

BOARD of SELECTMEN MEETING – DECEMBER 14, 2005

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

AGENDA

1. Discussion of Ballard Green DECD Grant – Set date for public hearing and special town meeting
2. Groundwater Discharge Ordinance – Set date for public hearing and special town meeting
3. Constable Reappointments – Richard Aarons, Tom Belote, Ted Peatt, Robert Spielman, Jim Sullivan
4. Tiger Hollow Presentation
5. 2006 Ambulance Rates
6. Walk for the Cure Proclamation
7. VFW Lease Renewal at Venus Building
8. LifeCare Design Lease – Set date for public hearing and special town meeting
9. VNA Lease – Set date for public hearing and town meeting
10. Approval of meeting minutes – November 30, 2005
11. Selectman's Report

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

J. Plock moved and D. Masters seconded a motion to add to the Agenda as Item #5A – Acceptance of Donation of Property at 35 Cops Hill Rd. Motion passed 5-0.

1. Discussion of Ballard Green DECD Grant – This proposal involves the construction of twelve additional units at Ballard Green under the jurisdiction of The Housing Authority, expansion of the parking area at the rear of CVS adjacent to Ballard Green, and an improved entrance to Ballard Park from the CVS side as proposed by the Friends of Ballard Park. A DECD Grant is available for much of the cost. Ridgefield has received grant advice from Consultant, Larry Wagner, of Waterbury, CT. Two public notices are required for a public hearing to take place regarding application for DECD grant dollars, which is available to small cities like Ridgefield.

J. Plock moved and D. Masters seconded a motion to schedule a Public Hearing for January 18, 2006, for discussion relative to approval of the application for the Ballard Green DECD Grant. Motion passed 5-0.

2. Groundwater Discharge Ordinance – David Grogins, Town Counsel, presented a proposed revised ordinance with improved language as a result of the discussion at the previous BOS meeting.

Mr. Bodner indicated that he agrees with the intent of the ordinance to address potential water and ice street hazards caused by discharge runoffs. There needs to be a process for residents to obtain

permits from the Public Works Department relative to new groundwater discharge situations. Relative to existing situations of water and resultant ice discharge into the street, there needs to be a system for notice of the problem to the resident/owner, a time set for a remedy and agreement of a plan to do so, and then a fine of \$100/day if nothing is done. A. Bodner suggested changing Paragraph #2 to include the statement, “which is likely to create a nuisance”, and Paragraph #2 to “set up a mechanism for a notice of violation”. Mr. Grogins was asked if the police can currently issue a summons. The answer is yes, but the police need to receive a call of complaint and then they will investigate the situation.

Should this ordinance be put into place for this current year? Should notices of violations/problems be sent out from the Department of Public Works? The Zoning Officer has limited authority and only in case of a violation of a zoning issue.

B. Manners pointed out that the BOS is going to initiate a review of all Town ordinances. Perhaps the Board should review the ordinances currently in place before initiating a new ordinance. J. Plock indicated that she had reviewed the Town ordinances currently in place and could not find a “nuisance or hazard” ordinance. Could not all nuisance and hazard ordinance situations be covered by one all encompassing ordinance? Perhaps it would be best for this year to have the Police investigate any nuisance/hazard complaints, issue a summons if appropriate, keep a log of such and new hazard construction situations, and review this situation at a later date.

D. Grogins pointed out that there is a defective highway statute. If the Town knows of a situation and does nothing, the Town is liable. He suggested that the Groundwater Discharge Ordinance be adopted with the changes in wording that A. Bodner suggested.

Mr. Bodner indicated that he knows there are issues that Peter Hill is concerned about, has notified the residents/owners involved, and they have refused to correct the situation. In these situations, a summons can be issued.

A discussion ensued as to the process for notification of homeowners about problem trees on private property interfering with the “right of way”. The Town has jurisdiction approximately 25 feet from the center line of the road. D. Grogins repeated that if the Town knows of a liability situation, then action must be taken. Northeast Utilities works closely with John Pinchbeck and has an aggressive policy of trimming trees.

John Katz, Ridgebury Rd., indicated that he feels the right-of-way issue differs from the groundwater discharge issue. If the Police Department is to enforce the relevant State statute, then there needs to be clarification of what is expected. The home or business owner could be visited by Rudy Marconi, could receive a letter from R. Marconi as well. The word “discharge” means a great deal of things. We cannot ask the Police to issue a summons for something which has not been clarified.

Peter Casagrande, Ballard Green – commented that if there is ice on the sidewalks, call the Town. The owner will have twenty-four hours to clear the ice or the Town will send someone out to do so and send the owner the bill.

It was agreed to not adopt the proposed Groundwater Discharge Ordinance for this year, but instead use the current nuisance State statutes with the Police issuing a summons if necessary.

3. Constable Reappointments - **D. Masters moved and B. Manners seconded a motion to reappoint for an additional term from 12/13/05 to 12/11/07 as constables:**

Richard N. Aarons

William Peatt, III

Robert Spielman

James Sullivan

Thomas Belote

Motion passed 5-0.

4. Tiger Hollow Presentation – Dave Landers, Co-Chair, Tom Galione, Board Member, and Vin Pannozza, President, came forward to present the Tiger Hollow Ten-Year Plan Review as prepared by Tiger Hollow, Inc. Dave Landers was the spokesperson. Their report summarized where Tiger Hollow has been, their plans for the next ten years, and the process to accomplish these ten-year goals – timetable and components. They are seeking the support of the BOS for this ten-year plan.

The concept for Tiger Hollow was developed in 1998, the Tiger Hollow Board was formed in 1999, \$2.4 million in funding was secured and Tiger Hollow was built and opened in 2001. The objective of the ten-year plan is to ensure that Tiger Hollow remains a modern and safe facility for athletes and spectators. There are currently about 60 organized athletic teams using Tiger Hollow. Expansion plans include improved safety and handicapped access. The revenue generated is returned to the Board of Education. J. Plock inquired as to where does the income go? -- in the athletic budget? The Board of Education pays only for the electricity. Ms. Plock feels that some of the revenue should go into the Tiger Hollow improvement plan. The BOS has made a commitment of \$43,000/year as part of the BOS budget. The number of spectators has increased and ticket charges have been increased. This revenue helps to pay for non-revenue producing sports and to pay down the debt by \$5,000/year. The Tiger Hollow committee showed a map of the property, the location of a new rolling gate on the Ridgebury Road side, the proposed location for new fencing and landscaping and proposed new guest bleachers with handicapped access, restrooms and a concession stand in this same area.

Mr. Bodner inquired whether the Tiger Hollow Plan fits into a larger Ridgefield Town plan or is it primarily a Ridgefield High School plan? This updated facility has resulted in an increase in All American, All State, and All Region Ridgefield athletes. The Tiger Club is very big – student pride is exemplary. There has been no vandalism or graffiti in five years.

B. Manners commended the Tiger Hollow Board for doing an “incredible job”.

The Town continues to benefit tremendously from this wonderful facility. It makes Ridgefield a more desirable town for families. The Board of Selectmen has a problem now in that they also need to financially support Founders Hall.

D. Masters commented that Tiger Hollow is a great family place to go to on Friday night. The Town has the challenge to help maintain Tiger Hollow.

J. Plock inquired as to rental of Tiger Hollow from out-of-towners? The answer is for a few adult soccer leagues and a few championship games.

Andy Bodner indicated that he feels Tiger Hollow should be part of the Master Parks and Recreation plan. They do work closely together. Bob Schneider is on their Board.

J. Plock indicated the desire for a request to be made to the Board of Education to contribute some of their gate receipts to help pay for this ten-year plan. The next steps would be to meet with Ken Freeston and the Board of Education. On January 18, the Tiger Hollow presentation will be made to Parks & Recreation and a Planning & Zoning presentation is planned for early 2006.

J. Plock moved and D. Masters seconded a motion for the Board of Selectmen to endorse with much appreciation the conceptual ten-year Tiger Hollow Plan, as presented by Tiger Hollow, Inc., without a commitment of funds by the BOS at this time. Motion passed 5-0.

5. 2006 Ambulance Rates – J. Wahlberg, Town Controller, presented the proposed increase in ambulance rates for 2006. D. Masters inquired as to what is this increase based on? Why does it seem to be 5% every year? Mr. Wahlberg indicated that the Town of Ridgefield has utilized the “statewide rates” for at least the past six years. The State gets feedback from all the towns that participate in this state-wide plan. The advantages include reasonable cost recovery, adequate annual adjustment for increases, and simplified review by State agency of Ridgefield’s rate increase application.

J. Wahlberg distributed a chart showing the costs and number of emergency calls annually since 2003. Most calls to the Fire Department are for medical assistance; almost 40% of fire personnel activity is related to emergency medical services; and revenues from ambulance billings only cover half of costs for EMS. General tax revenues cover the balance. B. Manners indicated her annual opposition to the increase in ambulance rates. She feels ambulance service should be a Town service. Residents will not call for an ambulance when they know they will receive an invoice for using this service. R. Marconi replied that Social Services is available to assist those who cannot pay for an ambulance cost, but the individual does receive several invoices first.

J. Plock moved and R. Marconi seconded a motion to approve the implementation of the new ambulance rates as specified in the CT. Department of Public Health ‘Statewide Rate Schedule for 2006’, providing that the new rates, that were not listed, are not much greater than 5% higher than the 2005 rates. Motion passed 4-1. B. Manners voted against.

- 5A. Donation of Property at 35 Copps Hill Rd. – R. Marconi read the letter received relative to the donation of property at 35 Copps Hill Road to the Town of Ridgefield. The Phase One Environmental Assessment has been received and the 8-24 approval as well. Ed Tyrell, Pond Rd., inquired as to how much in taxes on this property will not now be collected? The answer was not available at the meeting. A. Bodner replied that the property is basically a wetlands area. It will qualify to be part of the master plan of Town open space.

J. Plock moved and B. Manners seconded a motion to accept with great appreciation the donation of approximately seven acres of property at 35 Copps Hill Rd. Motion passed 5-0.

6. Walk for the Cure Proclamation - **D. Masters moved and J. Plock seconded a motion to approve the proclamation of January 21, 2006 as Winter Wonderland Walk for the Cure Day in the Town of Ridgefield. Motion passed 5-0.**
7. VFW Lease Renewal at Venus Building - **A. Bodner moved and J. Plock seconded a motion to approve the renewal of the VFW’s lease for a single room at the Old High School for one year for the annual rent of \$1 from January 1, 2006 thru December 31, 2006. Motion passed 5-0.**

8. LifeCare Design Lease – Set date for public hearing and special town meeting.
New dates are needed because of a change in the date of occupancy. This is necessary because LifeCare Design has been unable to vacate their current location on the date originally stated. **D. Masters moved and J. Plock seconded a motion to hold a Public Hearing on January 4, 2006, 7:30 p.m., Town Hall/Lower Level Conference Room and a Town Meeting on January 18, 2006, 7:30 p.m., Town Hall Lower Level Conference Room for the purpose of consideration and approving the proposed lease between the Town of Ridgefield and LifeCare Design, Inc. for rental space in the Richard E. Venus Building. Motion passed 5-0.**

9. VNA Lease – Set date for public hearing and town meeting
The lease has been revised with an update on the square footage and corresponding dollar amounts and Schedule A is now attached. **J. Plock moved and B. Masters seconded a motion to hold a Public Hearing on January 4, 2006, 7:30 p.m., Town Hall/Lower Level Conference Room and a Town Meeting on January 18, 2006, 7:30 p.m., Town Hall/Lower Level Conference Room for the purpose of consideration and approving the proposed lease with the corrected numbers between the Town of Ridgefield and the Visiting Nurse Association, Inc. for rental space in the Richard E. Venus Building. Motion passed 5-0.**

10. Approval of Meeting Minutes – November 30, 2005 **J. Plock moved and B. Manners seconded a motion to move approval of the November 30, 2005 BOS Meeting Minutes to the next BOS meeting on January 4, 2006. Motion passed 5-0.**

11. First Selectman’s Report –
 - Louis Yarrish, Fire Chief will be retiring effective April 1, 2006 instead of July 1, 2006 as originally indicated.
 - The proposed lease for the concession stand at the Golf Course has been cancelled. Will need to advertise after the first of the year and/or come up with an alternate plan for the concession stand.
 - R. Marconi is to seek a contribution toward Tiger Hollow improvements from the Board of Education for this current budget year – suggested amount is \$37,500. The monies would come from Tiger Hollow gate receipts. He will write a letter.
 - Planning & Zoning is holding a Public Hearing on December 20 relative to Bennett’s Pond & Eureka.

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

Respectfully submitted,

Janet L. Johnson