

BOARD OF SELECTMEN MEETING

JUNE 27, 2001 7:00 PM

TOWN HALL LOWER LEVEL CONFERENCE ROOM

APPROVED MINUTES

These minutes are a summary of the meeting and are not intended to be a verbatim transcription.

In attendance: Mr. Marconi, Ms. Manners, Mr. Heyman, Dr. Yanity, Mr. Zemo
For the executive session and Item 1 on the agenda, members of the Board of Finance were present: Mr. Dzielinski, Mr. Scarbrough, Mr. Craig, Mr. Sullivan, and Mr. Heiser by speakerphone.

Guest: Attorney Robert Ciulla

AGENDA
(see attached)

First Selectman called the meeting to order at 7:00 PM and entertained a motion to recess to an Executive Session for the purpose of discussing a land acquisition. **Motion to recess to Executive Session was made by Dr. Yanity, seconded by Mr. Zemo; motion passed unanimously, 5-0-0.**

Motion to reconvene the public portion of the Board of Selectmen's meeting was made at 7:45 PM by Mr. Heyman, and seconded by Ms. Manners; motion carried 5-0-0.

2. Marconi introduced Mr. Ciulla and asked him to comment on the process of eminent domain. Mr. Ciulla identified the first step to be a survey and appraisal of the property in question. Mr. Ciulla is familiar with the appraiser of the Bennett's Pond property, Mr. John Leary, calling him one of the best appraisers in Connecticut. After giving notice and statement of compensation, the town has 12 to 90 days to notice property owner(s). When all proper notifications are in place, the Town returns to Superior Court to obtain Certificate of Taking; it is filed with the Town Clerk, and the Town now owns the property. The property owner can take the money or file an appeal.* An appeal of the condemnation is based on fair market value. If there are other complicating factors, a separate action must be taken. An appraiser would be hired to complete an appraisal and provide testimony.

Mr. Scarbrough, Board of Finance, asked for the interpretation of the referendum advisory question results. Mr. Marconi explained that four Selectmen felt the question should move forward to a binding referendum. Mr. Heyman did not feel the results of the advisory were a mandate, interpreting more people in favor of purchase of the northern section only. Mr. Scarbrough expressed concern that there

was not a super majority by which to decide the next step, and that the term eminent domain not appearing in question #2 might have impacted the vote. In addition, felt the issue was not quite as simple as total number of votes.

Ms. Manners felt that the advisory questions were enough to get a sense of what the people wanted, and that we should spend the \$12,000 to go to binding referendum.

Mr. Scarbrough raised the issue of \$2.5million dollars in tax revenue lost if the property becomes open space. Cited one of Standard and Poor's reasons for giving Town of Ridgefield a Aaa rating was the future tax base growth in Ridgefield and specifically cited Eureka's development of the Bennett's Pond property. "The financial health and well-being of the Town is the responsibility of the Board of Finance," Mr. Scarbrough stated. Ms. Manners cited studies identifying open space as the most economical course for municipalities. Both Ms. Manners and Mr. Zemo stated that residential development that creates burdens on infrastructure, construction of additional schools and operating costs would offset tax revenue.

Mr. Marconi brought the discussion back the to question at hand: " Do we want to move forward to a binding referendum to let the people decide." Mr. Scarbrough commented that he hoped better information would be generated if another referendum is decided upon.

At this point in the discussion, 8:13 PM, the Board of Finance members exited to convene their own scheduled Board of Finance meeting.

Mr. Zemo asked Mr. Ciulla about the appropriate time line on an eminent domain issue—"better off sooner or later?" Mr. Ciulla felt that "sooner" was better because: 1. Property values increase—will pay more down the road, and 2. The longer it goes, the developer will be making applications and possibly receive approvals. Developer may have legitimate argument that property is now worth more.

Mr. Heyman asked if the owner could make the argument that, under existing zoning, 80% of the land would be designated open space anyway. Mr. Ciulla responded that a property owner would not make that argument because that would equate to less property value.

Ms. Manners stated that in order to achieve current open space goal of 30%, some of the property must be acquired.

Mr. Marconi reiterated that the issue lies with the Board of Finance in approving a binding referendum.

*Upon clarification, the property owner files a motion for payment even if appealing.

Mr. Marconi recessed the meeting for a one minute break at 8:24 PM, while Mr. Ciulla took his leave along with some members of the public. At 8:25 PM, Mr. Marconi called the meeting back to order.

3. (Mr. Richard Papenfuss was present earlier in the evening, but could not stay due to the lateness of the hour.) Mr. Papenfuss has had a vendor's permit from the Town of Ridgefield for many years to operate a food truck. He is usually located on Route 7. **Mr. Zemo moved to approve the renewal of a vendor's permit for Mr. Papenfuss. Dr. Yanity seconded the motion, and it passed unanimously, 5-0-0.**
4. Mr. Graham was not in attendance at this time.
5. Mr. Marconi shared the reappointments recommended by the Library Board and new appointments to be considered. Ms. Manners suggested that the process be more open by publishing vacancies in the Press. The appointments are made by the First Selectman, according to the 1983 Town/Library agreement. The Library Board appointments were on the agenda to share the information with the Board. Mr. Marconi will review the Library Board's recommended candidates and proceed from there.

On a motion by Mr. Heyman, seconded by Dr. Yanity, and passing unanimously, the Board of Selectmen's meeting was recessed in order to hold the Special Town Meeting scheduled and noticed for 8:30 PM.

(Special Town Meeting Minutes filed in Town Clerk's Office)

On a motion by Mr. Zemo, seconded by Dr. Yanity, and passing unanimously, the Board of Selectmen's meeting was reconvened following the Special Town Meeting at 9:04 PM.

Mr. Marconi went back to #4. Mr. Marconi met with Mr. Graham to discuss employment as a "Clerk of the Works" for the Board of Selectmen. Although O&G Industries is the Construction Manager on all the current school and Parks and Rec construction projects, the Board has expressed interest in hiring a professional who can be the "eyes and ears" of the Board. Mr. Graham will attend the next Board of Selectmen meeting on July 11, 2001.

6. **On a motion by Dr. Yanity, seconded by Mr. Heyman and passing unanimously, Kevin Briody, Ronald Hill, and Gary**

Zawacki were reappointed to the Water Pollution Control Authority. Their terms end 4-01-05, 4-01-04, and 4-01-04 respectively.

7. There are two resignations from the New Middle School Building Committee—Pam Golde and Brad Kogan. Mr. Marconi stated that Ms. Golde has worked long and hard on the middle school job, performing admirably; but family comes first and has resigned for personal reasons. Mr. Kogan has changed jobs and does not have a schedule that permits the time needed to continue to serve on the committee. John Mannuzza, Assistant Controller, has attended the NMSBC meetings since December 1999 and proven to be an valuable asset to the committee. **On a motion by Peter Yanity and seconded by Joseph Heyman, Mr. Mannuzza was unanimously appointed to the New Middle School Building Committee.**
8. The Employment Contract for Frank Sergiovanni as Golf Director was reviewed by the Board, Mr. Sergiovanni, and members of the Golf Committee. Ms. Scholl, Human Resources Director, was present and explained the changes. Mr. Sergiovanni was born in Mt Vernon, NY, but grew up in Ridgefield. Mr. Adams accepted a position at Sleepy Hollow Golf Course, Scarborough, N.Y. **Mr. Heyman moved to approve and enter into the contract; Dr. Yanity seconded, and the motion passed unanimously, 5-0-0.**
9. The charge to the Master Building Committee was reviewed and explained by Mr. Marconi. This committee is responsible overall for the projects approved in the December 5, 2000 referendum referred to as the “bundle.” There is a dotted-line communication relationship to the New Middle School Building Committee and to the Ridgebury Elementary School Building Committee. **On a motion by Dr. Yanity, seconded by Mr. Zemo and passing unanimously, 5-0-0, the charge to the Master Building Committee was approved.**
10. Mary Foyt, Tax Collector, has asked for the abatement of taxes on two parcels of land on North Salem Road—formerly the Gavin property—now the town-owned site of the new middle school project. **On a motion by Joseph Heyman, seconded by Dr. Yanity and passing unanimously, the following tax abatement was approved:**

	30 acre parcel	27.34 acre parcel
	MapID#B08-0051	Map#C08-0034
List 1998	\$ 58.95	\$ 52.40
List 1999	\$246.52	\$219.12
11. The Connecticut Fifth Regiment has requested permission to reenact the Battle of Ridgefield on the 225th anniversary of the battle. Mr. Keith Jones, author of Farmingville Farms, was present to explain the

project as he is helping to organize the event with 5-7 other historical societies. The scale of the event is the first decision point—how many members of the regiment will be participating, will it be a 24-hour event or a full weekend of activity. The date is Saturday, April 27, 2002. Mr. Marconi asked Mr. D’Addario to inquire as to the whereabouts of a cannon used in the previous enactment. Scott House will be finished and would host a Benedict Arnold exhibit. The Keeler Tavern, The Elms, Ballard Green and other groups would participate. **Mr. Zemo moved to appoint Keith Jones Coordinator of the Battle of Ridgefield event for the Town of Ridgefield. Ms. Manners seconded, and the motion passed unanimously, 5-0-0.**

12. On a motion made by Dr. Yanity, seconded by Mr. Zemo and passing unanimously, 5-0-0, approval of a 8-24 referral to P&Z for the installation of an elevator in Town Hall.

13. Discussion of the funding for a P&Z study of wetlands by Fuss & O’Neill on the Bennett’s Pond property centered on assuring that there would be no conflict of interest for those employed to do the study. **On a motion by Ms. Manners, seconded by Mr. Zemo and passing unanimously, 5-0-0, \$10,000 out of the preliminary engineering fund was approved to cover the shortfall for the Fuss & O’Neill study requested by P&Z.**

13. First Selectman’s Report:

- Dave Hannon, Deputy Director of HVCEO has resigned. Will be hard to replace.
- Information in packets on Noise Ordinances from CCM.
- The Police Department and Ridgefield Organization for Animal Rescue (ROAR) are discussing increased coverage for animal shelter.
- Walt McNamara, also known as Mr. R.E.A.P. and active in Lake Mamasasco Improvement Fund, is leaving Ridgefield—relocating to be closer to family. A reception hosted by the Town and MLIF will be held Monday, July 9th, 7 to 9 PM in the Town Hall Lower Lever Conference Room.
- The Fire Chief and Assistant Chief preferred their personnel discussion be held in executive session.

14. On a motion by Dr. Yanity, seconded by Mr. Zemo and passing unanimously, the meeting minutes of May 9, 2001 were approved as written.

On a motion by Mr. Zemo, seconded by Dr. Yanity and passing unanimously, the meeting minutes of May 16, 2001 were approved as corrected.

On a motion by Dr. Yanity, seconded by Mr. Zemo and passing unanimously, the meeting minutes of May 23, 2001 were approved as corrected.

On a motion by Mr. Heyman, seconded by Ms. Manners, the meeting minutes of June 6th and 13, 2001 were approved as amended.

On a motion by Mr. Zemo, seconded by Ms. Manners and passing unanimously, the meeting was recessed and moved into executive session for the purpose of Fire Department personnel discussion at 10 PM.

On a motion by Mr. Zemo, seconded by Ms. Manners and passing unanimously, the executive session was recessed and the meeting moved back into public session.

On a motion by Dr. Yanity, seconded by Ms. Manners and passing unanimously, the meeting was adjourned at 10:13 PM.

Respectfully submitted,

Regina A. Hazel