

BOARD of SELECTMEN MEETING – NOVEMBER 3, 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, D. Masters, J. Plock, P. Yanity
Absent: B. Manners (ill)

AGENDA

1. Appointment of Tom Belote, Fishing and Game Constable
2. Susan Horner, Board of Ethics Reappointment
3. Charter Revision Commission Interviews: John Noonan, Jan Rifkinsen
4. Ridgefield Community Prevention Council: Taylor McCall Mazza, Shelly Fisher
5. Health Emergency Preparedness Status & Update – Ed Briggs
6. Unit Ventilators and Carpet at ERMS – Nels Berg, Paul Anderson
7. Reverse 911 Policy Review
8. Finance Operating Transfer – Jay Wahlberg
9. Set date for Town Meeting on Street & Sidewalk Ordinance Change
10. Revised Arts Council Charge – Di Masters
11. Sunset Lane – P&Z Comments
12. Senior Citizen Appreciation Day Proclamation
13. Approval of October 20 minutes
14. Selectman's Report

R. Marconi called the BOS Meeting to order at 7:30 p.m.

J. Plock moved and D. Masters seconded a motion to remove Item #2 (Susan Horner, Board of Ethics Reappointment) from the evening's agenda and postpone it until the November 17 BOS Meeting. Motion passed 4-0.

1. Appointment of Tom Belote, Fishing and Game Constable – This appointment was discussed several meetings ago and tabled at the time to be revisited at a later date. The recent bow hunting incidents have brought this appointment back to the table for further discussion and decision. Tom Belote, who is currently co-chair of the Regional Deer Management Committee and a member of Ridgefield's recently formed Deer Management Committee has indicated his interest in being appointed to the position of Fishing and Game Constable. Mr. Belote came forward to discuss his interest in the position and his qualifications. J. Plock inquired as to whether residents would call such a Constable in addition to the Police Department relative to deer issues and did Mr. Belote believe that having such an individual available for calls would make residents feel better about the

deer hunting situation. Mr. Belote replied that he knows most of the hunters in the Ridgefield area, he knows what the regulations are, and is someone who can work well with both the hunters and the Police Department. He is familiar with the recent Old Sib Road incident. J. Plock asked if he thought opening up Town Open Space to hunting would be a beneficial move for the Town to make. Mr. Belote indicated that perhaps the Ridgefield Deer Committee may make such a suggestion plus other ideas for deer regulation.

R. Marconi inquired as to the previously discussed concern about the proposed Constable carrying a firearm. Mr. Belote indicated that he does not want arrest powers and does not want to carry a firearm in this position. He views the position as a positive proactive position – more than just public relations; not a confrontational position. If the situation needed enforcement powers, he would call in the Police Department. Likewise, the Police Department could call him to follow thru on a situation. This position would be a BOS appointment with the approval and consent of the Police Commission. R. Marconi reviewed the state statues relative to appointment of a Fish & Game Constable. There is no compensation provided for in the statute. This position is not a substitute for the Police Department or the State DEP officers.

D. Masters asked Mr. Belote how he envisioned himself being of assistance in frictional situations. The friction may well be between the neighbor who hires a hunter and his neighbor who does not believe in hunting and does not want to allow retrieval access on his property. Mr. Belote replied that in such a situation, he would go right to the hunter and ask for judicious behavior; the hunter may be legal but still needs to show judicious judgment.

J. Plock moved and P. Yanity seconded a motion to recommend to the Police Commission for appointment Tom Belote as the Fishing and Game Constable without compensation. In this position, Mr. Belote will carry an identification badge, and wear an identifiable jacket and a special hat as his uniform. There will be no power to arrest or use of firearms in this position. Motion passed 4-0.

3. Charter Revision Commission Interviews: John Noonan, Jan Rifkinsen

John Noonan came forward to meet the Board members and discuss his qualifications and interest in serving on the Charter Revision Commission. He has lived in Ridgefield for 14 years and has served as a board member of the Ridgefield Symphony Orchestra, a guide at Keeler Tavern, a member of the Ridgefield Men's Club, and is currently on the Task Force for the Community Center for its improvement. Being retired, Mr. Noonan has the time to serve and indicated his desire to help out however needed.

Jan Rifkinsen is also retired and has the time to serve on the Commission. He has lived in Ridgefield for six years and sees himself as an “issue-oriented” person.

“His interest is based on the notion that elected officials need to have and be held accountable for the majority of the town’s budget, not a minority of the town’s budget as it is currently structured.” He is particularly interested in the school budget process, how all of this process functions. He wants to be sure as much money as possible is spent on the children. Mr. Rifkinson’s business background is television news editorial and production experience and, in particular, as Director/Producer of 20/20.

R. Marconi indicated that several candidates are being interviewed at each BOS Meeting with the Charter Revision Commission being appointed in January 2005.

4. Ridgefield Community Prevention Council – Taylor McCall Mazza, Shelly Fisher
This Council is a realignment of the efforts of the Alcohol & Drug Abuse Committee and the Ridgefield Community Partnership. R. Marconi outlined the purpose of this Council and how it will attempt to move prevention programs forward. They are the recipient of the Housatonic Valley grant money which is awarded annually. **J. Plock moved and P. Yanity seconded a motion to recommend that the Ridgefield Community Prevention Council become a Board of Selectmen appointed committee, and that the following individuals be appointed for a one year term subject to annual reappointment: Lynne Harmelin, Patricia Michele Fisher, Taylor McCall Mazza, Janelle Bessette, Lisa Petrucelli. The charge of the Ridgefield Community Prevention Council should include the following: RCPC should report to the Board of Selectmen annually with an update and should abide by Article 6 of the Ridgefield Town Charter. Motion passed 4-0.**
5. Health Emergency Preparedness Status & Update – Ed Briggs Ed Briggs, Director of Health for the Town of Ridgefield, described how he is more and more involved with the State Department of Health with regard to health emergency preparedness. Residents want to know that the Town has everything in place. This is all part of the Federal program for Homeland Security. Both the State and Federal governments are putting many demands on municipalities to comply with training and emergency preparedness. Mr. Briggs’s bio-terrorism report which he submitted to the State of Connecticut received an A+. A Health Department website will be listed on Ridgefield’s home page.
6. Unit Ventilators and Carpet at ERMS – Nels Berg and Paul Anderson
Carpeting at ERMS -
N. Berg reviewed the October 21, 2004 letter sent by Paul Anderson, Chairman of the Master Building Committee, to the Board of Selectmen describing the installation of the wrong carpeting by the supplier in the Media Center and Administration Area at East Ridge Middle School, and recommending that the Board of Selectmen implement the following strategy with regard to the ERMS carpet:

“The existing carpet should remain as is and we should accept the settlement setting aside the funds for future replacement should that become necessary.”

The carpeting is similar in look to what was selected but does not have the rubber backing and a 10-year guarantee rather than a 15-year guarantee. P. Anderson’s letter details the history of the selection of the carpeting for the media and administrative areas, the product specifications, the non-compliance results, considerations/strategies which can be selected and costs involved, and conclusion with the Master Building Committee recommendation to accept the settlement of \$10,080.

N. Berg pointed out that repeated moisture tests on the concrete slab are within requirements, caulking has been done around the perimeter in all the areas, and the drainage situation has been improved on the north side of the Annex. The supplier is not willing to replace the carpeting with what was originally ordered. They will pay the settlement amount of \$10,080 (the cost amount between the carpeting ordered and the carpeting installed) and are not willing to do anything more. The alternative is for Ridgefield to litigate. The estimated cost of litigation would be about \$110,000.

J. Plock inquired as to the supplier’s responsibility if they installed the wrong carpeting, don’t they have to change it? The discovery of the wrong carpeting came after all the furniture and books were back in place. This MBC recommendation has not been reviewed by the Board of Education. R. Marconi will attend the Board of Education meeting on Monday, November 8 to discuss this recommendation. Legal counsel recommends that Ridgefield accept the supplier’s settlement.

A discussion followed as to the request for carpeting with a rubber backing. P. Anderson indicated that the carpeting with the rubber backing was chosen for the clean-up of spills from the top down, and not to prevent water from the concrete slab below. R. Marconi pointed out that every test that has been done indicates no moisture problem in the concrete slab. N. Berg reported that the pre-existing problem with stagnant air has been solved; previously there was no air movement in the media center and administrative areas.

Kitty Fisher, Chairman of the Board of Education, indicated that her understanding was that the special-backed carpeting was ordered to allow moisture to evaporate over time and not let spills go through.

J. Plock inquired if the concrete surface was sealed prior to the installation of the carpeting. The answer is no, it wasn’t.

Mr. Cox feels there is a principle involved. O&G has been hired to oversee the ERMS project. They failed to do so with this carpeting installation. O&G should also be held accountable, and O&G should exert pressure on the carpeting

contractor for a larger settlement. Has O&G been paid in full for this project? The answer is no.

J. Plock inquired as to the possibility of acquiring a copy of the law relative to such a situation as this. Scott Harrington of the Master Building Committee could furnish such a copy.

P. Yanity indicated that he realizes that the Master Building Committee has spent many hours on this issue. Since Town counsel recommends acceptance of the settlement, the BOS should accept the recommendation, but he suggests that the settlement money be put back into the bundle if that is the desire of the Board of Education.

D. Masters moved and P. Yanity seconded a motion that relative to the East Ridge Middle School Media Center and Administration Area Carpeting, the existing carpet should remain as is, and the Master Building Committee, representing the town of Ridgefield, should accept the offered settlement of a minimum of \$10,080 Motion passed 3-1. J. Plock voted against the motion as she does not feel this is an appropriate solution to the problem of installation of the wrong carpet by the supplier. Specific designation of the funds will take place, if necessary, after R. Marconi meets with the Board of Education on Monday, November 8.

Unit Ventilators –

P. Anderson provided an update on the unit ventilators issue. The unit ventilators as now installed meet the specifications and are inline with State regulations. The MBC is continuing to look into the noise problem further and checking on the units room by room. Tests have been done in three different locations within each room: at the unit, in the middle of the room, and by the doorway.

Kitty Fisher, Chairman of the Board of Education, indicated that the sound situation is better than last year; however, children are still having trouble hearing in some of the rooms because of the noise from the ventilators.

The size of the unit relative to the size of each individual room is being looked at also. The bigger units are noisier. Central air could not be installed at ERMS, so unit ventilators were thought to be the answer. The manufacturer is being questioned to see if the size of the units can be downsized and still move air effectively? The school is being asked for a list of problems room by room. This is a “work in progress”. Kitty Fisher commented that there has also been a problem with the servicing of the units. The bearings have been changed, but the specs have not been changed. This is another reason to meet with the manufacturer. To service a unit is a full day’s job because of the way the units are installed; they are “landlocked” and it is difficult to get into the machine for servicing.

8. Finance Operating Transfer – Jay Wahlberg – Paul Roche and Paul Berman were present as representatives of Tiger Hollow, Inc., a non-profit entity which was set up to manage the stadium. The stadium is a town asset and needs to be used correctly and managed in the best possible way. This is currently Year 2 of the two test years. The stadium was initially funded for two years. This year instead of the Stadium Manager doing both management and cleaning, the Stadium Manager is paid \$20,000 for his management responsibilities and the additional \$10,000 is paid for cleaning to the Parks & Recreation Department, who maintain other facilities in town as well. The stadium looks good.

J. Plock moved and P. Yanity seconded a motion to approve Department of Finance Memorandum #200506 whereas, Tiger Hollow has incurred operating expenses associated with the High School stadium that was supported by donations and whereas, the Parks & Recreation Department will assume that expense for fiscal year 2006 and dividing said costs between Town, BOE and user support groups; therefore, the Parks & Recreation Department is requesting an increase in expense appropriation (Increase #10354-51005 Part-Time Salaries in the amount of \$30,000) with a corresponding increase in the revenue estimate (Increase #10903-44262 Athletic Fields in the amount of \$30,000) based on future and past activity. Motion passed 4-0.

J. Plock moved and P. Yanity seconded a motion to postpone Agenda Items #7 (Reverse 911 Policy Review), #11 (Sunset Lane – P&Z Comments), and #13 (Approval of October 20 minutes) to the November 17, 2004 BOS Meeting. Motion passed 4-0.

9. Set Date for Town Meeting on Street & Sidewalk Ordinance Change - **J. Plock moved and P. Yanity seconded a motion to hold a Town Meeting on the Street & Sidewalk Ordinance Change at 7:30 p.m. prior to the Board of Selectmen Meeting on November 17, 2004. Motion passed 4-0.**
10. Revised Arts Council Charge – Di Masters – D. Masters read the Ridgefield Arts Council Proposed Revised Charge. **J. Plock moved and P. Yanity seconded a motion to approve the proposed Ridgefield Arts Council Revised Charge as written. Motion passed 4-0.**

J. Plock suggested a book of policies be established – all accumulated in one place for easy reference and access. D. Masters indicated that she will review the charges of the various commissions and update them when needed. Each commission will be contacted for their input. All commissions are to have the following statement as part of their charge, “(name of the commission) should report to the BOS annually with an update and should abide by Article 6 of the Ridgefield Town Charter.”

12. Senior Citizen Appreciation Day Proclamation – Mr. Marconi presented to Mr. Frank Lancaster, as representative of the senior citizens of the Town of Ridgefield, a Senior Appreciation Day Proclamation proclaiming May 22, 2005 as Senior Appreciation Day with a fair to be held at the Ridgefield Recreation Center and Founders Hall. A great day is being planned to honor the seniors. Mr. Lancaster has been working very hard to coordinate this effort. An antique midget car display is hoped for as well as many special activities for seniors including free food, entertainment, prizes and information provided by local organizations.

14. First Selectman's Report – Mr. Marconi stated that he will postpone most of his announcements until the next BOS meeting. He did provide a quick update on Eureka. There is currently a Supreme Court Hearing relative to a New London, CT case in which private land is being taken for economic development. The attorneys have advised Ridgefield to put everything on hold relative to the South side of Bennett's Pond property until a decision is rendered in this New London case.

J. Plock moved and D. Masters seconded a motion to adjourn the Board of Selectmen Meeting at 10:00 p.m. Motion passed 4-0.

Respectfully submitted,

Janet L. Johnson