

## **BOARD of SELECTMEN MEETING – JANUARY 6, 2016**

TOWN HALL/LARGE CONFERENCE ROOM – 7:30 P.M.

### **REVISED/APPROVED MINUTES**

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These minutes are a general summary of the Board of Selectmen Meeting and are not intended to be a verbatim transcription.

In attendance: R. Marconi, R. Hebert, M. Kozlark, S. Zemo

Absent: B. Manners

### **Agenda**

1. Public Comment
2. Tree Committee Interview: Conte Guzman
3. Conservation Commission Interviews: Timothy J. Bishop, James J. Coyle; Request from Commission for Alternate Positions
4. Historic District Commission: Reappointments, Resignation, and Reassignments
5. Parking Authority Member Reappointment Discussion
6. Schlumberger Citizen's Committee Brief Update: Richard Larson
7. Rescind Motion Made at 12/9/15 Board of Selectmen Meeting "B. Manners moved and M. Kozlark seconded a motion to go out to bid for the Golf Concession at the Ridgefield Golf Course for the 2016/2017 Golf Season with the understanding that Dr. H. Seemann can also submit a bid." Discussion, Possible Vote
8. Farmingville School Solar Panel Project: Dwayne Escola
9. Appointment of Hazard Mitigation Plan
10. Subregistrar Appointment: Daniel P. Jowdy
11. Selectman's Report
12. Approval of Meeting Minutes: 11/18/15, 12/9/15

R. Marconi called the Board of Selectmen Meeting to order at 7:30 p.m. Happy New Year everyone! B. Manners is traveling in Europe.

1. Public Comment – R. Marconi asked for comments from the public.

Chuck Hancock, North St. – stated how he appreciates how the BOS is stopping and rethinking about the concession at the Golf Club. He plays a lot of golf – about 75 rounds this past season. The restaurant is what it is – a nice little coffee shop. It is better today than it has ever been. He was involved with the Lions Tournament and it was the best Tournament ever. Carol and Henry served a nice lunch and they had an outside caterer for their dinner. C. Hancock supports giving the Seemanns a one additional year contract and see how they do.

Gerald Sexton, Remington Rd. – stated how he is interested in making a bid on the concession. He has been in contact with some of the golfers and they have expressed support for additional bids. There has been no cook available until late morning or noon. H. Seemann is dedicated but it is not working. There is room for improvement. The Town did invest funds into the Concession but these were primarily for structural improvements.

Joseph Moorhead, Mamasasco Rd. – stated how he feels the Seemanns have done a great job with the food at the Concession. It is true that H. Seemann is not there until 9:00 and the facility is open from 6:30 to 8:45 with no one in charge. There are little plastic cups for coffee and one cannot fill up one's travel mug with fresh coffee. He tends to "nickel and dime" the clientele.

When Mr. Moorhead brings guests here from out-of-town, he is not happy that there is no food service until later in the morning.

2. Tree Committee Interview: Conte Guzman

Ms. Guzman was not present for the interview.

3. Conservation Commission Interviews: Timothy J. Bishop, James J. Coyle; request from Commission for Alternate Positions

The Conservation Commission rotates their Chairman position every three months. The current Chair is Eric Beckenstein. There have recently been two tree-cutting incidents resulting in substantial violations. The Conservation Commission is asking the BOS to consider creation of an ordinance and a position of Conservation Ordinance Officer. The thought is that if there is an ordinance, there might not be as many violations. The ordinance would establish an appeals process similar to what was done with the blight ordinance. Residents may be less likely to encroach upon open space property.

Dr. Oko has expressed the desire to become an Alternate Member of the Conservation Commission. R. Marconi read the memo dated December 15, 2015 from Dr. Oko expressing this request. Dr. Oko has served on the Conservation Commission for the past sixteen years. R. Marconi stated how they created alternate positions for the AAC several years ago and how helpful it is when there is the need for a quorum. The Commission wants to make the change and have two Alternates as part of their membership. It was thought that this was done previously with the last Charter Revision but no record was found that that had happened. Per David Grogins, Town Counsel, there would need to be a Town Meeting called for this purpose. The language for an ordinance and the appointment of two Alternates will be available for review at the next BOS Meeting on January 20.

There are two applicants for the Conservation Commission present for interviews this evening – Timothy J. Bishop and James J. Coyle. An email (dated 12/15/15) has been received from Jack Kace recommending that Mr. Oko's status be changed from Commissioner to Alternate Commissioner and that Tim Bishop and Jim Coyle be appointed as new Commissioners.

Tim Bishop came forward to introduce himself to the BOS. Tim Bishop has a B.S. in Environmental Conservation-Environmental Affairs from the University of New Hampshire and an M.S. in Environmental Technology from the New York Institute of Technology. His current employment is with an environmental consulting firm in Somers, NY, which services NY, NJ and CT. He is a Connecticut native.

S. Zemo stated how Mr. Bishop with his background can be a great contributor to the Conservation Commission and how he had received a recommendation from The Conservation Commission for his candidacy.

M. Kozlark commented on how Mr. Bishop had attended the last meeting of the Commission. What does he think? T. Bishop stated how the Commission is a hard-working group of dedicated individuals. Would the time commitment be a problem? T. Bishop indicated that he does not foresee that as being a concern.

R. Hebert stated that he does not have any questions and how we would be fortunate to have someone with Mr. Bishop's background on the Commission. He stressed the need for Mr. Bishop to realize the time commitment involved.

**M. Kozlark moved and S. Zemo seconded a motion to appoint Timothy J. Bishop to fill one of the full-member vacancies on the Conservation Commission for a three-year term. Motion passed 4-0.**

Jim Coyle came forward to express his interest in serving on The Conservation Commission. He has served on Ridgefield's P&Z Commission, the Inland Wetlands Board and the Aquifer Protection Agency. He served as an Associate Professor in Environmental Impact Analysis for the Pratt Institute of Architecture. Mr. Coyle commented on the increase in the number of violations of the Town's open space and would be in favor of a Conservation Ordinance.

**M. Kozlark moved and R. Hebert seconded a motion to appoint James J. Coyle to fill one of the full-member vacancies on the Conservation Commission for a three-year term. Motion passed 4-0.**

4. Historic District Commission: Reappointments, Resignation, and Reassignments

Sean O'Kane and Briggs Tobin came forward to request their reappointment for an additional five-year term. B. Tobin stated how important it is that the Historic District of Ridgefield be preserved while recognizing the responsibilities of the individual homeowners. They have tried to raise the profile of the District for the Town of Ridgefield and have developed set procedures regarding preservation. R. Marconi stated how the Historic District designation goes from St. Stephen's Church south and does not include the downtown area. Why is that? The Historic District was created thru an agreement between the property owners in the district and they set the boundaries at that time.

S. Zemo stated how the Historic District does make the Town of Ridgefield special. M. Kozlark expressed a thank you for the hard work of the Historic District Commission. This neighborhood does help "sell our Town".

**M. Kozlark moved and S. Zemo seconded a motion to accept the changes as requested by Daniel J. O'Brien, Chairman of the Historic District Commission, in his memo dated December 22, 2015, including reappointment of Sean B. O'Kane and Briggs L Tobin for an additional five-year term on the Historic District Commission, appointment of Joseph Gasperino to Full Commission Member from Alternate, and James Hancock to move from Full Membership to Alternate. Motion passed 4-0.** (There is also one resignation – Rebecca Connard due to the transfer of her husband to California – creating a vacancy on the Commission.)

One of the Commission members is recommending that Harriet Riser be considered for the vacancy. She has been a Ridgefield resident for fifteen years, lives in an historic home and is interested in architecture, design and historic preservation. She will be invited to attend the January HDC meeting.

5. Parking Authority Member Reappointment Discussion

Parking Authority members Matt Hicks and Mark Seavy came forward to participate in a discussion about the Parking Authority. The discussion will continue when B. Manners is present. Reappointment will occur once letters requesting such have been received from all the members.

M. Hicks stated that the Parking Authority "has learned a lot". They are trying to look at situations in a "flexible" manner. The thought was to institute a holiday parking schedule from

Black Friday through New Year's Day. There have been problems from one restaurant in particular.

M. Kozlark stated how there is a lot of animosity expressed by certain individuals and relative to parking in certain parts of Town. The Parking Authority wants to keep the public moving along Main Street. That is not been happening. There is concern about the dynamics within the Parking Authority. A merchant called the State and the State of CT got involved in the parking issues on Main Street because it is a State Highway. The parking on a State Highway has to be approved by the Police Department and then the request goes to the State Traffic Administration. This takes time. M. Hicks indicated that the Parking Authority is trying hard to satisfy local individuals. The State wants to make all the parking one hour in length. Deborah Ann's and Ridgefield Hardware want 30 minute parking so people can come in and out quickly – the spots will turn over more rapidly this way. Others want 2 hours so individuals have time to shop and/or have lunch without running out to move their vehicle. This is a contentious issue. M. Hicks indicated that the Parking Authority wants input from the BOS. They are trying to be an ever-evolving institution.

M. Kozlark and R. Marconi stated how the BOS would like to see more “spirit of the law” – a little more understanding; a more friendly environment for people coming to Town to shop. A car should not receive a citation if it is parked on a line, for example.

The Parking Authority will again be on the Agenda for the January 20 BOS Meeting. M. Kozlark stated how reappointments should not be automatic. We need to publicize openings and encourage new applicants to come forward to serve on the various boards.

6. Schlumberger Citizen's Committee Brief Update: Richard Larson

Dick Larson, Chairman of the Citizen's Committee and Ed Tyrrell, a member of the Committee, came forward to share with the BOS where the Committee is to date concerning the Schlumberger property. R. Larson reported how the Committee first met in May 2015 and they feel they are 2/3rds thru the process. They offered 24 opportunities in the 1<sup>st</sup> Survey and received 1400 responses and 2,000 comments. The average age of the responses was between 45 and 50. The median age in Ridgefield is 43. They then held a Charrette on October 21<sup>st</sup> with 80 Ridgefield residents participating. The Charrette offered the public to come to a workshop meeting where they met in small groups and discussed the various choices for use of the Schlumberger property. The 1<sup>st</sup> Survey indicated what the residents are looking for, and how about half indicated their desire to have a return of the original dollar investment made by the Town of Ridgefield.

The Committee has narrowed the options for use of the property down to three choices and they have now developed a 2<sup>nd</sup> Survey which is available from January 11<sup>th</sup> thru 27<sup>th</sup>. This survey also addresses those who feel it is important to recover the cost of the land. The 2<sup>nd</sup> Survey addresses what it will cost to maintain the property if the Town does not choose to develop the property to earn dollars. The Committee is again using communication groups to reach the public and get this 2<sup>nd</sup> Survey out. They are hoping to reach all age groups. Hard copies will be available at the Library and Town Hall.

7. Rescind Motion Made at 12/9/15 Board of Selectmen Meeting “B. Manners moved and M. Kozlark seconded a motion to go out to bid for the Golf Concession at the Ridgefield Golf Course for the 2016/2017 Golf Season with the understanding that Dr. H. Seemann can also submit a bid.” Discussion; Possible Vote

S. Zemo submitted a memo on December 17, 2015 requesting a re-vote on this issue. An email was also received from B. Manners indicating her displeasure at having a motion she presented being rescinded when she is out of town and cannot be present for the discussion. According to Robert's Rules, a motion can be rescinded but it is inconsiderate to do so when B. Manners is not present. R. Marconi indicated that there are two ways to rescind a motion – someone move to rescind the vote and can also put the topic on as an agenda item and someone move to rescind the previous motion and another motion be presented.

M. Kozlark indicated that she did precipitate this discussion. The Golf Concession is part of the golf experience at the Ridgefield Golf Course. S. Zemo's email stated how he does not feel the BOS should put out an RFP based on current rent or lease terms. He also does not feel the BOS can or should put a new vendor in under the current lease terms for one year while the BOS does their due diligence. How committed can a new vendor be with a one-year lease? How about if we let Dr. Seemann sign an RFP by March 15 and stay on for six months. We have heard comments that the restaurant is cleaner and the food is better – the problem is the lack of service in the early morning hours. Why not let Dr. Seemann go with it one more time? R. Marconi responded how there are a lot of issues opening up now. It is prudent to take the time to "do it right". We need to look at the license agreement. We need to spend quality time to look at everything.

R. Hebert stated how there are issues to be discussed – dollars, responsibilities, hours of operation, repairs. We can write an agreement but we need to sit across the table and shake hands and move ahead. The previous owner/manager Robert Wolfe, sold the agreement to Dr. Seemann. The Golf Committee's position is that when one buys a contract, then one needs to read it and follow it. In the last two years there have been multiple discussions with Dr. Seemann. He has not followed the contract.

S. Zemo stated how the history is there. He just wants the best for the Town going forward. He does not think that a rash plan of action adopted in the next eight weeks is the best for the Town. We may well have lots of bids, but we want to have the time to work on the RFP with the Golf Committee. Where do we go from here?

Ed Tyrrell, Chairman of the Golf Committee, stated how there is ten weeks to go to opening of the 2016 Golf season. We negotiated with Dr. Seemann in late July. Nothing was resolved in August. We sent out a letter to Dr. Seemann in June. At that time we were going to give him a one-year agreement. We have researched the starting times for food at nearby golf courses – Silver Spring provides food service at 8:00 a.m., Richter's food service opens one hour before tee time. Two other nearby golf courses also have food available one hour before tee time. We want to support our Concession and protect our \$1.3 million investment in the Ridgefield Golf Course.

Marlene Gerhard, a member of the Golf Committee, raised some questions: "What are the terms that are going to be put in place? Do we have the time to negotiate a one-year lease? What are we going to do in April when golfers are complaining to us about the Concession? The month of June is the height of the Golf Season; how can we find someone new to run the Concession at that time? The Golf Committee met in December. We have a draft RFP available after the December 18 meeting. There are individuals who are interested in submitting a bid."

R. Marconi stated how it is difficult to make a decision in the middle of the Golf Season. Al Fazi visited other golf concessions. Ours was the only one where the manager did not live up to the terms of the agreement. The grill was not open most mornings. 8,960 golfers were denied the opportunity to purchase food. The opportunity to buy breakfast goes back many, many years. This is not something new. Last year, our golfers had to stop somewhere else to buy food first.

Let's put the RFP together and give Dr. Seemann the opportunity to submit a bid. If we have better offers, then let's give the Golf Committee the opportunity to make a recommendation. This is a situation we have tried to resolve for the past two years. M. Kozlark and B. Manners want to keep the motion as it is. S. Zemo asked the other BOS members what do they envision to have happen going forward from today? The answer is put the RFP out with responses due by the first or second week of February. The Golf Committee will review the bids received with the BOS, and the BOS will be responsible for the decision.

R. Hebert asked if the Golf Committee contemplates leaving the terms similar to those in the previous contract? E. Tyrrell responded that he envisions only a few small changes. S. Zemo asked about the liquor license? M. Kozlark responded how a temporary liquor license is available fairly quickly and then a permanent one is issued.

M. Kozlark and R. Hebert offered to be a sub-committee working with the Golf Committee on helping to move ahead. In order to open the golf course April 1<sup>st</sup>, it needs to be "up and running" by mid-March. Two to three weeks are needed prior to the opening. The RFP needs to be out by the end of next week. E. Tyrrell stated the need to set the date for the RFP to be available by Friday, January 15<sup>th</sup>. We need to work backwards from a proposed April 1<sup>st</sup> opening. There will be a BOS meeting on January 20<sup>th</sup> and again on February 3<sup>rd</sup>. Time will be scheduled to review all the details. If the RFP is posted on January 22<sup>nd</sup>, then bids should be back by February 12. The Golf Committee can hold special meetings. The lease has to go to a Town Meeting. There is a budget meeting scheduled for Monday, March 7. The lease can be awarded on March 9<sup>th</sup>.

8. Farmingville School Solar Panel Project: Dwayne Escola

Dwayne Escola and Joe Morits, BOE Utilities Manager, came forward to present this Solar Panel Project. 87% of the total consumption of electricity will be covered through the use of solar panels. Maintenance is covered for 20 years and then the Town will become the owner. There is a slight deterioration of the panels over the 20 years. There are no investment costs on the part of the Town. It is 100% paid for and maintained by a CT Greenbank investor. The cost comes from installation of a new roof upon which to put the solar panels. The installation is on ballasts and there is no penetration into the roof itself. The solar installation plan has to be signed by April 1<sup>st</sup>. A "quick" RFP is requested and the Town would then go out to bid. The project will take about two months for installation and a follow-up inspection by the State.

9. Appointment of HRRA Alternate

Only Newtown and Ridgefield have their own HRRA facility. R. Marconi stated how he feels that it is important that Ridgefield continues to be involved on this issue with the other municipalities. R. Marconi is Ridgefield's representative but if he cannot attend a meeting, he likes to have an Alternate to send in his place.

**R. Hebert moved and S. Zemo seconded a motion to appoint Maureen Kozlark to fill the position of Alternate HRRA Member representing the Town of Ridgefield, replacing the previous Alternate Member, Andy Bodner. Motion passed 4-0.**

10. Adoption of Hazard Mitigation Plan

**M. Kozlark moved and S. Zemo seconded a motion to approve a resolution adopting the Town of Ridgefield Hazard Mitigation Plan:**

- 1) **The Plan is hereby adopted as an official plan of the Town of Ridgefield;**
- 2) **The respective officials identified in the mitigation strategy of the Plan are hereby directed to pursue implementation of the recommended actions assigned to them;**
- 3) **Future revisions and Plan maintenance required by 44 CFR 201.6 and FEMA are hereby adopted as a part of this resolution for a period of five (5) years from the date of this resolution.**
- 4) **An annual report on the progress of the implementation elements of the Plan shall be presented to the Board of Selectmen.**

**Motion passed 4-0.**

11. Subregistrar Appointment: Daniel P. Jowdy

R. Marconi read the request submitted by Barbara Serfilippi, Town Clerk for the appointment of a Subregistrar.

**M. Kozlark moved and R. Hebert seconded a motion to appoint Daniel P. Jowdy of the Kane Funeral Home as Subregistrar to Barbara Serfilippi, Town Clerk, from January 4, 2016 to January 6, 2020, her term of office. Motion passed 4-0.**

12. Selectman's Report

- R. Marconi shared "Estimated Reductions in FY 16 Municipal Aid", distributed by the Connecticut Conference of Municipalities. This report shows Ridgefield being cut in PILOT dollars of \$139,247, ECS dollars of \$73,339 and 24 in School Transport for a total of \$212,610. We need to "keep an eye on this". The money goes into our General Fund and not into the BOE.
- January 20 BOS Meeting – Have authority to approve Aquarion Agreement
- Trail License Agreement with Eversource – will discuss at January 20 BOS Meeting. Can use the rail trail for bikes as well. M. Kozlark suggested that the BOS members walk the trail – will then know what details of the trail need to be addressed. A time will be set for walking the trail.
- M. Kozlark pointed out how there are meetings in a row that start at 6:30 p.m. – let's look at this: March 30, April 6 and April 13.
- Copy available for the BOS to review – OPEB Investment Policy. Per K. Redmond, the Pension Commission worked on this with H&H and have a draft policy ready for review. This will be discussed at the January 20 BOS meeting.
- Michael Rector, the new Assistant Treasurer will be coming to the January 20 BOS Meeting to interview. R. Marconi briefly stated M. Rector's background.
- Branchville Civic Association Ballfield Lease – signed. The Branchville Civic Association allows other baseball leagues to use their field. This is a problem when it is the Ridgefield Parks & Rec Dept. who are maintaining the field. The American Legion is starting up a new team. Babe Ruth now has their own sub-group which plays out-of-town. The number of children participating in baseball is down and especially if they have to go out-of-town to play. Parks & Rec does not want to have multiple leagues and multiple teams. The BOS needs to talk to Phil Kearns about this problem.

- The Fire Commission will hold a special meeting before February budget meetings to discuss the 8-man minimum.
- Martin Luther King Day Celebration – Monday, January 18 – 3:00 at Ridgefield Playhouse. The Ridgefield Community Service Award will be given to Elaine and Kevin Cox. BOS members welcome to attend.
- Lots of moving parts going on in town with regard to real estate: Chef's Warehouse looking at the Annex. The BOE would have to relocate – the decision put off for one year; the Playhouse needs more space; retail parking problems downtown; Schlumberger issue. Suggests the BOS have a sub-committee dealing with real estate issues. The BOE is looking at various options. S. Zemo and R. Hebert will work on these issues – what makes sense from a real estate perspective.

13. Approval of Meeting Minutes: 11/18/15, 12/9/15

**M. Kozlark moved and R. Hebert seconded a motion to approve as amended the minutes of the November 18, 2015, Board of Selectmen Meeting. Motion passed 4-0.**

**M. Kozlark moved and S. Zemo seconded a motion to approve as amended the minutes of the December 9, 2015, Board of Selectmen Meeting. Motion passed 4-0.**

**M. Kozlark moved and R. Hebert seconded a motion to adjourn the Board of Selectmen Meeting at 11:50 p.m. Motion passed 4-0.**

Respectfully submitted,  
Janet L. Johnson