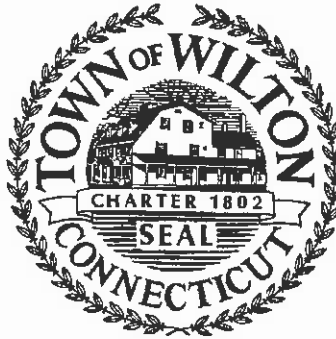


OFFICE OF THE
FIRST SELECTMAN

Telephone (203) 563-0100
Fax (203) 563-0299

Email to: Bill.Brennan@Wiltonct.org



William F. Brennan
First Selectman

Harold E. Clark
Second Selectman

Ted W. Hoffstatter

Richard J. Dubow

James A. Saxe

TOWN HALL
238 Danbury Road
Wilton, CT 06897

**BOARD OF SELECTMEN
REGULAR MEETING
TUESDAY, SEPTEMBER 4, 2012
WILTON TOWN HALL, ROOM B**

PRESENT: First Selectman William Brennan, Second Selectman Hal Clark, Selectman Dick Dubow, Selectman Ted Hoffstatter, Selectman Jim Saxe

GUESTS: Sandy Dennies, Tom Thurkettle, Sarah Taffel, Mariana Corrado

OTHERS: Melvin Mason, (Wilton Voice), Korey Wilson (Villager), Joan Lownds (Bulletin)

First Selectmen Brennan called the meeting to order at 7:30 PM

A. Consent Agenda

A motion was made by Mr. Clark, seconded and carried to approve the Consent Agenda as follows:

Board of Selectmen Regular Meeting 8/06/2012 – Carried with Mr. Dubow and Mr. Hoffstatter abstaining from voting on approving the August 6, 2012 Minutes because they were absent.

Board of Selectmen Special Meeting 8/23/2012 – Carried unanimously

Tax Refunds – Per Tax Collector's 8/23/12 Memo – Carried unanimously

B. Discussion and/or Action

1. Resolution Designating September 19, 2012 as "Don't Text and Drive Day"

First Selectman Brennan read the a Resolution Designating September 19, 2012 as "Don't Text and Drive Day" requesting the Board of Selectmen pledge not to text and drive and encourage others to take the same pledge. Mr. Saxe moved to approve the Resolution which was seconded and carried unanimously.

2. Resolution Designating September 10, 2012 as National Childhood Cancer Awareness Day

First Selectman Brennan read the Resolution designating September 10, 2012 National Childhood Awareness Day in Wilton. Mr. Dubow moved to approve the Resolution which was seconded and carried unanimously.

3. Resolution Designating The Month of September 2012 as Leukemia, Lymphoma & Myeloma Awareness Month

First Selectman Brennan read the Resolution designating the Month of September 2012 as Leukemia, Lymphoma & Myeloma Awareness Month in Wilton. First Selectman Brennan moved to approve the Resolution which was seconded and carried unanimously.

4. Resolution for Grant Funding Application entitled Wilton Walkway Project under the Main Street Investment Fund Program

First Selectman Brennan read the Resolution authorizing submission for Grant Funding for the Wilton Station Walkway Project and identifying Mr. Brennan as the individual authorized to sign the application. Mr. Dubow moved to approve the Resolution as presented (attached) which was seconded and carried unanimously.

5. Capital Improvement Projects

- **Road Program** –First Selectman Brennan asked Mr. Thurkettle to give an update on the progress being made by DPW and American Paving, the contractor paving the roads. He added that by the end of August over 5 miles had been paved which is double what has been done in the past. The goal is to do the full ten miles by the end of June 2013. A brief discussion ensued. Mr. Thurkettle said that the next group of roads will be slower in paving because they have done the easier roads first.
- **Comstock Building Evaluation Report** – From KG&D
First Selectman Brennan said that the Council on Public Facilities had suggested ordering a building condition report from KG&D on the Comstock Community Center. Consensus from Capital Projects Steering Committee is that it's a very comprehensive report. One question from the Steering Committee is how accurate the costs given by KG&D and do they include "soft costs". Turner has been asked to weigh-in on the cost estimates outlined. Malcolm Whyte, a member of the Projects Steering Committee, contacted KG&D and confirmed that "soft costs" were included. Turner has also been asked to validate the cost estimates. Mr. Dubow said that they need to be very clear what the objectives are; are they addressing the most urgent things just to keep the building running or do they want to look at a useful life of 20 years with an upfront investment and if so what would the cost be. He suggested having the Board form a statement of objectives. Since there are a number of capital projects coming up, the Board of Selectmen needs to look at the various costs very carefully.

First Selectman Brennan suggested getting a utilization report from Steve Pierce and Cathy Pierce on the building. A discussion ensued.

It was decided to devote an entire meeting to Comstock and tour the facility prior to the meeting. Mr. Dubow asked Ms. Dennies if she could model out the debt capacity over the next 10 years for the various capital projects and requested setting a target date for the meeting and a set of objectives. They decided to set a date at the next Board of Selectmen meeting on September 18th for the Special Meeting.

- **Other Projects Being Worked On:**

Miller Driscoll School (Turner is providing a report on what needs to be done). The roofs at Miller Driscoll and Comstock will be designed by Hoffmann Architectural. They will also be looking into the Greenhouse at Comstock. The RFQ for toilet renovations at Middlebrook School and the High School have gone out to several architects, some of whom are local. The Auditorium Seating installation at Middlebrook is tied to the delivery date of the seats themselves. The Board of Ed is looking into possibly recycling the existing seats.

The Fire Department will be attending the Meeting on September 18th to report on the Fire Truck. Mr. Clark has a meeting with Ambler Farm on the 17th.

6. Funding Application for Grant Program to Support Local Prevention Councils

This is an item that is done every year. It is a \$3,300.00 dollar grant for the Wilton Youth Council from the Mid-Fairfield Substance Abuse Coalition. Mr. Clark made a motion authorizing First Selectman Brennan to sign the letter of intent and the grant. The motion was seconded and carried unanimously.

7. Appointment of Frank Simone to the Conservation Commission

Motion by Mr. Clark to appoint Frank Simone to the Conservation Commission. The motion was seconded and carried unanimously.

8. Appointment of Kevin Clark to the Deer Committee

Motion by First Selectman Brennan to appoint Kevin Clark to the Deer Committee. The motion was seconded and carried unanimously.

9. Miscellaneous other business

NRVT Letter of Opposition Mr. Clark reported that on August 23rd, Senator Toni Boucher, Representative Gail Lavielle and he met with 15 citizens from North Wilton who are concerned about the proposed location of the Norwalk River Valley Trail because they are afraid it will violate their rights and easements. He referred to a letter written by them to Senator Boucher, (attached herewith) voicing their opposition. He added that this is officially in the record and their opposition is noted. (Copy of notes from that meeting and list of attendees also attached.)



Meeting Notes for

Ad Hoc Meeting with Georgetown Residents

August 23, 2012

In attendance: Senator Toni Boucher, Representative Gail Lavielle, Second Selectman Hal Clark, Director of Environmental Affairs Patricia Sesto, Charles Ambuhl, William Chapo, Allison Chapo Mecur, Claire & other (illegible signature) of 5 Old Town Road, Bob and Marion Mecozzi, Michelle Sludock, Susan Quaranta, Sue Brinn, Jerome and Janice Kern, Karen Birck, Matt Kern, Jim Snedeker, Jo Ann and John Nessel

At Senator Boucher's request, Patricia Sesto read to the group the language in the NRVT routing study that describes the section of trail north and south of Thunder Lake Road. This language directly reflects what was submitted by the neighbors, with the exception that the personal statements of protest were excluded. Ms. Sesto has previously explained via email that a regional planning document was not the place for such statements; rather a separate letter should be submitted and will be kept with the printed report for reference.

Charles Ambuhl spoke on behalf of the neighbors. He thanked Mmes. Boucher, Lavielle, and Sesto and Mr. Clark for their continued willingness to listen to their concerns. The focus of the concern is the proposal to utilize the town-owned right of way (ROW) at the eastern end of Thunder Lake Road and connect to the Super 7 ROW via the privately owned Dumplin Hill Road. As understood by Mr. Ambuhl, the trail is proposed to criss-cross the driveway in Dumplin Hill Road in order to utilize a piece of town owned land. This is seen as a circuitous and intrusive route.

Janice Kerns, who has been liaising with the town and NRVT committee on behalf of the neighborhood, expressed her discontent with the lack of notice regarding the trail itself and the public workshops previously held. She is leery of having any mention of Dumplin Hill in the document given the ramifications of the 1995 SWRPA report on the Route 7 Linear Trail. When that report was published, at least one individual trespassed on the Kern's property in an effort to scout the trail.

Ms. Kern also spoke of concerns regarding liability and strongly reiterated that Dumplin Hill Road is private, with several private easements over it.

Michelle Sludock described the history of the Girl Scout camp that used to exist west of Own Home Avenue and north of Mountain Road. The undeveloped ROW has an established, yet informal network of trails and she sees no reason to replace these with the NRVT. She solidly questioned why the

Danbury

Norwalk

Redding

Ridgefield

Wilton

committee would publish the desire to develop the NRVt when the affected neighbors are clearly and assertively saying "No".

Hal Clark responded by requesting residents keep a perspective. The routing study is a proposal, not a defined plan to build. The report does not aim the trail at this particular neighborhood, rather sets for a broad proposal for a 5-town trail.

Other attendees again questioned the lack of notification. Why weren't direct mailings sent as would be necessary with many land use applications? Officials responded that direct notifications are associated with applications, not regional plans. Further, what is covered by the newspapers is at their discretion and not under the control of the steering committee.

Senator Boucher moved on to remind attendees that the alternate use for the corridor is Super 7. Construction of the trail will add an additional hurdle to the development of the highway. This trail should be seen as beneficial to those who don't want the highway. To those who dismiss the credibility of worrying about a highway, Ms. Boucher described the repeated and sly attempts by Senator Duff to push the Super 7 project forward.

John Nessel suggested the state offer to sell the land back to the Girl Scouts so that they can redevelop a camp. Dialogue ensued regarding past uses of the DOT land in the area, current unofficial uses, and the desire to keep formal use of the ROW away. The trail should be built elsewhere.

Mr. Clark and Mmes. Boucher and Lavielle concluded the meeting by thanking residents for their participation and formally received the letter of protest (attached). Mr. Clark assured residents the letter would be read into the record at the September 4, 2012 meeting of the Board of Selectmen.

Notes prepared by Patricia Sesto, director of environmental affairs

Danbury

Norwalk

Redding

Ridgefield

Wilton

NRVT Meeting Attendees August 23, 2012

Name

Ambuhl, Charles
Chapo, William
Chapo-Mancur
Easley, Elaine
Easley, Harold
Mecozzi, Bob
Mecozzi, Marion
Sludock, Michelle
Quaranta, Susan
McBrinn, Sue
Kern, Jerome
Kern, Janice
Birck, Karen
Kern, Matt
Snedeker, Jim
Boucher, Toni
Lavielle, Gail
Nessel, Jo Ann
Nessel, John
Clark, Hal

Address

37 Wilridge Road, Wilton, CT 06897
45 Wilridge Road, Wilton, CT 06897
45 Wilridge Road, Wilton, CT 06897
5 Old Town Road, Ridgefield, CT 06877
5 Old Town Road, Ridgefield, CT 06877
13 Cora Lane, Wilton, CT 06897
13 Cora Lane, Wilton, CT 06897
13 Cora Lane, Wilton, CT 06897
250 Thunder Lake Road, Wilton, CT 06897
43 Sunset Pass, Wilton, CT 06897
39 Dumplin Hill Road, Wilton, CT 06897
39 Dumplin Hill Road, Wilton, CT 06897
239 Thunder Lake Road, Wilton, CT 06897
39 Dumplin Hill Road, Wilton, CT 06897
5 Linden Tree Road, Wilton, CT 06897
5 Wickes End Lane, Wilton, CT 06897
109 Hickory Hill, Wilton, CT 06897
3 Cora Lane, Wilton, CT 06897
3 & 5 Cora Lane, Wilton, CT 06897
28 Wilton Crest, Wilton, CT 06897

Noise Ordinance - First Selectman Brennan said that at the next Board of Selectmen Meeting on September 18th, they will be discussing a noise ordinance. Chief Lombardo will make a report at that meeting on the number of complaints the Police Department receives. There will also be a Public Information meeting on September 24th at 7:30 PM in Room A of the Annex so that citizens can express their opinions and ask questions.

C. Public Comment – There was no public Comment

D. Reports

1. First Selectman – Has requested Mr. O'Brien, Chairman of the Parks and Recreation Commission prepare a comprehensive assessment on the tennis courts, which have deteriorated, and come up with solutions and costs. First Selectman Brennan will be attending their next Commission Meeting and discussing the tennis courts as well as the guard rails along Christine Lilly Way. Options for replacement or restoration need to be examined and recommendations made. He will also be discussing the stadium with them and the synthetic turf fields.

The Scarecrow Festival will be exciting and bigger this year. It will be held the last two weeks of October and there will be 75 lampposts available. There will be a panel of 5 judges to award the creative winners of several scarecrow categories.

The GIS Grant that SWRPA requested for eight towns has been granted. Mr. Brennan announced the group of towns received a grant for \$2.15 million dollars to upgrade the Geoportal Information Systems (GIS) throughout the region. Wilton will be receiving some of those funds which will benefit the Town.

2. Mr. Dubow – Nothing to Report

3. Mr. Clark - Had the pleasure of representing the Town when Max Fanwick was made an Eagle Scout in August.

4. Mr. Hoffstatter – Trackside is being used by numerous organizations and companies. On the reusable bag initiative, he has met with the Citizens Campaign for the Environment and a few members of Go Green to discuss the education campaign. He added that the use of reusable bags has gone from 10-12% to 20-24% in a little over a year. The goal set was 50%. Mr. Hoffstatter will meet with some of the major supermarkets and retail shops to get their latest thinking on the initiative.

5. Mr. Saxe – Nothing to Report

E. Executive Session

At 8:58 PM Mr. Dubow made a motion to go into Executive Session to discuss the FY 13 Non-union Compensation Plan. The motion was seconded and carried. The members of the press and the clerk left the meeting.

Upon return to open session, Mr. Clark made a motion to approve the FY 13 Non-union Compensation Plan. The motion was seconded and carried unanimously.

F. Adjournment

The Meeting adjourned at 9:15 PM.

Respectfully Submitted,

Mariana Corrado

August 23, 2012

Senator Toni Boucher

Legislative Office Building

300 Capitol Avenue

Hartford, CT 06106

Re: **Norwalk River Valley Trail Proposal-Opposition Letter**

Dear Senator Boucher:

We, the residents of Dumplin' Hill Road, William and Alison Chapo, Charles and Anne Ambuhl and Janice and Jerome Kern, and adjacent residents to Dumplin' Hill Road are lodging a formal opposition to the use, in any way, of Dumplin' Hill Road (a private road used for our driveways) and the adjacent Town of Wilton (town)-owned land, as well as the lower portion below Thunder Lake Road, for the proposed Norwalk River Valley Trail (NRVT) or any hiking, equestrian, biking, multi-use trail access, spur, or walkway.

As cited in Technical Memo #4: Routing Evaluations and Recommendations, dated January 24, 2012, on the NRVT website, the proposed routing of the trail is, "Going from north to south, the trail enters into Wilton from Ridgefield through the Weir Farm National Historic Site. An existing easement links the trail to Thunder Lake Road. From here another private property easement will be needed to connect the trail to Connecticut Department of Transportation property, which is continuous from this point south to the Wilton town line (see Figure 75)."

Our specific objection and protest lies in one of the optional routings of the Trail to make the connection from Thunder Lake Road to the Connecticut Department of Transportation (DOT) -owned property through Thunder Lake Road that would then connect to Dumplin' Hill Road (a private road). This portion of the routing would directly affect multiple houses and the trail would lie within 30 to 50 feet of adjacent private homes.

It has been proposed that the route would then connect the town-owned parcel on the opposite side of Dumplin' Hill Road, requiring crossing Dumplin' Hill Road. This section of the routing would affect another 3 private homes. As the town-owned parcel (designated as a "Private Reserve" in the Warranty Deed) does not connect directly to DOT-owned property, the route would then have to cross Dumplin' Hill Road again, traverse multiple private homes and properties to gain access to the DOT-owned property. This would directly impact multiple residential properties and the backyards of multiple Thunder Lake residents along with the existing easements and rights of way.

We are not in support of the NRVT if it is intended to cut through Dumplin' Hill Road and private

residences. We are not in support of the NRV if it is intended to traverse town-owned land alongside Dumplin' Hill on either side where there are existing private easements or the town-owned land referred to as Private Reserve as that is a literal island and completely surrounded by residential properties. We support the NRV only if it follows the pathway of the DOT-owned land beginning at Mountain Road and ending at Route 102/Branchville Road, circumventing our area and ONLY utilizing the existing DOT-Corridor-not private residential properties and very established neighborhoods that have existed for many years or utilize Option 2 as listed in the Proposal. We are NOT in favor of access through the town-owned land at the bottom of the Thunder Lake property as it abuts our yards, affects and impacts our entire neighborhood and Thunder Lake Road.

Our objections to the NRV routing through or near Dumplin' Hill Road, Wilridge Road and Thunder Lake Road, as well as side streets in these neighborhoods are as follows:

1. Trail will directly impact negatively at least 9 families and their home values, including but not limited to the entire neighborhoods of Wilridge Road, Thunder Lake Road, Dumplin' Hill Road, etc.
2. Privacy: This will, in effect, be ruined. We will need privacy/security fences and to become a gated community to prevent hikers, mountain bikes and horses trespassing Dumplin' Hill Road and our entire neighborhoods. This is our Constitutional Right.
3. Crime/Security: Obvious. Crime is a real concern with this trail so close to our homes and neighborhoods, as well as security issues.
4. Litter/Horse waste, etc. What about facilities such as "Porta Potties" and water? What about pollution to our waterways, wells and impacts on our septic systems?
5. Noise: Quality of Life will be seriously affected for all families on Dumplin' Hill Road and adjacent properties.
6. Home Values: According to realtors and attorneys consulted, the trail, being so close to all of our homes and neighborhoods, will have a considerable negative impact on our home values.
7. Liability Issues: As we own all the easements and rights of way to Dumplin' Hill Road, and this "trail" affecting entire neighborhoods and private residences, we will be liable for injuries, accidents, loss of personal property, etc., not the State or Town. It will impact our ability to obtain insurance for personal liability, auto and home insurance. It will also financially negatively impact our insurance costs - if we are able to obtain insurance at all.
8. Maintenance: Drainage issues (we own drainage easements); landscaping; snow removal; tree care and maintenance; gravel and grading of Dumplin' Hill Road-we all have been paying enormous amounts of money for over 50 years (this includes previous residents).
9. Environmental Impacts: Endangered species; flora and fauna; documented records of rare and endangered wildflowers; ferns, invertebrates; trees; shrubs; wetlands; our riparian rights.

10. Disturbance to our pets and potential liability thereof.

11. We have grave concerns over issues such as wildfires and "policing". Who will be "in charge" of policing/security?

We formally request a meeting to discuss these objections at Town Hall. We request that it be on public record, attended by at least one Town and one State official and so noted in the records that we formally object to the use of Dumplin' Hill Road and adjacent land, private roads, residential properties and neighborhoods for the NRVt use in any way.

Sincerely,

William and Alison Chapo

Charles and Anne Ambuhl

Jerome and Janice Kern