Special Town Meeting September 7, 2022

At 7:30 pm First Selectman Rudy Marconi addressed the people already inside the Town Hall Annex conference room which was almost at capacity. Because there were many more people in the hallway waiting to enter, he asked attendees whether they would prefer rescheduling the Town Meeting to another night or to vote on the cannabis ordinance right away with their paper ballot (the crowd in the room acknowledged most were there for that matter). Attendees overwhelmingly responded they wanted to vote right away. Mr. Marconi went out into the hallway and received the same response from them.

First Selectman Rudy Marconi called the Special Town Meeting to order at 7:40 pm in the BOS conference room at the Town Hall Annex. Mr. Marconi asked the audience to stand and recite the Pledge of Allegiance; resident John Tartaglia provided a U.S. flag on his phone.

R. Marconi stated that the first order of business was to appoint a Moderator. Kirk Carr, 62 Prospect Ridge, moved and Selectwoman Barbara Manners seconded the motion to appoint Ed Tyrrell Moderator for the 9/7/2022 STM ECDC, Aquarion, Cannabis, RVNA, Page 1 of 9.
Special Town Meeting. The “Aye” votes were unanimous and Ed Tyrrell was appointed Moderator.

Moderator Ed Tyrrell called the meeting to order and requested a motion to appoint a secretary. Sue Manning, 58 East Ridge, moved and B. Manners seconded the motion to appoint Town Clerk Wendy Gannon Lionetti as secretary. The “Aye” votes were unanimous and Wendy Gannon Lionetti was appointed secretary.

Ed Tyrrell read the legal notice of the meeting that appears on page 433 to consider:
1. Expansion of Economic & Community Development Commission from seven to nine Commissioners and terms of service from one year to two years.
2. The contract between the Town of Ridgefield & Aquarion Water Company for the conveyance of a permanent pressure reducing facility easement and a temporary construction easement over a portion of the Scotland Elementary School Property.
3. Cannabis Prohibiting Ordinance in the Town of Ridgefield. Copies of the Ordinance are available at the Town Clerk’s Office at 400 Main Street or online at Ridgefieldct.org.
4. For the allocation of $232,978 of ARPA funds as approved by the Board of Selectmen and Board of Finance for reimbursement to the RNVA for expenses associated with the Covid Vaccination Clinic.

The Moderator then asked for a motion to approve the proposed Cannabis Ordinance, shown below. Kirk Carr, 62 Prospect Ridge, made a motion and John Tartaglia, 638 Danbury Road, seconded the motion to approve the proposed Cannabis Ordinance.

~~~~~~~~ Proposed Ordinance ~~~~~~

CHAPTER 356: CANNABIS ESTABLISHMENTS AND CULTIVATION

AN ORDINANCE ESTABLISHING CHAPTER 356 OF THE RIDGEFIELD CODE OF ORDINANCES, “CANNABIS ESTABLISHMENTS AND CULTIVATION.”

BE IT ORDAINED AND ENACTED by the Board of Selectmen of the Town of Ridgefield that Chapter 356 of the Ridgefield Code of Ordinances is hereby enacted as follows:

§ 356-1 Authority
This Chapter is adopted pursuant to Connecticut General Statutes § 7-148(7)(A)(ii), § 7-148(c)(7)(H)(ii), and § 7-148(c)(10)(A), as amended from time to time, which allow municipalities to regulate and/or prohibit buildings, trades, manufacture, businesses, professions, and activities that are deemed detrimental to the safety, health, morals, and general welfare of the inhabitants of the municipality. Furthermore, “[a]ny municipality may, by amendment to such municipality’s zoning regulations or by local ordinance . . . prohibit the establishment of a cannabis establishment,” as provided in Connecticut General Statutes § 21a-422f(b) and any regulation adopted thereunder, as amended from time to time. Under said provisions, the Town of Ridgefield may prohibit Cannabis Establishments and commercial Cultivation, as defined in § 356-3 herein, by enacting this Chapter.

§ 356-2 Purpose
The intent of this Chapter is to prohibit the establishment, installation, creation, operation, or use of Cannabis Establishments in the Town of Ridgefield. It is also intended to prohibit commercial Cultivation, whether associated with Recreational Use, Palliative Use, or any other use associated therewith, in the Town of Ridgefield. The primary purpose of this Chapter is to secure and promote the health, safety, morals, and general welfare of the Town of Ridgefield by restricting the adverse impacts of the cannabis industry and preserving the Town of Ridgefield’s quality of life.

§ 356-3 Definitions
CANNABIS
Shall mean all parts of any plant, or species of the genus cannabis or any infra specific taxon thereof, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin. This term shall not include the mature stalks of such plant, fiber produced from such stalks, oil, or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture or preparation of such mature stalks, except the resin extracted therefrom, fiber, oil, or cake, the sterilized seed of such plant which is incapable of germination, or Hemp, as defined in 7 U.S.C. § 1639o(1), as amended from time to time. Included are cannabinon, cannabinoil, or cannabidiol and chemical compounds which are similar to cannabinon, cannabinoil, or cannabidiol in chemical structure or which are similar thereto in physiological effect, and which show a like potential for abuse, which are controlled substances under this chapter unless derived from Hemp.

CANNABIS ESTABLISHMENT
Shall mean any Producer, Dispensary Facility, Cultivator, Micro-Cultivator, Retailer, Hybrid Retailer, Food and Beverage Manufacturer, Product Manufacturer, Product Packager, Delivery Service, or Transporter, as defined herein.

**CONSUMER**
Shall mean an individual who is twenty-one (21) years of age or older.

**CULTIVATION**
Shall mean the planting, propagating, cultivating, growing, or harvesting of Cannabis.

**CULTIVATOR**
Shall mean a person that is licensed to engage in Cultivation at a Cannabis Establishment of not less than fifteen thousand square feet of grow space.

**DELIVERY SERVICE**
Shall mean a person that is licensed to deliver Cannabis from: (i) Micro-Cultivators, Retailers, and Hybrid Retailers to Consumers and research program subjects; (ii) Hybrid Retailers and Dispensary Facilities to qualifying patients, caregivers and research program subjects, as defined in § 21a-408 of the Connecticut General Statutes and any regulations adopted thereunder, as amended from time to time, or to hospices or other inpatient care facilities licensed by the Department of Public Health pursuant to Chapter 368v of the Connecticut General Statutes that have a protocol for the handling and distribution of Cannabis that has been approved by the Department of Consumer Protection, or a combination thereof.

**DISPENSARY FACILITY**
Shall mean a place of business where Cannabis may be dispensed, sold, or distributed in accordance with Connecticut General Statutes Chapter 420f and any regulations adopted thereunder, as amended from time to time, to qualifying patients and caregivers, and to which the Department of Consumer Protection has issued a dispensary facility license under Connecticut General Statutes Chapter 420f and any regulations adopted thereunder, as amended from time to time.

**FOOD AND BEVERAGE MANUFACTURER**
Shall mean a person that is licensed to own and operate a place of business that acquires Cannabis and creates food and beverages therefrom.

**HEMP**
Shall have the same meaning as provided in 7 United States Code § 1639o(1), as amended from time to time.

**HYBRID RETAILER**
Shall mean a person that is licensed to purchase Cannabis and sell Cannabis and Medical Marijuana Products for Recreational Use and Palliative Use.

**MEDICAL MARIJUANA PRODUCTS**
Shall mean Cannabis that may be exclusively sold to qualifying patients and caregivers by Dispensary Facilities and Hybrid Retailers and which are designated by the Commissioner of Consumer Protection, or any designee thereof, as reserved for sale to qualifying patients and caregivers and published on the Department of Consumer Protection’s web site.

**MICRO-CULTIVATOR**
Shall mean a person licensed to engage in Cultivation at a Cannabis Establishment not containing less than two thousand square feet and not more than ten thousand square feet of grow space, prior to any expansion authorized by the Commissioner of Consumer Protection.

**PALLIATIVE USE**
Shall mean the acquisition, distribution, transfer, possession, use or transportation of Cannabis or paraphernalia relating to Cannabis, including the transfer of Cannabis and paraphernalia relating to Cannabis from the patient’s primary caregiver to the qualifying patient, to alleviate a qualifying patient’s symptoms of a debilitating medical condition or the effects of such symptoms, but does not include any such use of Cannabis by any person other than the qualifying patient.

**PRODUCER**
Shall mean a person that is licensed as a Producer pursuant to Connecticut General Statutes § 21a-408i and any regulations adopted thereunder, as amended from time to time.

**PRODUCT MANUFACTURER**
Shall mean a person that is licensed to obtain Cannabis, extract, and manufacture products exclusive to such license types.

**PRODUCT PACKAGER**
Shall mean a person that is licensed to package and label Cannabis.

**RECREATIONAL USE**
Shall mean any use that is not Palliative Use.

**RETAILER**
Shall mean a person, excluding a Dispensary Facility and Hybrid Retailer, that is licensed to purchase Cannabis from Producers, Cultivators, Micro-Cultivators, Product Manufacturers, and Food and Beverage Manufacturers and to sell Cannabis to Consumers and research programs.

**TRANSPORTER**

Shall mean a person licensed to transport Cannabis between Cannabis Establishments, laboratories, and research programs.

**§ 356-4 Prohibition on Cannabis Establishments**

It shall be unlawful for any building, structure, or land anywhere within the Town of Ridgefield to be established, installed, created, operated, or otherwise used as a Cannabis Establishment, unless expressly excepted in § 356-7 herein. This prohibition shall apply to all Cannabis Establishments, whether established, installed, created, operated, or otherwise used for Recreational Use, Palliative Use, or any other use associated therewith.

**§ 356-5 Prohibition on Commercial Cultivation**

It shall be unlawful to commercially Cultivate or dispense Cannabis in any building, structure, or land anywhere within the Town of Ridgefield, unless expressly excepted in § 356-7 herein.

**§ 356-6 Applications for Cannabis Establishments**

No application for any Cannabis Establishment shall be permitted in any zone within the Town of Ridgefield, unless expressly excepted in § 356-7 herein.

**§ 356-7 Exceptions**

**c) Delivery**

Pursuant to Connecticut General Statutes § 21a-422g(b) and any regulations adopted thereunder, as amended from time to time, the Town of Ridgefield shall not prohibit the delivery of Cannabis to a Consumer, qualifying patient, or caregiver when the delivery is made by a Retailer, Hybrid Retailer, Dispensary Facility, Delivery Service, Micro-Cultivator, or any other person authorized to make such delivery under the Connecticut General Statutes.

**b) Hemp**

Nothing in this Chapter shall prohibit any entirely lawful cultivation, processing, manufacturing, or retail of Hemp or products thereof, by any individual or entity, including, as applicable, licensure and authorization to engage in such activity by the Connecticut Department of Agriculture or the Connecticut Department of Consumer Protection. Such cultivation, processing, manufacturing, or retail must comply with state law. Failure to comply with any state law concerning the cultivation, processing, manufacturing, or retail of Hemp or products thereof shall void the application of this exception to such person or entity in violation.

**c) Cultivation for Personal Use**

Pursuant to Section 162 of Public Act No. 21-1 (June 2021 Special Session), as amended from time to time, any Consumer may Cultivate up to three (3) mature Cannabis plants and three (3) immature Cannabis plants in the Consumer’s primary residence, provided such plants are secure from access by any individual other than the Consumer and no more than twelve (12) Cannabis plants may be grown at any given time per household.

**§ 356-8 Enforcement**

The First Selectman, Planning and Zoning Commission, and/or the Zoning Enforcement Officer shall have authority to enforce this Chapter. This Chapter may be enforced through injunction, action for abatement, or any other appropriate civil remedy.

**§ 356-9 Severability**

Any provision of this Chapter held to be invalid for any reason shall not serve to invalidate the remaining unaffected provisions hereof. No provision of this Chapter shall serve to validate any activity otherwise prohibited by state or local law or lawfully-enacted zoning regulation.

**§ 356-10 Effective Date**

This Chapter shall become effective upon affirmative vote by a Town Meeting.

The Moderator opened the floor for discussion.

**John Katz, 573 Ridgebury Road, motioned to move the question; it was seconded by John Tartaglia.** Mr. Tyrrell clarified there would be no discussion on such a motion. The motion to move the question carried unanimously.

Rudy Marconi asked for point of order from the Moderator and clarified that a Yes vote would be to approve the proposed ordinance prohibiting cannabis establishments and cultivation in the Town of Ridgefield.

The Moderator explained the voting process to all in attendance and the voting continued until 8:14pm, at which time the Registrars began to count the ballots.

At 8:01 pm the Public Hearing to discuss the allocation of ARPA funds for the RVNA began. The Public Hearing
meeting minutes can be found in the Board of Selectmen meeting minutes book.

At the conclusion of the Public Hearing (8:15 pm), Mr. Tyrrell resumed the Special Town Meeting:

Request of $232,978 of ARPA funds for reimbursement to the RVNA for expenses associated with the Covid Vaccination Clinic (supporting documentation below):

April 5, 2022

Mr. Rudy Marconi, First Selectman
Town of Ridgefield
400 Main Street
Ridgefield, CT 06877

Dear Rudy,

As discussed over the course of 2021 and most recently when we met on March 21st, I am, once again, requesting funding from the Town of Ridgefield – ARPA or otherwise – to help cover the expense of providing RVNAhealth nurses to administer vaccines at the Yanity Gym COVID-19 vaccination clinics, held January through April 2021.

RVNAhealth was first on the scene as a state-approved COVID-19 vaccine administrator to deliver the vaccine to the Ridgefield community. We immediately purchased and installed ultra-low temperature freezers required for vaccine storage. We dedicated staff to the weekly ordering of the vaccine and inventory management. We were the purveyors of professional, skilled nurses and delivered upon a safe, high-quality program, administering more than 13,000 vaccines to protect the Ridgefield community. Over four months, we collaborated with the police department, health department, Ed Briggs, Dick Aarons and our Superintendent of Schools to safely vaccinate our first responders, public school teachers and administrators, and residents. Aside from the CERT volunteers who willingly donated their time and expertise, all parties involved with the execution of the Yanity Gym clinics were compensated for their role.

All except RVNAhealth.

RVNAhealth provided an incredible public health service to this town, which came at a tremendous agency expense. We supplied the vaccines, medical supplies, and the skilled nurses to put shots in arms. The Yanity Gym clinics cost the agency $262,115 in unreimbursed costs. As identification was not initially required (so as to not deter people from getting vaccinated), people desperate to be vaccinated falsified birth dates at registration, leading to the denial of claims with no recourse. Commercial insurers were slow to issue billing codes for shot administration and Medicare billing procedures were not solidified until April. Ultimately, RVNAhealth’s collections rate was 25%, with a write-down exceeding $250,000.

Ridgefield’s high vaccination rate and low positivity rate are numbers to be proud of, but they are due, in no small part, to the role and commitment of RVNAhealth. I attach the budget report exhibiting our unreimbursed expenses for the more than 13,000 vaccines administered at the 2021 Yanity Gym clinics, and respectfully request compensation from the Town of Ridgefield.

Sincerely,

Theresa Santoro, MSN, RN, CHCA
President & CEO

The Moderator then asked for a motion to approve. **Selectwoman B. Manners moved and Selectman Sean**
Connelly seconded the motion to approve $232,978 of ARPA funds for reimbursement to the RVNA for expenses associated with the Covid Vaccination Clinic.

The Moderator then opened the floor for discussion. R. Marconi, 145 Main Street, stated that other Towns used ARPA funds to cover vaccination clinics in their town; this is an appropriate use of this money.

Ed Tyrrell, Pond Road, stated that he reviewed the documentation provided by the RVNA and that he is comfortable voting yes for this allocation of money and suggest attendees do the same.

The Moderator then called for a vote to approve the motion. The “Aye” votes carried, and the motion to approve $232,978 of ARPA funds be given the RVNA for expenses associated with the Covid Vaccination Clinic was approved.

Moderator Tyrrell stated the next item for consideration was the proposed ordinance change for the Expansion of Economic & Community Development Commission from seven to nine Commissioners and terms of service from one year to two years. (see exact language below)

PROPOSED Amendment to § 19-62 Membership; terms of office.
The Commission shall consist of seven nine members who are electors of the Town who shall be appointed by the First Selectman, with the approval of the Board of Selectmen. Each member shall serve a term of one year two years. Any vacancy in the membership of the commission shall be filled for the unexpired portion of the term by the First Selectman, with approval from the Board of Selectmen. Minority representation shall exist as described in § 5-2 of the Charter of the Town.

The Moderator then asked for a motion to approve. Selectman S. Connelly moved and Selectwoman B. Manners seconded the motion to approve the proposed ordinance change.

Moderator Tyrrell then opened the floor for discussion.

Debra Franceschini, Spire View Road, stated she supports extending the term from one to two years but is unclear why the Commission needs to increase membership. She followed up with a question about the future of broadband in the Town and possible federal money to be used for that purpose.

Glori Norwitt, 143 High Ridge Avenue, responded to the question as she is the ECDC Chair. She stated that because of the increased responsibilities given the ECDC and the ideas they have to grow the economic viability of the Town, it is necessary to expand the membership to help accomplish all their ideas. She is not the broadband expert on the ECDC, but explained that the federal government has money for ‘shovel ready’ towns. Unfortunately Ridgefield is not shovel ready; much more must be learned which is why they are looking for a broadband study.

John Collins, Langstroth Drive, stated he is a former ECDC member under Arnold Light the former Chairman, and he supports and applauds all the work the ECDC is doing now and supports this ordinance change.

The Moderator then called for a vote to approve the motion. The “Aye” votes carried, and the motion to approve the proposed ordinance change was approved.

Moderator Tyrrell stated the next item for consideration was the contract between the Town of Ridgefield & Aquarion Water Company for the conveyance of a permanent pressure reducing facility easement and a temporary construction easement over a portion of the Scotland Elementary School Property. (see documentation below)

The Moderator then asked for a motion to approve. Selectman S. Connelly moved and Selectwoman B. Manners seconded the motion to approve the contract between the Town of Ridgefield & Aquarion Water Company for the conveyance of a permanent pressure reducing facility easement and a temporary construction easement over a portion of the Scotland Elementary School Property.
July 13, 2022

Honorable Rudy Marconi  
First Selectman  
Town of Ridgefield  
400 Main Street  
Ridgefield, CT 06877

Re: Property of Town of Ridgefield  
Barlow Mountain Road, Ridgefield, CT

Dear First Selectman Marconi:

The purpose of this letter is to set forth the understanding between the Town of Ridgefield, 400 Main Street, Ridgefield, CT 06877 (the “Town”), and Aquarion Water Company of Connecticut, 600 Lindley Street, Bridgeport, CT 06606 (“Aquarion”), regarding certain real property commonly known as Barlow Mountain Elementary School, located on Barlow Mountain Road, Ridgefield, Connecticut (the “Property”). The Town agrees to allow Aquarion to conduct certain, limited activities with regard to the construction of a pressure reducing facility (“Facility”) to help to reduce pressure for its customers in its Craigmoor System in Ridgefield. The general location of the Facility is shown on the drawing entitled, “Conceptual Site Plan Craigmoor Pressure Reducing Facility Project Ridgefield, Connecticut,” prepared by Snyder Civil Engineering, LLC, a copy of which is attached hereto as Exhibit A.

Upon the execution of this letter by the Town, Aquarion shall perform the following work:

1. Site Survey;  
2. Wetland Delineation (if required); and  
3. Site Visits to review the Property.

Prior to commencing any work on the Property, Aquarion shall provide the Town with copies of insurance certificates evidencing its commercial liability insurance, with limits reasonably acceptable to the Town.

Following the completion of the work enumerated above, any disturbed areas on the Property will be restored to its present condition.

Please countersign in the space provided below to indicate your concurrence with the terms of this letter agreement.

Very truly yours,

Daniel R. Lawrence  
Daniel R. Lawrence  
Vice President of Engineering & Real Estate

DRI/ss  
Attachments

Agreed as of July ___, 2022  
TOWN OF RIDGEFIELD

By:  
Name: Rudy Marconi  
Its: First Selectman

9/7/2022 STM ECDC, Aquarion, Cannabis, RVNA, Page 7 of 9
Moderator Tyrrell then opened the floor for discussion.

Representatives from Aquarion Water Company and representatives from their engineering firm were present to explain the proposed pressure-reducing facility and the easement over Town property to access the facility. The facility will be an underground vault that connects to a water main running parallel to the ballfield.

R. Marconi explained that the water main was extended several years ago down North Street to serve both Barlow Mountain and Scotland Schools due to contamination in the wells. This would be a further extension of that water main up to Craigmoor Road.

The Aquarion representative further explained that the water pressure in the main is too strong to deliver to its Craigmoor system customers. Craigmoor has just one active well; this would provide a backup for those customers. The extension would reach 1,000 feet shy of the high school.

Mike Hansum, 28 Sycamore Lane, stated it seems like a small building; don’t know why we have to have a meeting/vote about it. Who is paying for it? -- R. Marconi stated that because Aquarion is requesting an easement over Town property, our Charter dictates that the matter must come before a Public Hearing and Town Meeting. Aquarion is paying for this project and we are getting the engineering which will help to eventually extend this main to the high school.

Linda Lavelle, 38 Aspen Mill Road, asked about the well water on Craigmoor Road vs the water main. When the new line is connected, will all the water be fluoridated? -- The Aquarion representative replied that all their water is required to be treated, so yes.

Jay Behar, 142 Peaceable Ridge Road, stated that working with Aquarion is a bad idea for the Town. Be careful trusting these guys. I would be very leery of using these companies.

Susie Boshoff, 2 Lookout Point, live very close to the site. Am in support; want to know the timeframe of the project. – The Aquarion representative stated the plans aren’t designed yet, but construction of the water main is scheduled for 2023; imagine they will start in April and finish before the fall. The facility should begin in April/May and expect it will take several months.

Jan Hebert, 58 Prospect Street, asked for clarity about the pressure—is Aquarion going to decrease the pressure from the current main in order to do this work and if so, won’t this decrease my pressure which is already low? – The Aquarion representative stated the pressure at this location must be decreased in order to serve the Craigmoor residents—it will not impact residents’ pressure in the center of Town.

Barbara Hartman, 6 Craigmoor Road North, stated that she ran out of water this past summer because the well failed. Her water is a well but it is treated by Aquarion already; she would welcome this.

Debra Franceschini, Spire View Road, asked about the time frame of the project and whether Aquarion anticipates any supply chain issues? How will the traffic be managed at the dangerous corner of Barlow Mountain and North Street? – R. Marconi replied that the water main will travel inland and very little disruption will occur on the road.

The Moderator then called for a vote to approve the motion. The “Aye” votes carried with one person voting Nay; the motion to approve the contract between the Town of Ridgefield & Aquarion Water Company for the conveyance of a permanent pressure reducing facility easement and a temporary construction easement over a portion of the Scotland Elementary School Property was approved.

The Moderator then read the tally for the Cannabis Ordinance that the Registrars counted and the Town Clerk verified: 188 votes were counted: 144 voted for the ordinance and 43 voted against; one blank ballot was submitted. The Cannabis Ordinance was approved.

John Katz moved and Mike Hansum seconded the motion to adjourn the meeting at 8:40 pm. Motion carried unanimously and the meeting was adjourned.

Respectfully submitted,
Wendy Gannon Lionetti, Town Clerk

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