

Town of Ridgefield
Public Hearing & Board of Selectmen Meeting
Wednesday, June 6, 2018; 7:30 pm
Town Hall (Large Conference Room)
400 Main Street, Ridgefield, Connecticut
APPROVED MINUTES

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

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

AGENDA

- 1. Public Comment**
- 2. Branchville Master Design Agreement**
- 3. Contingency Allocation for Installation of Forced Sewer Main on Halpin Lane**
- 4. Charter Revision Timeline**
- 5. Selectman's Report**
- 6. Approval of Meeting Minutes 05-23-2018**

Preliminary Comments

R. Marconi advised that ADA-compliant listening devices for the hearing impaired are available for BOS meetings at Town Hall. Anyone requiring assistance should speak with Blaze Mazur, the meeting videographer.

R. Marconi called the Board of Selectmen meeting to order at 7:30 p.m.

1. Public Hearing - Donation of Land to the Town (Lakeside Drive - Assessor Map #F07-0084)

R. Marconi called the Public Hearing called to order and read the notice into the record.

The notice reads: *Notice is hereby given that a Public Hearing will be held on June 6, 2018 at 7:30 p.m. in the Town Hall Large Conference Room, 400 Main Street, Ridgefield, Connecticut to receive comment on a proposed donation of land on Lakeside Drive, Ridgefield, Connecticut (Assessor Map #F07-0084) to the Town of Ridgefield. Related documents for the proposed donation are available for public inspection in the Office of the First Selectman and the Town Clerk and on the Town website.*

Jim Coyle presented background as to a previous donation of land on Lakeside Drive, which also adjoined Town property that is similar to this land (#F07-0084) at just under half an acre. The Conservation Commission has inspected the land, noted any maintenance requirements and has voted unanimously to accept the donation. The Board concurred that this land donation is favorable for the neighborhood. The land is designated as Wetlands so will not be zoned for residential use; its commercial value is limited but its value is that it will be a perpetual open space.

M. Kozlark noted that there may be possible complications from winter salting on the roads and run-off. R. Marconi advised that this problem was discussed at the COG meeting on 06-06-2018. The BOS will address this separately.

Public Hearing adjourned with no public comment.

2. Branchville Master Design Agreement

R. Marconi presented background on the Branchville project agreement from November of 2017. The agreement has been reviewed by David Grogins, Town Counsel and Charlie Fisher, Town Engineer. The TAP agreement is required for Branchville to secure the \$2 million in funding the Town will receive per the Master Municipal Agreement for Design Projects between the State of Connecticut Department of Transport (DOT) and the Town of Ridgefield. The agreement outlines the Town's financial obligations and will cover any variations to the project work that may occur. Details of the combination funding over the two separate projects: TAP agreement (10% of \$200K), balance replacement of Portland Avenue Bridge and closing of the crossing at Depot Road. Some of this to be Federally funded. The Town's share is around \$1 million plus additional costing of \$618,000.

The Federal Government has notified the Town of some changes to the agreement at the meeting for budget approval in Hartford. S. Zemo recommended that the BOS needs to get any proposed changes to the agreement in writing. R. Marconi is expecting a letter to this effect.

B. Manners questioned the State of Connecticut's ability to change aspects of the project without the Town's consent. Consensus of the Board is that this is a binding contract and any amendment would require the Town's approval.

M. Kozlark has concerns that possible complications from winter salting on the roads and run-off may affect sewer system development. R. Marconi confirmed this was discussed at the COG meeting and the BOS will address this separately.

Macklin Reed, Ridgefield Press reporter, requested details of the funding breakdown and its impact on Town residents. R. Marconi confirmed the Town's responsibility for the project is just under \$7 million. Finance structuring is complex as there are three different funding mechanisms and two separate projects. R. Marconi will provide Mr. Reed with full details.

S. Zemo noted that a vote needs to be taken by the Board to give R. Marconi authority to sign on behalf of the Town.

S. Zemo motioned that R. Marconi be given authority to sign the Agreement on behalf of the Town of Ridgefield. Seconded by M. Kozlark. Motion carried 4-0.

3. Contingency Allocation for Installation of Forced Sewer Main on Halpin Lane

An estimate for the installation from Guy Marcheson of Excavation & Maintenance Services LLC was presented to the Board of Selectmen (Total: \$33,250). Scope of work outlined in the estimate and the WCPA (Water Control Pollution Authority) has been consulted as to pump capacity and all major specifications.

B. Manners asked if the Town's art institutions will pay the annual sewer assessment. It was advised that the institutions will pay and the new system will mean annual increase in sewer fees of approximately \$400 to \$800.

S. Zemo asked if maintenance of the septic system would be the responsibility of the Town. R. Marconi stated that systems would be maintained by the Town and the Town will pay all related fees for its own buildings. Cost of each new system approximately \$25K to \$30K.

B. Manners requested details of payments of sewer fees at other Town buildings. The Town pays for its own buildings' systems. Some exemptions are received by the Town e.g. new units at the schools, but ongoing assessments are a Town expense.

The Board agreed that there should be consistency throughout the Town as to any exemptions that are made for Town buildings/institutions for the payment of any fees for sewer/utilities/services. An example given by M. Kozlark was the lease with ACT and Bassam Fellows.

The breakdown of financial contributions for the installation (approximately \$34K as quoted) will be Town of Ridgefield \$20K, Theatre Barn \$10K, The Guild \$4K. The Town's \$20K is from a total of approximately \$42K available in Contingency. The project has yet to be put out to bid however the monies are available in Contingency now for use. This installation is the first infrastructure step that needs to be taken in this area to provide other amenities and improvements e.g. expanded parking.

The original consideration of the outdoor theatre space was to alleviate some of the overcrowding in Town and the parking situation. R. Marconi confirmed that the Town merchants to date are in favor of an expanded parking initiative. \$25K was initially proposed for Schlumberger however, it was unanimously decided by the Arts Council that these monies not be expended on any other type of venue. Richard Larson and Mark Meachem reported this as a unanimous vote of the Arts Council.

B. Manners now reports that it is the consensus of Arts Council that another venue is not necessary. The Town has stated that it would not be responsible for maintaining a privately funded venue. In the past, the Town and various groups have come up with previous ideas for an outdoor venue e.g. an amphitheater, band shell. The groups are of the opinion that a needs assessment should first be done and possible investment in another 501(c)(3) is not justified. It would be best if ACT was fully up and running first. Representatives from The Playhouse and other institutions have expressed concern that too many similar organizations would decrease chances for any one to flourish.

R. Marconi and S. Zemo discussed how money for this outdoor venue had been voted by the Board of Selectmen based on a Citizen's Committee survey which shows 2,300 residents in favor. If the venue is not constructed, it will not have been the Board of Selectmen's decision that it not go forward, it will have been the Arts Community of Ridgefield who withheld their approval.

S. Zemo posed the question that if an outside organization/artist requested renting the new venue, would it be the Arts Council that approves their request or would it be the BOS? Additionally, should the Arts Council decide to raise the money to build their own venue without the Town's contribution, would the BOS and Arts Council have to jointly consider and approve this permit and construction? The chain of approval needs to be clear. The Board felt this situation would be a collaborative venture by the BOS and Arts Council with the BOS making the ultimate decision. Mr. Zemo also asked whether the ARTS Community expected to have exclusive rights to the use of this venue and requested the Board seek clarification from Richard Larson as to the ARTS Council's consensus for any venue of this kind.

M. Kozlark noted that since the BOS had decided to allocate the \$25K to this potential venue but the decision to build a venue has since been reversed at the Arts Council meeting, one way to handle it would be to let the available money from the Town expire on June 30th as unused funds. R. Marconi felt it was advisable to table this issue as there appears to be uncertainty as to the benefit of this venture to the community. The Board suggested that some of the confusion may stem from the way the survey asked questions as residents were asked to rank various improvements and facilities that residents would find most attractive e.g. outdoor venues, walking and connecting trails and gardens. The project was seen as a favorable way to provide recreational areas and activities that diverted traffic away from congested downtown.

Pamela Jones, Executive Director at the Ridgefield Theatre Barn expressed her opinion that the potential venue seems unnecessary as The Theatre Barn is a vibrant and current Town institution which has been in existence for fifty-three years and could serve the Town far better if improvements were made to its surrounds. Preliminary plans have been drawn up for the parking in this area. The Town had a mutual

interest in supporting provision of sewer lines, parking and lighting so that both the community and business could benefit. The organizations (Theatre Barn/Playhouse/Stone's Only) are not opposed to a new venue, they just feel due consideration has not fully been given to the issue.

M. Kozlark reminded the Selectmen that they as individuals need to be vigilant about keeping their personal or business interests separate from the interests of the Town they represent as BOS members.

S. Zemo suggested that the BOS let the Contingency money's availability date expire or let the BOS vote at their next meeting on this issue when Selectman Bob Herbert is present. M. Kozlark advised that a BOS vote would be necessary to rescind the vote already made for the \$24K appropriation to a this door venue.

S. Zemo moved and M. Kozlark seconded a motion to allocate \$20,000 from Contingency for the forced sewer main on Halpin Lane. Motion carried 4-0.

4. Charter Revision Timeline

R. Marconi advised that the Charter Review Commission has not concluded its final draft report. It will be due within the next two weeks for the June 20, 2018 meeting.

The July 11th, 2018 BOS meeting will be an Informal Public Meeting which could include Conservation and Planning & Zoning. Vote on the draft report of that night to go back to the CRC. CRC recommendations would be due back to BOS on August 3rd. On August 8th, the BOS will vote accept/reject and choose items the Town needs to vote on - R. Marconi to double check these items. Another meeting may be needed in July.

It was suggested that Al Garzi come to the BOS meeting on June 20, 2018 to discuss tax credits. Other possible agenda items could be ECD Paul and Arnold reappointments and Youth Commission reappointments. The Fracking Ordinance would be discussed and Kristin Quell from RACE invited to make a presentation. B. Manners mentioned that Town Purchasing could be involved to see if they can certify fracking waste and the Conservation Commission and Planning & Zoning might attend as well.

R. Marconi has a copy of presentation made to the CRC as well as the Conservation report by Rebecca Mucchetti. Ms. Mucchetti advised CRC meeting June 7, 2018 is to review preliminary draft. Public hearing on the draft June 18th in preparation for Board of Selectmen meeting on June 20.

At the August 8, 2018 meeting, the BOS will accept/reject propose charter outlined in CRC's final report. Charter to be published in Ridgefield newspapers with amendments thereafter.

No motion necessary at this meeting for these Charter Timelines.

5. Selectman's Report

Upgrade to the Town of Ridgefield's Sewer Plants

R. Marconi gave an outline and report back on the WCPA (Water Pollution Control Authority) upgrade required by the DEEP (Department of Energy & Environmental Protection) every twenty years. Town plant was operational in early nineties so this upgrade is mandatory or it could be shut down. The project involves an upgrade to all sewer plants in the Community.

Further meeting has been planned with the rating/rate consultant to look at total cost and how ratings should be done. Number of people per household would be an effective way to set a water rate but this has historically been difficult to track. Alternative may be to follow what other towns do and source

consumption figures from the water company e.g. Aquarion to provide numbers on the volume of water flow into a household. This has drawbacks as the entire Town and not all users are hooked up. Total cost of the plant to the taxpayers is now at approximately \$48 million but the Town has received a \$10 million grant which is pass-through money from the Clean Water Act. Odor control is a significant issue which makes plant location and material used to construct the plant building important. Recent storm events have highlighted the problem of flows caused by residents' use of sump pumps during flooding. Many residents have complied with removal of their sump pumps; some of the large condominium projects in town still need to do so or the BOS will consider levying the statutory fine. Impact of heavy rain events is immediate on the Town's sewer systems. The Town is monitoring this increased flow and demand. Five communities in Connecticut have been approved for the grant and the Town's stake has been approved but our RFP must be out and ready to bid by July 19, 2018

The pump station at Quail Ridge II is at the end of its life. The plan is to replace it with a new pump station near the Goodwill Trail. This project will cost another \$2 million which is not in the \$48 million budget. The projected breakdown of costs for rate users and septic users for the debt schedule will be proposed by the rate consultant.

This plant will be shut down and a new pump station be installed at Pond's Edge. Engineer's estimates will follow. The current method of property owners purchasing units of gallorage for their property will continue. This new pump station is not expected to increase capacity.

To date no concern by the public has been voiced with regard to these mandated sewer system improvements. Timeline for the grant money requires the proposal be on the Referendum as soon as possible in order to start construction in July 2019.

Rebecca Mucchetti reported on possible development of a pediatric facility at Pond's Edge on Route 7. Some of their operational costs may be written off under charitable regulations. There are other proposed occupants for these buildings.

Nod Hill Brewery

B. Serfilippi, Town Clerk has this vendor's petition which has been reviewed by David Grogins, Town Counsel. Signature has to be amended and it will then be submitted to the Board of Selectmen. Will be discussed at the September 5, 2018 BOS meeting.

Branchville Cemetery

Bouton Funeral Home used to maintain the cemetery but has now been closed, cemetery is in disrepair. Photographs were presented. R. Marconi has a quote from Bill Bunkoci for the clean up (approximately \$1,500). At this point it is unsure as to who holds title to the cemetery land. It is unmapped. Next step would be to make a legal application for the Town to own this land. S. Zemo observed that it is in the Town's interests to conserve and clean up the site. It may produce revenue as plots may be bought if it is properly managed/restored. Its maintenance budget will have to be defined by the Town.

Storm Damage Report

Approximately \$111,000 from the last storm. FEMA will be coming in next week to review financial reporting and will go into the field to assess damage to property and homes.

Deer Hunt Approval

Conservation Commission is in agreement for this to take place; sent letter to First Selectman stating same. Will go onto BOS meeting agenda for a vote.

Cadence Academy

Ribbon-cutting for new playground on June 13th at Barlow Mountain School.

Extension of Sky Top Road

Request from Conservation Commission to abandon the extension and take it off the Town map. Will be put on Board of Selectmen meeting agenda for review and must be presented at a Town meeting.

Energy Meeting (Conservation and Clean Energy)

M. Kozlark attended meeting with the team last week with the goal of engaging other communities (Fairfield, Wilton and Bedford) to gather and share ideas, look at studies and solar panel projects.

6. Approval of Meeting Minutes of 05-23-2018

M. Kozlark noted that the Minutes of 05-23-2018 did not include the seven percent fee the architectural firm Jacunski Humes would be charging for their services. R. Marconi will check the contract and provide language regarding this fee to be included as an amendment.

Motion to approve minutes of 05-23-2018 made by B. Manners. Second to approve minutes as amended by M. Kozlark. Motion carried 4-0.

B. Manners moved and S. Zemo seconded the motion to adjourn the BOS meeting at 9:00pm. Motion carried 4-0.

Respectfully Submitted,
Lynda Scott