

PUBLIC HEARING & BOARD of SELECTMEN MEETING
FEBRUARY 17, 2016

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

UNREVISED/UNAPPROVED MINUTES

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

Public Hearing

Notice is hereby given that the Town of Ridgefield Board of Selectmen will hold a Public Hearing at 7:30 p.m., on February 17, 2016 at the Ridgefield Town Hall, 400 Main Street, Ridgefield, Connecticut, in the Large Conference Room, to hear comment on the proposed license agreement between the Town of Ridgefield and Eversource, which would allow bicycles on the rail trail.

R. Marconi called the Public Hearing to order at 7:30 p.m. and read the call for the Public Hearing relative to the proposed license agreement between the Town of Ridgefield and Eversource, which would allow bicycles on the rail trail. Also present was David Grogins, Town Counsel. This Public Hearing is a continuation of the Public Hearing held on Saturday, February 6, 2016. There were a lot of comments from the public at that time and R. Marconi requested that the first to speak should be those who were not able to speak at the February 6th Public Hearing. A letter has been received from the Conservation Commission. They discussed and voted on this issue. A recording of their meeting is available for the public.

David Ulmer, S. Salem Rd., - stated that he has biked in Connecticut, Colorado, Europe. Most of these bike trails are paved with dirt paths along the side. Many of them have traffic lines in the middle and have speed limits posted. The posting of the speed limit helps to establish liability. He feels the Town needs to have a license agreement with Eversource, which helps to determine liability and the responsibility for maintenance costs. When he and his wife are biking, their dog often comes along. He is concerned about the use of mountain bikes on the rail trail. It is too narrow in spots and the curves obstruct the view. Regarding the use of cinders on the trail, he stated how the cinders will be gone after one season of use by mountain bikes.

Sean Dowd, High Ridge Ave., stated he was the co-owner of the Ridgefield Bicycle Company. He stated it all comes down to a level of trust and confidence. He trusts that legal counsel and the BOS will take care and sign an agreement that is in the best interest of the Town of Ridgefield and not incurring unnecessary liability. He trusts those that use the trail to communicate with one another. He knows that the trail will be made safe with railings where needed, and the design will be safe through the wetlands with the approval of the Conservation Commission. He is sure there will be a balance between wildlife and use of the trail. Mountain bikers go on the road. Who will use the trail? – families, kids, seniors, new riders, and Special Olympics bikers.

Devon Pettit, Deer Run Rd. – stated how he has two small children ages 3 and 5. The trail is a great way to go with the kids to down for ice cream. Thank you!

Bob Leavitt, Olcott Way – stated he was responsible for bike tours on the Cape and Nantucket – 110 miles of trail. Some of the trails are on rail trails – others are along major roads. His groups never

experienced an accident with a baby carriage, a problem with a dog, etc. People say, “on your left” when passing other bikes or hikers. There won’t be dogs running loose in Ridgefield with our leash law. This trail is only 2 ½ miles in length. This is an excellent way to get our trail system started. The trail needs to be widened here and there and blacktopped.

Bill Doty, Main St. – The trail is a dynamic addition to what Ridgefield has to offer. There is tree work that needs to be done on the trail. The trail provides 2 ½ miles of a “nice walk”. Liability should not be an issue. It is a no cost asset to the Town. The trail is not for a mountain biker. He has never experienced a problem on the trail.

Alexandra Koppen, Prospect Ridge Rd. – commented on liability issues. There is a four-way intersection where four roads come together. There are a lot of cars at that location, which pose a big liability. Run-off is a problem over toward Quail Ridge. We need to protect hikers/bikers against run-off situations and the arsenic problem.

Brad Gomer, Stony Hill Rd. – stated he uses the rail trail extensively. He has looked over the engineering report, which indicates that the trail should be paved with a concrete surface. There needs to be a defined lane for bikes. If the Town wants to limit the liability, they are going to have to make the improvements according to the standards spelled out in this engineering report. The trail needs to be widened and includes the need for 4 ft. high railings. We don’t want to end up with an expressway.

Mr. Gomer later in the Hearing suggested a delay on doing anything with the rail trail. We can always make changes later. He suggests instead doing work on the Rec Center trail. He likes the soft surface for walking on the rail trail. He likes the trail the way it is. The rail trail would end up shut down for the summer if all these changes and paving were to happen.

Mark Mischenko – stated he has lived in Ridgefield for the past 12 years. He sent in an email about the rail trail. It provides a perfect place for a young family to walk and/or bike. It keeps the children off the road and away from traffic. It provides a great learning opportunity for children. Mountain bikers are not interested in a 2 ½ mile trail regardless of the surface.

Craig Borders, Prospect Ridge Rd. – indicated how he likes to ride to the Branchville Station. To ride a public road to Branchville is a dangerous road. It is a safe ride for the kids on the rail trail.

Mark Saconi, Ridgewood Rd. – remembers the CL&P trail where one could walk, run, and bring the dog along. He is an elementary school teacher, and the roads in Ridgefield are not at all conducive to biking. Kids should not be out on the roads. The rail trail is great for children. They learn how to get along with others. It provides a wonderful opportunity to link many towns. It doesn’t matter whether it is paved, not paved, cinders. He is much in favor of the trail.

Phil Runert – stated how the trail provides a great opportunity for families to learn how to ride together. They can enjoy together a ride thru Ridgefield. They learn how to respect one another. The use of the trail is good for everyone.

Kitsey Snow – spoke about liability issues.

Jessica Tobin – stated how she has lived in Ridgefield for 15 years and has used the rail trail a lot. A biker zoomed past her recently and said nothing. It is a great asset for those in town 18 and under.

Kathy Siponi – stated how she lives at the bottom of the rail trail. There is no parking in town. Residents can use their bike to get to town or the train station and this will help to eliminate parking issues. A cinder surface is not a problem for road bikes.

R. Marconi stated how there is no intention to pave the rail trail.

Mitch Ancona – indicated how he is a cyclist but he no longer lives in Ridgefield. He has two children ages 5 and 7. They now ride their bikes around the school parking lot. He recalls riding to town and Branchville on the rail trail with his father and grandfather. The rail trail will connect the towns and enable residents to ride to work.

Bob Roth, Wilton Rd. W. – indicated that he has lived in Ridgefield for 40 years. The rail trail is a great way to get to the Branchville area. Route 102 is not a safe road for biking. We all need to figure out how to work together to make the rail trail work for everyone. Other towns have worked out use of the trails.

Tom Elliott, High Ridge – indicated he is a 40 year resident of Ridgefield. He is not interested in biking on the trails or roads in town. He stated how Paul Roche is overseeing the building of walking trails in town. This Public Hearing is really about the licensing agreement. If we enter into this agreement, we have to make changes to the rail trail. These changes will alter the character of the trail and take away the “natural” look. They will take away a precious asset close to the center of town.

Jessica Lomer, Pond Trail – stated it is unsafe to ride up or down Branchville Road. To ride on the rail trail instead of on Route 102 is the way to go.

Jessica Wilmot, Pond Rd. – stated how the BOS is going to have to approve this contract. She suggests that residents ride the trail next to people who are walking the trail. Try it and see what you think. Should the trail be used for both bikers and walkers?

Jackie Dowd – presented her papers titled “Rail Trail Liability Notes”. This included the Recreational Use Statute for the State of Connecticut, Public Agency Liability, and how Insurance is the last line of defense. From the National Cooperative Highway Research Program, April 2010, Ms. Dowd presented “Legal Research Digest 53 Liability Aspects of Bikeways.” Her papers covered, “Protecting Landowners Providing Recreational Opportunities”. Ms. Dowd is very concerned about the liability of the homeowner’s along the trail. The Town of Ridgefield has no plans to change the surface of the trail – only widen the trail where needed. There are also environmental concerns that will need to be addressed as well as rail trail maintenance.

R. Marconi stated the purpose of this evening’s Public Hearing was to address the licensing agreement with Eversource. It took Ridgefield two years to get to this point and to get a copy of this proposed document. Paul Roche, Director of Parks & Recreation, and David Grogins, are both here this evening. Any design will need to be done by a professional organization. Before anything can be done, the environmental impact of any proposed changes in the trail need to be addressed. There is a definite process to be followed by Parks & Recreation and the Conservation Commission. A letter has been received from the Conservation Commission, dated February 17, 2016, expressing how they are very concerned about some of the environmental issues. S. Zemo stated a number of issues were raised this evening. D. Grogins indicated the desire to reschedule this topic for another BOS meeting when there is a shorter agenda. The next BOS meeting is March 9th, although that is also a budget discussion evening.

R. Hebert stated there were a lot of good comments this evening. There are questions that need to be answered, including technical questions. M. Kozlark stated how there are liability issues and costs that need to be addressed. R. Marconi responded we now need to research questions that were raised this

evening and at the earlier Public Hearing as well. The Town of Ridgefield is currently doing general maintenance of the trail. There was a request to spray pesticides along the trail and the Town said absolutely no. J. Pinchbeck has overseen several times cutting of the brush along the trail. R. Marconi stated there are financial questions, liability issues, wording of the agreement that all need to be addressed. Should this agreement be sent to a referendum vote? B. Manners is out of town but she sent in an email stating her request that the agreement with Eversource be a referendum vote in May. One resident asked if there should be a poll of the citizenry before the Town goes ahead with this licensing agreement. D. Grogins stated he does not feel that Eversource is at all willing to make changes to this document. The Town either accepts the document or they do not. The agreement can, however, be cancelled with ten days' notice.

The Public Hearing was closed at 8:45 and the Special Town Meeting relative to the changes in the Ridgefield Code was opened immediately thereafter. The minutes of the Public Hearing relative to the Ridgefield Code and the Special Town Meeting are under separate cover.

R. Marconi opened the Board of Selectmen Meeting at 8:50 p.m.

BOS Meeting Agenda

1. Public Comment
2. Parking Authority Interviews: Richard A. Moccia, Jessica M. Wilmot
3. Historic District Commission Interview: Harriet Hanlon
4. Golf Committee Interview: Arnold H. Leichtman (Light)
5. Tree Committee Reappointment: Robert D. Roth
6. Golf Concession Bid Discussion
7. Regional Performance Incentive Program: Regional GIS Service Resolution
8. Selectman's Report
9. Approval of Meeting Minutes: 2/2/16 Budget, 2/3/16 Regular & Budget, 2/4/16 Budget, 2/6/16 Public Hearing

1. Public Comment – There was one comment from the public: Fred Jacobsen of Thayer Pond Rd., in Wilton. Mr. Jacobsen wished to comment about the Ridgefield Golf Course. Even though he is handicapped and is in a wheelchair, he still desires to play golf. There is no way for him to navigate in his wheel chair on the Ridgefield Golf Course. He needs use of a special golf cart and brought with him the write-up and documentation for two such carts. He has discussed this issue with Golf Director, Frank Sergiovanni. He can still swing a golf club and these carts would benefit veterans who wish to also continue to play golf.

R. Marconi stated Mr. Jacobsen is correct, Ridgefield Golf Course does not have such a cart. This year the Town of Ridgefield is especially working on their ADA compliance-issues. The inclines on the Golf Course can be dangerous and are not safe to be taken in a regular cart. We understand what Mr. Jacobsen is talking about and we are making progress addressing compliance issues. Thank you for coming to our meeting to discuss this issue.

2. Parking Authority Interviews: Richard A. Moccia, Jessica M. Wilmot

Richard A. Moccia – R. Marconi welcomed Dick Moccia to Ridgefield. Mr. Moccia was previously the Mayor of Norwalk and has now moved to Ridgefield to be close to his daughter and her family. He has indicated interest in serving on the Parking Authority. He has reviewed the report on the recent Ridgefield parking survey and commented on how the residents do not want a parking garage. He stated residents seem to think that what other towns have is better but then

they do not want to have what other towns have. R. Marconi indicated that Ridgefield has about 1200 parking spots and a couple of bike racks as well. Mr. Moccia thought that perhaps he could be helpful with Ridgefield's parking problems.

R. Marconi stated how the BOS considered appointing a nine-member committee to look at the greater issue of downtown but didn't want to create a conflict with The Parking Authority.

M. Kozlark commented that Mr. Moccia brings with him a sensitivity to Town problems. He would bring collaboration to this issue. Mr. Moccia responded he feels he is good at collaboration. He likes to talk to the people of the Town and develop an understanding. The Town needs to look carefully at the employee parking situation. S. Zemo stated Mr. Moccia has dealt with a lot of problems while Mayor of Norwalk. He now brings his skill set to our table.

S. Zemo moved and R. Hebert seconded a motion to appoint Richard A. Moccia to fill one of the vacancies on the Parking Authority for a one-year term. Motion passed 4-0.

Jessica M. Wilmot

Ms. Wilmot came forward to express her interest in serving on The Parking Authority. She has lived in Ridgefield since 1955 and owns/manages a restaurant just off Main Street. S. Zemo stated he would like to know Ms. Wilmot's perspective. She has seen the changes in Ridgefield over the years. She feels there has been a lack of planning for growth. She has participated in many conversations about the parking issue – something “fresh” needs to happen. She does have a personal interest in making improvements happen.

R. Marconi asked Ms. Wilmot if there is a long-term solution that she has in mind? Ms. Wilmot responded that she feels that she needs to serve on The Parking Authority. Maybe a garage is the only solution right now. Most residents do not understand the significance of the parking problem. They do not understand how the merchants feel. M. Kozlark asked Ms. Wilmot if she feels that serving on The Parking Authority will be a conflict of interest. Ms. Wilmot indicated that she is a customer, a resident and a business owner. She feels she can wear a larger hat and look at the whole picture – what is it that we all need?

S. Zemo moved and R. Hebert seconded a motion to appoint Jessica M. Wilmot to fill one of the vacancies on the Parking Authority for a one-year term. Motion passed 4-0.

R. Marconi stated the possibility of a garage has been discussed in the past. If so, where should a garage be located? The Town has looked for years at the area behind the Post Office. The housing area, Victoria's Gate, was opposed. The Town has also looked at the possibility of angle parking behind CVS, but that was also opposed. There are some possibilities out there but we need to look first at all the alternatives to a garage. A special meeting on this subject is being held at the Library on Monday, February 29th at 6:30 p.m. He encouraged the new Parking Authority members to attend.

S. Zemo indicated that he would still like to see the parking issue as an agenda item at an upcoming BOS meeting. The Chamber of Commerce members need to be briefed on this subject as well. March is a busy month with budget items, but this topic can be scheduled for an April BOS meeting.

3. Historic District Commission Interview: Harriet Hanlon

Harriet Hanlon came forward to express her interest in serving on the Historic District Commission. Dan O'Brien, Chairman of the Commission, was also present to support Ms.

Hanlon's candidacy. Ms. Hanlon has met with the Commission and they voted to recommend her participation on the Commission. R. Marconi read the letter of support received from Mr. O'Brien and read the letter of application received from Ms. Hanlon. Does she have anything to add? Ms. Hanlon stated that her email covers her twenty years of Ridgefield residency. Three years ago she and her husband purchased a 1901 Tudor home, which fulfilled her dream of owning an historic house.

S. Zemo commented on Ms. Hanlon's interest in preserving the past. Her perspective expressed in her memo brings everything together. M. Kozlark made note of Ms. Hanlon's "well-done" letter. Her Tudor house is not part of the Historic District, but she cares about the way the Town of Ridgefield looks with its historic character.

M. Kozlark moved and S. Zemo seconded a motion to appoint Harriet Hanlon to fill one of the Alternate Member vacancies on the Historic District Commission for a five-year term. Motion passed 4-0.

4. Tree Committee Reappointment: Robert D. Roth

Bob Roth came forward to express his interest in being reappointed for an additional term as a member of the Tree Committee. R. Marconi asked Mr. Roth to comment on what the Tree Committee has been doing. CL&P has been doing a lot of tree trimming in Town. He has been involved in ways in which this wood that has been cut can be used. One thought is at the High School wood shop. This is something they do in Greenwich High School. Another thought is to get a wedge of any 30 inch diameter tree that is being taken down and put it on display. Some of these old trees are historic and worth noting.

M. Kozlark moved and R. Hebert seconded a motion to reappoint Robert D. Roth for an additional three-year term on the Tree Committee. Motion passed 4-0.

5. Golf Committee Interview: Arnold H. Leichtman (Light)

Arnold Light came forward to express his interest in serving on the Golf Committee. Mr. Light is well known to the BOS as he is the Chairman of the Economic Development Commission (EDC). R. Hebert stated he will be working with Mr. Light on the EDC's Mission Statement.

Mr. Light stated he is at the Ridgefield Golf Course 4 to 5x/week during the golf season and is interested in becoming involved with the Golf Committee. M. Kozlark commented on how the EDC is a big commitment. Does Mr. Light have time for both? He feels he does have the time. No, he has not yet attended a meeting of the Golf Committee nor has he met with any of the Committee's members. He feels it will be a commitment of idea generating and decision making.

R. Marconi suggested that Mr. Light attend a couple of the Golf Committee's meetings. It is a seven-member committee with two vacancies. It was previously a five-member committee and they expanded it to seven. Ed Tyrrell, Chairman of the Golf Committee, stated perhaps they should return to a five-member committee, but an ordinance would have to be changed to do so. They have had good attendance at Golf Committee meetings.

S. Zemo stated the Golf Committee needs to indicate what skill sets they need to fill with their additional new members – do they need a finance person, a marketing person, etc.? What role does Mr. Light perceive as his specialty? It will be helpful for him to attend a couple of meetings.

6. Golf Concession Bid Discussion

Ed Tyrrell, Chairman of the Golf Committee, came forward to discuss where they are with the Golf Concession bid process. On their recent walk-through, 30 people attended and these individuals showed a lot of interest. They have received 10 proposals for the Golf Concession. E. Tyrrell indicated that he plans to reach out to those who attended the walk-through but who did not submit a proposal to learn why they are not interested in pursuing the opportunity. He said they did not “sugar-coat” during the walk-through what was expected regarding management of the Concession. They have narrowed down the applicants to a group of three, each of which were interviewed for about 45 minutes yesterday, February 16. The interview committee consisted of Jerry Gay, Director of Purchasing for the Town of Ridgefield, Frank Sergiovanni, Director of the Golf Course, a couple of members of the Golf Committee, and himself, E. Tyrrell. They eliminated one applicant and are now down to two prospects.

The interview committee met again this morning and have not yet made a decision between the two applicants. They have questions that they want answered first from each group. Jerry Gay gave each applicant seven questions and scheduled a re-interview session for each on Monday, February 22nd at 8:00 a.m. Each will bring in the answers to their questions at that time. E. Tyrrell stated both applicants are good in different ways. They are both experienced in the management of a food service facility and appear to be financially stable. They both can be “up and running” in 2-3 weeks and thus they can meet the April 1st opening date.

R. Marconi stated how there were “issues” in the past and did the interview committee discuss these issues with both these applicants? E. Tyrrell responded that both applicants realize they need to be open for business early in the morning. They were both asked what they would do if the early morning business is not what they want it to be. Both applicants realize that being open early in the morning is not negotiable. Both individuals are connected to existing food operations in other towns and feel they can bring in their own chef without difficulty.

M. Kozlark inquired whether the BOS should interview both applicants or should the BOS just meet with the final candidate? The BOS is willing to go with the applicant that the Golf Committee picks, but they need to be sure that all the candidates have been met and considered. R. Marconi suggested that the seven questions submitted to each applicants be emailed to the BOS. Should the BOS hold an Executive Session and meet individually with each of the two final candidates? He feels that if the BOS is doing the hiring, then we should meet and interview each of them. It was agreed that E. Tyrrell will set up interview times with each of the two remaining applicants on Tuesday, February 23rd at 5:00 p.m. – one at 5:00 p.m. and the other at 5:20 p.m. The BOS will not know ahead of time which applicant is the Committee’s first choice.

7. Regional Performance Incentive Program: Regional GIS Service Resolution

This resolution process is necessary for our grant application; no additional cost as all grant dollars.

R. Hebert moved and M. Kozlark seconded a motion to adopt a resolution which endorsed the Regional Performance Incentive Program re: Data Acquisition for a Regional GIS Service, Phase 2, and to authorize Rudy Marconi, First Selectman of the Town of Ridgefield, to act on this endorsement by signing all necessary agreements and take all necessary actions related to this proposal to enter into a binding agreement with the Office Policy and Management according to terms of the RPI grant program. Motion passed 4-0.

8. Selectman’s Report

- February 29 meeting regarding parking is an important meeting – hoping for good attendance.

- Betty Brosius retirement scheduled for the end of this fiscal year – June 30, 2016. Laurie Fernandez, Director of Human Resources, is involved with plans for Betty’s replacement.
 - Budget issues: R. Marconi spoke with the School Superintendent today as the BOE’s budget is a big part of the mill rate. Where the BOE budget is going to be this year is a critical number. The new Superintendent started the budget process with zero-based budgeting. There is a BOE budget meeting this coming Saturday, February 20. M. Kozlark plans to attend. There is also a BOE budget meeting Thursday, February 18, which R. Hebert plans to attend.
 - Hope to see the \$700,000 as a revenue item which we did not receive last year – our sharing of the sales tax. This amount is not being listed in the budget in case it does not happen.
 - May 3 is the State of Connecticut’s final budget date. Their deliberations might well last all night with all the back and forth negotiations.
 - Ridgefield’s Annual Town Meeting on the budget for Fiscal Year 2016/17 is the 1st Monday in May with the Referendum vote on the 2nd Monday in May.
9. Approval of Meeting Minutes: 2/2/16 Budget, 2/3/16 Regular & Budget, 2/3/16 Budget, 2/6/16 Public Hearing

M. Kozlark moved and R. Hebert seconded a motion to approve as amended the minutes of the February 2, 2016, Board of Selectmen Budget Meeting. Motion passed 4-0.

M. Kozlark moved and S. Zemo seconded a motion to approve as amended the minutes of the February 3, 2016, Board of Selectmen Regular & Budget Meeting. Motion passed 4-0.

S. Zemo moved and M. Kozlark seconded a motion to approve as written the minutes of the February 4, 2016, Board of Selectmen Budget Meeting. Motion passed 4-0.

R. Hebert moved and S. Zemo seconded a motion to approve as written the minutes of the February 6, 2016, Board of Selectmen Public Hearing. Motion passed 3-0. M. Kozlark was not present at this Public Hearing.

M. Kozlark moved and S. Zemo seconded a motion to adjourn the Board of Selectmen Meeting at 10:20 p.m. Motion passed 4-0.

Respectfully submitted,
Janet L. Johnson