

**EXECUTIVE SESSION of BOARD of SELECTMEN, TOWN MEETING & BOARD of
SELECTMEN MEETING**

November 17, 2004 – 7:00 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

EXECUTIVE SESSION of BOARD of SELECTMEN - 7:00 P.M.

To discuss Eureka strategy going forward.

TOWN MEETING – 7:30 P.M.

To consider the changes in Ridgefield Code under Chapter 13, Street and Sidewalks
(Minutes of Town Meeting under separate cover)

BOARD of SELECTMEN MEETING – Immediately following the Town Meeting

AGENDA

1. Architectural Advisory Committee Interview – Phil Esser
2. Reappointment of Board of Ethics members: Dom D’Addario, Susan Horner, Geoff Harrington
3. Building Code Board of Appeals Reappointment – John Murren
4. Reverse 911 Policy
5. Sunset Lane – P&Z Comments
6. Discuss setting up special fund – Jay Wahlberg
7. Charter Revision Committee Interviews – Kevin Briody, Lynne Marie Wieland
8. 2005 Board of Selectmen Calendar
9. Approval of Minutes – October 20, 2004
10. Selectman’s Report

ECONOMIC DEVELOPMENT COMMITTEE MEETING

To review Economic Development of the Town

Immediately following the Town Meeting, R. Marconi called the Board of Selectmen Meeting to order at 7:55 p.m.

J. Plock moved and B. Manners seconded a motion to add to the Agenda before Item #1, approval of the appraisal fees as required by State statute for the Bennett's Farm Property – North Side. Motion passed 5-0.

J. Plock moved and B. Manners seconded a motion to approve upon the recommendation of our attorneys, the \$10,000 payment to Eureka for the second appraisal on the Bennett's Farm Property – North Side as required by State statute and as discussed during the Executive Session. Motion passed 5-0. This money will come from the allocation for legal fees included in the referendum being voted upon on November 23.

1. Architectural Advisory Committee Interview – Phil Esser

Mr. Esser came forward to introduce himself and present his credentials to fill the vacancy of the Alternate position on the Architectural Advisory Committee. Mr. Esser has a BS in Historic Preservation with a concentration in architectural conservation from Roger Williams University, School of Architecture. He has a long-term interest in the built environment and its impact on the quality of life in Ridgefield. He worked with the Historic District Commission earlier this year documenting historic buildings in town. He attended the November 9th meeting of the Architectural Advisory Committee with the discussion on the proposed expansion of Weir Farm and commented on the thoroughness of the meeting. D. Masters pointed out how helpful Mr. Esser could be acting as a bridge between AAC and design guidelines. Detailed notes from AAC to P&Z would be most helpful.

B. Manners moved and J. Plock seconded a motion to appoint Phil Esser as an Alternate on the Architectural Advisory Committee. Motion passed 5-0.

2. Reappointment of Board of Ethics members: Dom D'Addario, Susan Horner, Geoff Harrington

These three candidates came forward to discuss their role on the Board of Ethics. Issues do not come up very often; only one question this year which was a conflict of interest question. They meet 4+ times per year. J. Plock inquired as to how residents would know how to file a concern, where would they go, who do they call, what are the requirements? Mr. Marconi replied that such information is on the Town website and in the Town Charter. P. Yanity inquired as to the role of the Board of Ethics if they see something happening in town which is a concern. Can they initiate a review? Geoff Harrington replied that they could do so as private citizens of the Town, but not in their capacity as members of the Board of Ethics. Their role is not a policing role, but one of interpretation of the Town charter. J. Plock recalled that all town employees used to sign an ethics form annually. Should this procedure be reinstated?

J. Plock moved and P. Yanity seconded a motion to reappoint for an additional term to the Board of Ethics: Dom D'Addario, Susan Horner, and Geoff Harrington. Motion passed 5-0.

3. Building Code Board of Appeals Reappointment – John Murren

Mr. Murren came forward to discuss his role on the Building Code Board of Appeals. He has served on this Board for approximately 15-20 years. The Building Department cannot interpret the Building Code, they only enforce it. The Building Code Board of Appeals is a State-mandated board which assists in interpretations of the Building Code. Mr. Murren is one of the builders on the Board. They do meet but have not had to handle any complaints. The State has greatly improved the system for securing answers to questions regarding building issues. A decision can be secured now quite quickly.

J. Plock moved and D. Masters seconded a motion to reappoint John Murren for an additional term to the Building Code Board of Appeals. Motion passed 5-0.

4. Reverse 911 Policy

J. Plock moved and B. Manners seconded a motion to approve as presented the Reverse 911 Policy, as discussed at a previous meeting. Motion passed 5-0.

5. Sunset Lane – P&Z Comments

Comments have been received from Betty Brosius, Director of Planning, in a memorandum dated November 1, 2004, relative to this issue. Ms. Brosius did a detailed calculation of the potential increase in coverage and Floor Area Ratio for homes on Sunset Lane, if their property increased in lot size. Sunset Lane homeowners could add approximately 200-400 sq. feet to their homes if they had larger lots. A transfer to the property owners has been requested with an easement remaining for the Town of the narrow strip of Town land which was the site of the old trainline from Branchville. The property owners are currently maintaining the property. To do this, the BOS would have to submit an 824 referral to P&Z and a public hearing and a town meeting would have to be held to do this transfer. D. Masters pointed out that three of these pieces of property are in common ownership. If these three lots were merged, a much larger home could be built which would significantly change the character of the street. Ms. Masters feels it is not a prudent thing to do and sets a precedent. All the BOS members were in agreement that they do not wish to pursue this transfer of Town property to the homeowners at this time. A vote does not need to be taken on this issue.

Joan Zawacki –Sunset Lane, pointed out that this discussion is not about a large parcel of land. They live directly across from Sunset Cottage. When the snow is cleared, it is dumped on the Town owned parcel adjoining their driveway, making it very difficult for them to see when exiting their drive. They would be willing to pay taxes on the parcel at the front of their property. Many dog owners use this property when walking their dogs which is not desirable. R. Marconi will look into this problem and speak to Peter Hill. Perhaps it would be helpful to post a sign about cleaning up after one's dog. Mr. Zawacki pointed out how Corner Pub parking is also prevalent along this section of Sunset Lane. J. Plock suggested that Mr. Marconi sit down with the Zawacki's to discuss the snow, dog and parking problems.

6. Discuss setting up special fund – Jay Wahlberg

J. Plock moved and B. Manners seconded a motion to approve the establishment of a special fund as requested by Controller J. Wahlberg, to receive the remaining four annual installments of approximately \$54,000 each, the settlement from the Bankruptcy Court (Metro Affiliates, Inc. et al (Bankruptcy Case No. 02-42560 (PCB) with the special fund monies to be used to pay legal fees in the Board of Education's attempt to seek additional monies from Atlantic Transit. Once the legal fees are paid, any monies left over will be returned to the General Fund. Motion passed 5-0.

D. Masters moved and B. Manners seconded a motion to approve the establishment of a special fund in the Capital Reserve Account to hold the proposed settlement with Urban Contractors of at least \$10,080 for replacement of the carpeting in the East Ridge Middle School media center when necessary, as recommended by the Master Building Committee and our legal counsel's opinion that there isn't any possible legal remedy. Motion passed 4-1. J. Plock voted against the motion as she does not approve acceptance of the settlement monies as the solution to the installation of the wrong carpeting. R. Marconi reported how he had met with the Board of Education in their discussion of this issue. It is their decision to have a special account established to receive this \$10,080 (at a minimum), with the thought that additional monies would be added to this special account each year. In this way the Board of Education would not have to return to the public to request replacement of the carpeting in question should it wear out more quickly due to the history of dampness and mold in the media center area. The carpet that was installed in error has only a 10 year guarantee, whereas the carpeting originally selected had a 15 year guarantee.

Geoff Harrington inquired as to the possibility of coming up short at this time on the funding of a building project, and perhaps the bonding should have been better. O&G has been hired by the Town to represent the Town, and thus the Town cannot sue O&G. Perhaps O&G should be approached relative to this issue and their negligence in letting this situation occur. Perhaps O&G could create pressure on the contractor for an increase in the amount of the settlement. It would be to O&G's benefit public-relations wise to be of assistance with this issue and resulting settlement. R. Marconi will speak to O&G.

6. Charter Revision Committee Interviews – Kevin Briody, Lynne Marie Wieland
The two Charter Revision Committee interviews for this meeting were Kevin Briody and Lynne Marie Wieland. Two interviews have been held each BOS meeting with the appointment of the committee to be decided at the January BOS meeting.

Kevin Briody – R. Marconi read Mr. Briody's November 3rd letter of application for the Charter Committee. B. Manners asked Mr. Briody if he had read the charter. He replied that he had not yet done so; he would try to have a very open mind. D. Masters asked him if he had an agenda for serving on the committee? He said no and that his point of reference is that he has been in Ridgefield for a long time and plans to stay into the future. J. Plock inquired as to any area of the charter he is particularly interested in. Mr. Briody replied that he has no agenda, his main interest would be taking into account where the Town is now, where we want to be, and the "collective best" way to reach our

goals. R. Marconi inquired as to whether Mr. Briody had the time to devote to the committee as he is currently a member of the WPCA. He replied, "I do not have a lot of time in my world right now, but I am willing to make the time and would like to help". B. Manners commented on how Mr. Briody is a "very good writer". D. Masters commented that Mr. Briody is very good at bringing people of divergent views together in a non-threatening way. Such a talent would be helpful to have on the committee.

Lynn Marie Wieland – R. Marconi read Ms. Wieland's e-mail of July 25 indicating her interest in serving on the Charter Committee. She is currently doing research for CACE and is on the Lyme Disease Task Force. She was a founding member of the Town Graveyard Committee and designed the first documenting program for the graveyards. J. Plock inquired whether there was a part of the charter which particularly interested her. Ms. Wieland referred to the last budget conflict and how the BOS is blamed for the education budget whether it be too high or too low. She "would like to give the BOS as much power over the education budget process as some citizens think the BOS may have." P. Yanity replied that this is something that could be looked into; what exactly does the State statute require that the BOS have or not have responsibility for. B. Manners inquired if there is an additional area that Ms. Wieland is interested in? She replied that office terms interests her. She thinks the term for the First Selectman should be four years. Perhaps a City Council type of government would be worth looking at with a four year term for everyone on the Council. Ms. Wieland indicated that she has read the Town charter and also portions of the State statute.

8. 2005 Board of Selectmen Calendar – It was suggested that BOS members review the proposed calendar and report back at the next meeting.
9. Approval of minutes – October 20, 2004, November 3, 2004

B. Manners moved and J. Plock seconded a motion to accept as amended the minutes of the October 20, 2004 Board of Selectmen Meeting. Motion passed 5-0. J. Plock moved and P. Yanity seconded a motion to approve as amended the minutes of the November 3, 2004 Board of Selectmen Meeting. Motion passed 4-0. B. Manners abstained as she was absent from the November 3 meeting.

10. First Selectman's Report -

- R. Marconi read the Nov. 3rd letter honoring the Ridgefield Tree Committee as the Urban Forestry Volunteer Organization for 2004
- Reminder of the November 23 referendum for Bennett's Pond being held from 6:00 a.m. to 8:00 p.m. at East Ridge Middle School.
- The Facilities Manager from Norwalk Community College has toured the Ridgefield facility with the Facility Manager from the Town. They may want a survey from Ridgefield as to the types of classes and possible enrollment numbers. The parking issue will also have to be addressed. R. Marconi met with John Frey about the possibility of securing grant money to help pay for expanded parking. LOSA funds would qualify; looking at possible alternatives.

- P. Yanity inquired as to the sidewalks on Grove St.; who is going to take care of them?
- Ridgefield Girl's Cross County Track team has won first place in the state two years in a row; the first team to have consecutive wins.
- Work is continuing on the Policy manuals
- J. Plock is anxious for establishment of the Vehicle Policy appeal process.

J. Plock moved and B. Manners seconded a motion to adjourn the Board of Selectmen Meeting at 9:55 p.m.

ECONOMIC DEVELOPMENT COMMITTEE MEETING

The purpose of the monthly Economic Development Committee Meeting was to review economic development of the Town.

- The SVG property is awaiting a special permit.
- Bennett's Pond – everything is on hold relative to the South side. The attorneys have advised Ridgefield to put everything on hold relative to the South side until a decision is rendered in a New London, CT case in which private land is being taken for economic development.
- Shadow Lake ball field is moving ahead. The Town is doing the initial work and then the Little League Association will move ahead with the rest of the work needed to create this field.
- The leases between the VNA and the Ridgefield Playhouse and The Ridgefield Symphony Orchestra for office space are being worked on.

B. Manners moved and J. Plock seconded a motion to adjourn the Economic Development Committee Meeting at 10:05 p.m. Motion passed 5-0.

Respectfully submitted,

Janet L. Johnson