

# **PUBLIC HEARING & BOARD of SELECTMEN MEETING**

OCTOBER 19, 2005

TOWN HALL/LOWER LEVEL CONFERENCE ROOM

## **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, B. Manners, D. Masters, J. Plock, P. Yanity

### **PUBLIC HEARING AGENDA**

A Public Hearing will be held on Wednesday, October 19, 2005, 7:30 P.M., Town Hall Lower Level Conference Room, 400 Main Street, Ridgefield, CT, to consider the proposition of the Town of Ridgefield assuming ownership of Mapleshade Cemetery.

### **BOARD of SELECTMEN MEETING AGENDA**

Convene meeting; Vote to Recess to Executive Session to discuss possible Conservation Commission property purchase; Adjourn Executive Session; Reconvene public portion of meeting.

1. Social Services Department Overview – Mary Ann Baldwin
2. Roberts Lane – Michael Eppoliti
3. Deer Management Implementation Charge and Interviews (Nancy Fox, Sid Kelley, Scott Meserve, Paul Payne, Robert Ramsey, Maj. John Roche, Gwen Thaxter, Stefano Zandri)
4. Parks & Recreation Commission Appointment
5. Code of Ordinances Changes Review
6. Acceptance of four elementary school projects per MBC's 8/23 approval
7. LifeCare Design lease review
8. Community Sign Board
9. Approval of meeting minutes – 10/5/05
10. Selectman's Report

### **PUBLIC HEARING**

R. Marconi called the Public Hearing to order at 7:35 p.m. The purpose of the Public Hearing was to consider the proposition of the Town of Ridgefield assuming ownership of Mapleshade Cemetery. R. Marconi reviewed the history of ownership of Mapleshade and the presentation at the October 5, 2005 BOS Meeting by three members of the Ridgefield Graveyard Committee requesting that the Town assume the ownership of Mapleshade. R. Marconi called on Jean Timpanelli to see if she had anything additional to add to the discussion. Jean replied that there is now a better understanding of the State requirements regarding the care of cemeteries, the financial responsibility involved. It is appropriate for the Town to assume ownership of Mapleshade and for a new beginning.

Tim Malarkey, Monroe, CT, spoke on behalf of the Irene Scott family. He has spent considerable time and money in pursuing the possible sale of Mapleshade to a church or other legitimate institutions. He has concluded that the family's only alternative is to turn the cemetery over to the Town of Ridgefield. He has been unable to find a responsible manager. A great many families are involved with this

cemetery. He appreciates the assistance of the Historical Society, the Boy Scouts, and the Town of Ridgefield.

**J. Plock moved and D. Masters seconded a motion to hold a Town Meeting on November 2, 2005 to discuss the proposed Town of Ridgefield's acceptance of ownership of Mapleshade Cemetery. Motion passed 4-0-1. B. Manners abstained as she is a Mapleshade plot owner.**

### **BOARD of SELECTMEN MEETING**

R. Marconi closed the Public Hearing and called the Board of Selectmen Meeting to order at 7:40 p.m. **D. Masters moved and J. Plock seconded a motion to recess to Executive Session at 7:40 p.m. to discuss a possible Conservation Commission property purchase. Dr. Ben Oko, Chairman of the Conservation Commission will be present at the Executive Session. Motion passed 5-0.**

The Executive Session was adjourned at 7:55 p.m. and the Board of Selectmen Meeting reconvened.

1. Social Services Department Overview – Mary Ann Baldwin  
Mary Ann Baldwin is the Director of Social Services and Municipal Agent for the Elderly for the Town of Ridgefield (35 hours/week). Assisting her is Carole Konner, Municipal Agent for the Disabled (30 hours/week), and Jeanne Wolnick, Department Assistant (14 hours/week). Mary Ann reviewed the responsibilities of each of these individuals. She herself is a member of the Emergency Preparedness Team and is responsible for having enough food “in the pipeline” in case of an emergency. She serves on the Ridgefield Coalition Against Substance Abuse, and the Senior Positive Initiative Forum (SPIF). SPIF sponsors Senior Appreciation Day in May (last year 850 participants), the Yellow Dot Program with the Police Department, and the Senior Gold Card. She is the Welfare Secretary for Ridgefield's Salvation Army and is on the Ridgefield Community Response Committee for Katrina.

Ms. Baldwin and Carole Konner provide much direct client contact. They have approximately 150 active cases at any given time. Carole works closely with Sunrise Cottage and does PPT's with the schools. This time of year residents are seeking energy assistance. They respond to many questions. Residents and family members of residents want to know what services are available. They are currently doing presentations on Medicare and Prescription Drug Coverage. Other programs include Friendly Shopper, Latchkey Children, Summer camp programs, Hearing Aid assistance, Ballard Green heating assistance, the Food Pantry, job placement, among others. All of the programs except for Friendly Shopper require funding. They rely on the generosity of the community. Fund raising is important. Mary Ann does about two presentations/month on fund raising. The Town is most responsive. From October 2004 to October 2005, about \$70,000 in food, home heating oil, and other goods and services were contributed. Contributions totaled \$196,934. B. Manners expressed a thank you from the Town and the BOS.

2. Roberts Lane – Michael Eppoliti  
Attorney Andrew Buzzi came forward to make a presentation on behalf of the Eppoliti's. His presentation covered 1) ownership, 2) parking spaces, and 3) landscaping. The land which is Roberts Lane is owned by the Eppoliti Realty Company. In 1980 the Eppoliti Realty Company as owner provided easement rights thru a stipulation providing dedication for public use. This provides for the right to use the property in conjunction with the easement. Mr. Buzzi provided copies of the following: 1) May 3, 1995 letter to Mr. Oswald Inglese, Town Planner of the Town of Ridgefield, from J. Allen Kerr, Jr., Town Attorney for the Town of Ridgefield, regarding the general status of Roberts Lane; 2) November 11, 1983 letter from

Charles E. Creamer, Chairman of the Zoning Board of Appeals, Town of Ridgefield, to Mr. Steve M. Smith, 47 Old South Salem Road, Ridgefield, CT re: Appeal No. 83-61, Petition of Eppoliti Realty Company, Inc., Property Located at 8-10 Roberts Lane; 3) One page of the Appellate Decision; and 4) Draft agreement (prepared by Mr. Buzzi) as a starting point for discussion between the Eppoliti Realty Company, Inc., and the Town of Ridgefield.

Attorney Buzzi also showed photos of the parking spaces under discussion. In 1983, a variance was given to construct seven parking spaces and expanded to thirteen spaces. In November 2003, the parking spaces were removed and landscaping was put in. The client (Eppoliti Realty Company) was not notified that this was going to happen. Mr. Bozi stated that the draft agreement is an attempt in good faith to come to a solution. It can serve as a starting point for each side's consideration.

Attorney Pat Sullivan, Cohen & Wolfe, Town Counsel, provided her view of the situation. J. Pluck inquired as to why the parking places were removed? Ms. Sullivan replied that a road is usually at least 40 feet in width. In this instance, only 38 feet is available. Once a road is dedicated to public use, the public has the right to travel over it and the right to access it. Al Kerr's opinion letter of May 3, 1995, indicated that the Town has the right to use Roberts Lane. P. Yanity inquired as to what happened to the variances which were granted in this case? Once a variance is granted, it stays with the land. The ZBA did grant a variance for only 38 feet. P. Yanity indicated that he does not see what power the Board of Selectmen has to make any changes. Attorney Buzzi replied that he is here because the Planning & Zoning issue is parking. They want to have the parking spaces back; seeking recognition of the 13 parking spaces. D. Masters indicated that a Land Use Attorney should look at this situation. John Katz, Vice Chairman of Planning & Zoning, pointed out that this is not a P&Z issue, but a Board of Appeals issue.

R. Marconi will send a letter to the Zoning Board of Appeals to look at this issue.

3. Deer Implementation Charge and Interviews (Nancy Fox, Sid Kelley, Scott Meserve, Paul Payne, Robert Ramsey, Major John Roche, Gwen Thaxter, Stefano Zandri)

Attorney Pat Sullivan, representing Town Counsel David Grogins, presented the September 1, 2004 charge to the Ridgefield Deer Committee, the June 27, 2005 recommendations and specific findings of the Ridgefield Deer Committee, and a charge for the Board of Selectmen five (5) member to be appointed committee to be known as the Ridgefield Deer Implementation Committee. Also, if the decision is to proceed with a controlled hunt, then an additional level of firearm training with Ridgefield's Police Department should be required. P. Yanity felt that there is a need to be flexible and the times when the Deer Committee should report back to the Board of Selectmen will vary. Also, the Police Department needs to be consulted as to whether or not they wish to provide additional firearms training for hunters already licensed by the State. Tom Belote commented that he feels the charge is both specific enough and broad enough. The Committee should be left to do their work and then return to the Board of Selectmen for approval. B. Manners commented that the BOS voted to accept the Deer Committee's report and did not vote to accept their recommendations. It was pointed out that the Implementation Committee should decide what recommendations to accept or not to accept.

**J. Pluck moved and P. Yanity seconded a motion as prepared by Town Counsel, David Grogins, to approve as read the Charge which included the recommendations of the Ridgefield Deer Committee and the establishment of the proposed five (5) member**

**Ridgefield Deer Implementation Committee. Motion passed 4-1. B. Manners voted against.**

Ms. Nancy Fox, Deer Hill Drive, suggested use of the word “thinning” instead of hunting – a calmer word.

There were seven additional candidates to interview for the Ridgefield Deer Management Committee. R. Marconi read the e-mail or letter if received from each.

Nancy Fox, Deer Hill Drive, - came forward to introduce herself and her qualifications as a “civic innovator and doer” to serve on the Deer Management Committee. She started car-pooling in the mid-70’s when there was a gas shortage connecting person-to-person thru the Ridgefield Press; in 1976 widened blind entrance Cedar Lane onto Rte. 35 by collecting signatures and meeting with police and state officials, etc., repeated this again in approximately 2000 by contacting Town Engineer, Charlie Fisher, and requiring the new owners to prune the flora widening the sight line at the corner; initiated the League of Women Voters idea to hold a black tie dance at the dump to raise funds for the recycling center, and active in other environmental issues.

Sid Kelley, Florida Hill Rd. – is a director on the Land Conservancy and applied to the Ridgefield Deer Committee. D. Masters expressed appreciation for his willingness to come forward again. J. Plock inquired if he could accept the recommendation made by the Deer Committee? He replied that the deer are a real problem. The undergrowth in the woods is being decimated.

Scott Meserve – is a graduate of Ridgefield High School and owner of Meserve Construction. He is a bowhunter and a Conservation Certified Trainer, a member of the NRA and is NRA Firearms Safety and Ethics Certified. Mr. Meserve was a Scout Sniper in the Marine Corps and is a rifle expert in marksmanship. Scott expressed concern about how a controlled hunt would take place. How does one address deer in downtown Ridgefield? Residents live too close for firearms in many areas. D. Masters inquired if he thought thinning the herds is a solution? Mr. Meserve indicated that he thinks bow hunting would have to be the solution closer into town. A “controlled” hunt is the best solution.

Paul Payne, Aspen Ledges Rd. – indicated that he is a safe ethical hunter. He believes Ridgefield has a serious deer problem. Lyme Disease needs to come way down; there are no oak saplings in the woods. He is a life-long resident of Ridgefield.

Robert Ramsey, Mountain Rd., - is a long-time resident of Ridgefield with over 30 years of hunting experience, primarily with a compound bow. If the town pursues a greater hunting effort, it needs to be done by qualified and skilled residents. He is Manager of Investment Services at Newtown Savings Bank, and thus works close by. He has a daughter who will be driving in a few years and is concerned about the deer situation with vehicles.

Major John Roche – of Ridgefield’s Police Department. He is well known to the BOS and was told that he did not need to come for an interview.

Gwen Thaxter, Round Lake Road, - served on the Ridgefield Deer Committee and would welcome the opportunity to serve again on the Deer Management Committee. She has conducted extensive research into all phases of deer population management and issues. She feels her extensive knowledge of scientific research and studies in this area would be

beneficial to the Implementation Committee. Gwen distributed copies of articles she has researched. She also reported back about the Streeter Light Reflector System. They are effective and allowed. They are currently being tried in Stamford. J. Plock inquired if she would have some problems with some of the recommendations that might be implemented? She thinks the Deer Committee used some of her research and would like to have her ideas given a chance for implementation. She feels the Deer Management Committee may be staffed with primarily NRA members and hunters and feels it needs to be also staffed with people like herself. D. Masters asked if the main charge of the committee is to “cull the herd”, can she go along with this? Gwen replied that she supports Yale coming into Ridgefield and conducting scientific studies as they have proposed. We should not conduct a hunt before their study is initiated. It is an opportunity that should not be missed.

Stefano Zandri, Barry Avenue – indicated that he has many years of hunting experience. He is Vice President of a hunting club and a member of the NRA. Last year he was one of the designated hunters for the controlled hunt in Wilton. He realizes the time and commitment that is needed to make this deer management program work. He is an airline pilot and because of his schedule, he has the time to commit. D. Masters inquired if there has been an improvement in Wilton because of last year’s controlled hunt. Mr. Zandri replied “some”. In Wilton they are allowing hunting during both the gun and bow seasons. He suggests the first year to allow hunting on the larger pieces of property. This process needs to be an ongoing effort – one year doesn’t do it. The deer are taken to an Armonk, New York butcher, who is paid by NY state funds. The meat is donated to those in need. It is hoped that Connecticut will start a similar program. B. Manners inquired if Mr. Zandri was aware of the increase in vehicle accidents during hunting season because the deer “run”. He said he was aware of this.

Major John Roche, Ridgefield Police Department – Major Roche is most familiar to the BOS and was told it was not necessary for him to come for an interview. He would like to serve on the Deer Management Committee and feels it is important to have a representative of the Police Department on this important project.

Twelve applicants have applied for this 5-person committee. D. Masters recommended a slate to consist of: Tom Belote, Richard Douville, Sid Kelley, Major John Roche of the Police Department, and Stefano Zandri. R. Marconi read their letters to review their candidacy. B. Manners indicated her objection to this slate as she feels all these candidates are hunters. Someone needs to be on the committee who is interested in education, tick boxes, etc. – other means besides hunting to solve some of the deer related problems. D. Masters pointed out that these candidates are not against all hunters nor education and other options of control. P. Yanity indicated that he feels hunters usually have great respect for the out-of-doors and the land. They are aware of what they can implement. Hunters are environmentalists.

**D. Masters moved and J. Plock seconded a motion to appoint the following applicants as members of the Ridgefield Deer Management Committee: Tom Belote, Richard Douville, Sid Kelley, Major John Roche of the Police Department, and Stefano Zandri. Motion passed 4-1. B. Manners voted against.**

4. Parks & Recreation Commission Appointment - The decision to fill the vacancy on the Parks & Recreation Commission is between Evie Bottali and Bill Whelan. Both candidates are strong applicants. R. Marconi read the October 11, 2005 memo received from the Parks & Recreation Commission detailing Questions to Ask, Candidate Profile, and Other Qualifications for the individual to fill the position. This recommendation was sent in response to the BOS’s request for a Parks & Rec referral.

**D. Masters moved and B. Manners seconded a motion to appoint Evie Bottali to fill the vacancy on the Parks & Recreation Commission. Motion passed 5-0.**

5. Code of Ordinances Changes Review – A special meeting needs to be scheduled to discuss this agenda item. P. Yanity suggested the input of the Chamber of Commerce and retailers on this issue. R. Marconi will send an e-mail to the Chamber requesting their input on hours of operation. **J. Plock moved and D. Masters seconded a motion to table #5 on the Agenda – Code of Ordinances Changes Review and hold a Special Board of Selectmen Meeting on October 27 at 2:00 p.m. to discuss this agenda item. Motion passed 5-0.**
6. Acceptance of Four Elementary School Projects per MBC's 8/23 Approval - **J. Plock moved and D. Masters seconded a motion to close out and turn over to the Board of Education as accepted the four elementary school projects, Branchville, Farmingville, Scotland and Veterans Park, per the August 23, 2005 recommendation of the Master Building Committee. Motion passed 5-0.**
7. LifeCare Design Lease Review - **J. Plock moved and P. Yanity seconded a motion to hold a Public Hearing on November 2, 2005 to discuss the proposed lease between the Town of Ridgefield and LifeCare Design, Inc. Motion passed 5-0.** P. Yanity inquired as to what is left to be rented in the Venus Building? R. Marconi replied that only about 1,000 sq. ft. is not yet rented. The Chamber of Commerce needs a small room for records preservation. The small data room downstairs might fill this need.
8. Community Sign Board – R. Marconi reported that the Design Council at their meeting on October 17<sup>th</sup> discussed the feasibility of putting a Community Sign Board in front of CVS, behind the sidewalk on the grassy knoll. There is 4-5 feet of space there. Another suggestion is by Copps Hill, the Pamby Motors corner. Permission of the owners of the property for such a project needs to be obtained first. The idea would be to do something attractive – benches, plantings, etc. Other ideas are by the Transfer Station and the new Parks & Recreation complex. The suggestion is to develop signage design for the town as a whole. The proposal is to seek the CVS location first and go from there. The BOS expressed agreement with this approach.
9. Approval of Meeting Minutes - 10/05/05  
**J. Plock moved and D. Masters seconded a motion to approve as amended the minutes of the October 5, 2005 Board of Selectmen Meeting. Motion passed 4-0-1. B. Manners abstained as was absent from the October 5 meeting.**
10. Selectman's Report – A portable radio was brought up to Tiger Hollow to see if it worked. The goal is to work out a system whereby someone trained can dispatch directly from Tiger Hollow location.

**J. Plock moved and B. Manners seconded a motion to adjourn the Board of Selectmen Meeting at 10:30 p.m. Motion passed 5-0.**

Respectfully submitted,

Janet L. Johnson