not rendering decisions on these matters. The question is whether going to court will result in anything more than what is already in the “stipulated agreement”. Having the planes go over South Ridgefield rather than North Ridgefield would not be anything gained.

B. Manners indicated that the purpose of going to court is to challenge the validity of the report; for example, the required public hearings were not held. To do nothing results in acceptance.

J. Plock inquired as to how can a study such as this Part 150 report throw out a previous court order?

D. Masters indicated that she had reviewed the report and spoken with people involved. It appears that this document does not accurately reflect what was agreed upon by the working group –“the essence was lost in the editing”. To do nothing, it would appear that Ridgefield is in agreement with the Part 150 study as written.

Dr. Autuori recommended writing a letter during this commentary period of time (prior to November 6), to get on record that much was left out of the report.

Michael Kroposki indicated that he believes that the only thing that Ridgefield can go against now is the Land Use Compatibility Plan. He has reviewed the report carefully as well as the supplemental report and has itemized six pages of deficiencies. He has done about 200 hours of legal research. This background work could significantly reduce the charge if a law firm is to be hired. He indicated that the individual who wrote the Part 150 study is now working for the FAA. Ridgefield has the right to request that an administrative judge review this report, but the request must be filed prior to November 6. He, Strat Sherman and others involved are hoping for Board of Selectmen support to file this administrative appeal. Mr. Kroposki reviewed one item that he had researched as an example of what he had prepared.

Debbie Trinker expressed her opinion that it is important to file an appeal. The rules have not been followed, and this has created the cause for action. The 1982 agreement was issued by the Federal Court in Bridgeport and found noise issues at that time. The purpose of the 1987 study was to update the 1982 decree. She also questioned how can a study override a stipulated agreement?

R. Marconi indicated that the original estimate from the law firm, Steptoe and Johnson, was \$10,000. The Town of Ridgefield contributed to the funding of this study, and hence we have the right to question how the report was written and how the wishes of the “working group” were not followed.

B. Manners indicated that Ridgefield should not go into this appeal thinking that there is not a cost to it. She could envision that it could well cost \$10,000. The Town could put up one-half and the residents could do likewise. The appeal coming from the Town of Ridgefield would carry more weight than an appeal from a group of residents only.

John Katz, Ridgebury Rd., indicated that he does not agree that the wishes of the working group had to be followed. A group was formed and a report was written, but this is not binding. Instead, the edicts of the Federal Government have not been followed. This appeal should be a follow-up on these edicts.

Andy Bodner stated that he does not understand the administrative process. He wants to understand the administrative process fully before a lawyer is hired.

D. Masters would like more information about the timetable and the costs. She realizes that we may have to pay to obtain this information.

R. Marconi stated that he will call the law firm to get an estimated of the costs involved in filing an appeal. What is the process? What is involved to assist in making the decision whether to file an appeal or not? He will then probably call an emergency meeting of the Board of Selectmen to discuss his findings and make a decision and follow-thru prior to the

November 6 deadline. Mr. Kropishe will come into Mr. Marconi's office and be present when the phone call is made to the law firm.

The following letters were distributed to the Board of Selectmen relevant to the Danbury Airport issue:

- March 8, 2006, letter from Congressman Christopher Shays to Ms. Amy Corbett, Regional Administrator of the Federal Aviation Administration in Burlington, MA, relative to the need for the use of microjets to be included in the Part 150 study.
 - September 12, 2005 letter to Mr. Nick Costa from Stephen E. Korta, II, Commissioner of the State of Connecticut Department of Transportation, relative to Mr. Costa's August 19, 2005 letter to Governor Jodi Rell, in which Mr. Costa requested a review of Danbury Airport's alleged violation of Airport Improvement Grant Agreements. Governor Rell forwarded Mr. Costa's letter to the FAA for further response.
 - July 19, 2005 letter to Steve Zemo (then member of the Board of Selectmen) from Ridgefield resident Ed Plaut detailing the history of the noise reduction issue and resultant agreements as he recalled, and his desire for the Town of Ridgefield to hire legal counsel and sue Danbury Airport for their failure to comply with the previous court order and agreement.
5. Parking Violation Fines Discussion – R. Marconi read the September 21, 2006 letter received from Michael Kaufman, member of the Parking Authority, relative to the Authority's request that the parking violation fine be increased from \$10 to \$15. An increase to \$20 was denied in the past. The current fine can go to \$50 if the fine is not paid in a timely manner. Multiple tickets can be issued if a vehicle is not moved.

J. Plock moved and D. Masters seconded a motion to set a Public Hearing on October 18, 2006, 7:30 p.m., Town Hall Lower Level Conference Room, to receive input from the public relative to the proposed increase in a parking violation from \$10,00 to \$15,00 as requested by the Town of Ridgefield Parking Authority. Motion passed 5-0.

D. Masters suggested that the First Selectman pursue a future discussion about a possible parking charge at Cannondale and Wilton Railway Stations. This charge should be the same as for the Branchville Station. There is currently no charge for parking at any of these three stations. The fare should be a fair amount. The revenue can be used for paving and other needed maintenance expenses. R. Marconi pointed out that the DOT restricts what the parking revenue can be used for. He has the recent survey conducted by an intern relative to the train stations from Norwalk to Danbury.

6. Commission on Aging - There are two vacancies on the Commission on the Aging. **D. Masters moved and B. Manners seconded a motion to appoint Eileen Wilson and Dr. Darla Shaw to fill the two vacancies on the Commission on the Aging. Motion passed 5-0.**

7. Approval of Meeting Minutes: 9/20/06 – **B. Manners moved and D. Masters seconded a motion to approve as amended the minutes of the September 20, 2006, Public Hearing & Board of Selectmen Meeting. Motion passed 5-0.**

8. Selectman's Report –
 - “Friday After Five” – Dancing in the Street, October 13 – sponsored by the Ridgefield Chamber of Commerce.

 - Charter Revision explanation text brochure has been completed by the printer. The League of Women Voters would like to host and facilitate a Public Info meeting relevant to the charter revisions. This meeting will have to be held at least two weeks prior to the November election. One or more members of the Charter Revision Commission and someone from the Board of Selectmen should be in attendance at the Info Meeting to answer questions. Steffi Jones pointed out that in the past, the Charter Commission wrote articles for the press regarding the proposed changes in the charter. R. Marconi indicated that the Commission has been dissolved, but there will be information available about the proposed charter changes available from the League of Women Voters.

 - Acre Lane ordinance rough draft is ready to be reviewed – also a copy of a similar ordinance in Shelton. Acre Lane residents are asking the Town to secure the bids.

 - R. Marconi read the October 5, 2006 letter he sent to Tom Heaslip of the Love Management Corp. in White Plains, NY, relative to the Bissell Building property at 378 Main Street, Ridgefield and their request to the WPCA to suspend the annual user allocation fee until the property is reconstructed. This request was denied by the WPCA and the denial was agreed to by the Office of the First Selectman of the Town of Ridgefield. Ridgefield is anxious for the commencement of reconstruction at this site.

9. Possible Executive Session – Land Purchase Discussion

J. Plock moved and D. Masters seconded a motion to adjourn the Board of Selectmen Meeting at 9:50 p.m. and go into Executive Session for the purpose of a land purchase discussion with Dr. Ben Oko, Chairman of the Conservation Commission, invited to attend. Motion passed 5-0.

Respectfully submitted,

Janet L. Johnson