

BOARD OF SELECTMEN MEETING

JANUARY 23, 2002

TOWN HALL LOWER LEVEL CONFERENCE ROOM

APPROVED MINUTES

In attendance: Mr. Marconi, Ms. Manners, Ms. Plock, Dr. Yanity, Mr. Zemo

7:00 p.m. Executive Session for personnel evaluation

7:30 p.m. - Agenda

1. School Projects Discussion: Nels Berg, Dr. Wallace, Dr. Keating, Paul Anderson, Frank D'Angelo.
2. Interviews for vacancies on Tree Committee: William Molyneux and Thomas Randall.
3. Finance: Amendment to Omnipoint Lease, Louis Dreyfus Weather Risk Management; transfer; snow season report.
4. Discussion of Alcohol Ordinance.
5. Dog Park
6. Discussion of potential casino in Danbury
7. First Selectman's Report
8. Review and approval of minutes of January 9, 2002 meeting
9. Executive Session for discussion of possible land lease

Mr. Marconi called the Board of Selectmen's Meeting to order at 7:40 pm

1. The School Projects Discussion was cancelled for the evening per a call received from Dr. Wallace's office.
2. William Molyneux was introduced as a candidate for a vacancy on the Tree Committee. He is a landscape designer employed at Pound Ridge Nursery. J. Plock inquired as to the responsibilities of the Tree Committee. Nancy Boersma, Chair, reviewed the activities of the Committee. The Committee serves in an advisory capacity and does not have a budget. John Pinchbeck is the Tree Warden and he has a budget. The Committee has spearheaded extensive plantings of trees and shrubs, such as those on Main St. and Catoonah St.; has been involved in the revision of the Forestry Management Plan; and has recommended ways to protect trees. The Committee is hoping to have a fund drive.

P. Yanity moved and J. Plock seconded a motion to appoint William Molyneux to the Tree Committee. Motion passed 5-0.

Thomas Randall withdrew his candidacy just prior to the Board meeting.

3. Finance Report – Jay Wahlberg, Controller

Mr. Wahlberg introduced John Hall who explained the Louis Dreyfus Weather Risk Management Program. He reviewed the background of Louis Dreyfus, Inc., a privately-held company headquartered in Wilton. Mr. Hall outlined how a Weather Risk Management Program would be of benefit to a town like Ridgefield – it would even out costs and protect against snow, wind and rain storms and resultant expenses for clean-up. Louis Dreyfus offers this insurance program to municipalities, farmers, electric utilities, and home oil distributors. P. Yanity suggested that this issue be referred to the Risk Management Committee. S. Zemo asked J. Wahlberg to tag some numbers to this program – what would this cost and what do we spend now on storm clean-up.

John LaMontagne represents VoiceStream Wireless. He reviewed the proposed amendment between VoiceStream and the Police Department of the Omnipoint Lease. This provides for additional lease space on the ground of approximately 200 sq. feet to house radio equipment cabinet(s) and additional space on the police tower for associated antennas. S. Zemo inquired as to changes in existing financial arrangement with VoiceStream. This amendment will add an additional \$400/month to the lease. Mr. Zemo also inquired as to the capacity of the police tower. A pole has a platform that can hold up to 12 antennas. VoiceStream originally worked through Planning & Zoning for the original lease. R. Marconi will check with Planning & Zoning as to their opinion regarding this amendment. If they approve, this issue will be put on the agenda again and voted upon at that time.

J. Wahlberg presented Memorandum #200209 requesting a transfer of \$4,000 from the Full Time Salaries Fund for the Police Department to the Miscellaneous Investigations Fund. R. Marconi inquired as to the need for this transfer and where is the money coming from. He recalled a previous extensive discussion on this issue. R. Marconi prefers an explanation rather than a request to move dollars from one budget line to another.

J. Plock moved and P. Yanity seconded a motion to transfer \$4,000 from the Full Time Salaries Fund for the Police Department to the Miscellaneous Investigations Fund for the Police Department as according to Memorandum #200209. Motion passed 4-1. R. Marconi opposed.

J. Wahlberg reviewed snow removal costs from 1997 through 2001. The report indicated the significant amount of sand and salt used in 2001, which is dependent on the type of precipitation – snow and/or freezing rain, ice. Overtime also results if the storms occur on the weekends. Parks & Rec. Department now plowing all the schools; previously the Highway Department had been plowing the schools. J. Wahlberg will check out the high numbers for 2001 – type of storms and whether they occurred during weekend overtime hours. He will report back to the Board.

4. Discussion of Alcohol Ordinance - Attorney Marnie Rubin reviewed the draft ordinance she had prepared and the Consent Form which would give the Police permission to enter the Property to investigate an alleged violation of a state law or a municipal ordinance while the Property Owner is out of town. P. Yanity pointed out that alcohol can be sold to the parent and the parent can then give it to the child who is under 21. It is legal if the parent pays. State law applies to public property; with the consent form, permission is granted to the police to go into private property. The police have to have a legal basis for going onto private property or be invited to do so by the owner/parent. Janet Papst of the Ridgefield Community Partnership will look into ordinances passed by other towns in Connecticut and report back. Glastonbury is one town she is going to call.

John Katz pointed out that the ordinance should not allow for a sibling to accompany the underage child possessing alcohol – only a parent, guardian or spouse. He also inquired as to whether local municipalities can override parental rights. R. Marconi pointed out that the value of an ordinance and consent form is to create increased awareness of the problem and resultant increased parental involvement.

B. Manners questioned the consent form – perhaps giving too much latitude to the police?

A.J. DiMattia pointed out that the law currently provides for the police to enter private property if they believe there is “probable cause”. Do we want to create a different standard for entering and arrest? Also creating a situation where the parent/owner of the property gives permission for the police to enter and question. This will open up a situation where children of other families visiting the home could also be subject to a summons.

J. Plock felt that the consent form needed to include the phone number as to where the out-of-town parent could be reached.

Marnie Rubin pointed out that a violation ordinance would result in a summons and a fine of approximately \$90.00 – not an arrest. Hopefully, this would serve as a deterrent.

Michael Violante inquired as to the difference between an ordinance and a law. Can an ordinance be more restrictive than a law, can it override a law? The answer is No.

R. Marconi indicated that the Alcohol Ordinance would be put on the agenda again for the next Board of Selectmen’s Meeting on February 6 for further discussion. In the interim, M. Rubin and J. Papst will look into ordinances, etc. that are in effect in other Connecticut towns.

5. Dog Park – S. Zemo reviewed the Dog Park concept. It is to be a “dog park” and not an “animal park”. The budget is \$15,000. \$3,000 has already been raised. R. Marconi reviewed recent discussions concerning the Canine Control Officer and the Dog Pound. An animal is to be kept for 14 days. A proposal is being made to ROAR (Ridgefield Organization for Animal Rescue) for the use of a garage on Halpin Lane that the Parks & Rec Dept. is now using for storage. This could be turned into a shelter for the animal after the 14 days have passed, and this location would be close to the proposed Dog Park. The Canine Officer currently reports to the Chief of Police. R. Marconi indicated that the goal is to create a bridge whereby all interested parties are communicating and working together.
6. Discussion of potential casino in Danbury – R. Marconi reported on the January 10 meeting held at Boehringer Ingleheim sponsored by the Danbury Chamber of Commerce regarding the possibility of a casino at the Union Carbide location. The Housatonic Valley Tourism District Board of Directors has hired the law firm, Perkins & Coie of D.C. to represent the various towns affected by such a possibility. This law firm represented Stonington, CT and other towns affected by the development of Foxwoods and Monhegan Sun.

There are three options as to the degree of involvement desired and monetary support of the law firm and resulting opposition. It was agreed that Ridgefield wishes to play an active role, wishes to file as an interested party, and is willing to endorse Option B and the resultant cost of \$20,000. J. Katz indicated that a tribe has to pass seven criteria to get recognized. Once they obtain recognition as a legitimate tribe, then they can buy property and put it into a trust. Once they own the property, they can do anything they want with it. Local health, safety, welfare laws do not pertain. Steffi Jones suggested a book worth reading on the history of Foxwoods is available at the library.

P. Yanity indicated the need for a decision as to how supportive we want to be on this anti-casino issue – how much will it cost eventually – how much will an aggressive role in this issue cost? B. Manners inquired as to federal involvement on this issue. R. Marconi indicated that Governor Rowland has not taken a stand. Attorney General Blumenthal is going to Washington and asking that the Bureau of Indian Affairs be abolished; but this will take a long time to happen and will not be effective for this current issue. J. Katz suggested that Ridgefield ask our legislator, John Frye to speak to the Governor about our concerns. The Board of Selectmen will send a letter to this effect to John Frey.

7. First Selectman’s Report – Bennett’s Pond Report. Anticipating second appraisal. Environmental charge down to \$29,000 from \$35,000. A discussion following regarding proposed demolition of the two little houses on the property. S. Zemo inquired as to the possibility of a local building committee fixing up the better of the two houses. It is in very bad shape; even the foundation is not solid. Floor boards have been removed. It was agreed to secure a price for demolition and the sooner the better to prevent anyone from getting hurt.

Ridgefield will now be part of the Fourth Congressional District. Congressman Shay has been invited to come to visit with the six other towns he also represents.

Regarding the Danbury Airport, a letter has been sent to the Mayor of Danbury and the Airline Pilot's Association asking to schedule a meeting.

Ridgefield has received notice of sewer plant violations from the State of Connecticut. R. Marconi indicated that the Board of Selectmen does not have a lot of authority on this issue. O&I runs the plant and they are working on correcting the problems. He feels it may be a manpower problem; maintenance needs to be done when needed.

Norwalk River Watershed Group – R. Marconi attended a meeting on the water quality in the Norwalk River. Water quality has not changed in the last three years.

A letter has been sent to John Frey seeking legislative support for Ridgefield to qualify for a STEAP (Small Town Economic Assistance Program) grant of \$500,000 for the development of Bennett's Pond.

Work is being done on the golf course water diversion permit.

A Board representative is needed to attend the monthly meetings of the Mamarasco Lake Improvement Group. S. Zemo reported that he had been the representative for one year as had J. Heyman. R. Marconi is going to attend the next meeting. It is the first Thursday each month at 8:00 p.m. Michael Violante indicated how MLIF is not a beach club but a group interested in the preservation of the quality of the lake. The watershed affects the quality of the lake. R. Marconi indicated that a representative from the Board will attend each meeting. The Town of Ridgefield is the largest landowner on the lake.

Suggest scheduling a Town Meeting for February 6 to address the plan for the Southern portion of Bennett's Pond.

The intersection of Main St. and Prospect St. is to get a left turn signal as part of the stoplight's new configuration.

R. Marconi read a letter from the Ridgefield Academy requesting permission to purchase diesel fuel for their school buses from the Town of Ridgefield. This would be at a reduced rate from what they currently pay at the Mobil station. P. Yanity asked if we could legally do so and is there any liability involved? R. Marconi to check on this.

The Ridgefield Design Council is working on plans for beautification of the Bailey Avenue Parking Lot. They have \$68,000 in funds for this and other

projects. They are interviewing landscape design professionals; and contacting the Chamber of Commerce for support from the stores that abut the parking lot. Main St. has been fixed up – now it is time to address the back side of Main St. B. Manners asked about garbage cans for Main St. R. Marconi shared a book published by Simsbury, CT entitled, *Guidelines for Community Design*.

J. Plock moved and P. Yanity seconded a motion to approve as amended the minutes of the January 9, 2002 Board of Selectmen's Meeting. Motion passed 5-0.

J. Plock moved and S. Zemo seconded a motion to adjourn the Board of Selectmen's Meeting at 9:55 p.m. and go into Executive Session. Motion passed 5-0.

Respectfully submitted,

Janet L. Johnson