

M. Kirk Carr  
62 Prospect Ridge  
Ridgefield, CT 06877  
(203) 505-5818  
[kirk.carr@gmail.com](mailto:kirk.carr@gmail.com)

June 26, 2025

Via email to: [JBuchsbaum@cohenandwolf.com](mailto:JBuchsbaum@cohenandwolf.com)

Jason Buchsbaum  
Cohen & Wolf  
158 Deer Hill Avenue  
Danbury, CT 06810

Re: Draft Letter and Affidavit re: Ridgefield Audit of LoCIP Accounting Act Roof Repair

Dear Mr. Buchsbaum,

Thank you for responding to my notice to Mr. Redmond regarding my forthcoming affidavit to municipal and state auditors concerning the Town's expenditure on roof repairs at 36 Old Quarry Road for the benefit of the ACT of Connecticut, and the attempt to attribute that expense to LoCIP funding.

In response to the points raised in your June 25 letter:

### **1. Inclusion in the Capital Improvement Plan (CIP)**

You state that the ACT roof project is included in the Ridgefield Capital Improvement Plan. However, I have carefully reviewed both the **FYE 2024** and **FYE 2025** approved CIP documents (attached), and **find no line item referencing the ACT roof** or the 36 Old Quarry Road building. If you are relying on different documentation to support your assertion, I respectfully request that you share that material.

### **2. Approval Procedure under the Ridgefield Charter**

As you know, per **Ridgefield Charter Section 10-1(c)**, all capital expenditures must go through the standard budget process, which includes:

- Approval by the **Board of Finance**, and
- A **referendum** for any capital expense exceeding **\$100,000**.

I am unaware of any provision in the Charter that allows for capital appropriations of this size to be approved solely by the Board of Selectpersons and a Town Meeting. If such an exception exists, I would appreciate your citing it directly.

### 3. LoCIP Guidelines and Emergency Exception

Per the **February 2025 LoCIP Guidelines** (attached), capital projects **must be included in the municipality's most recently approved CIP** to be eligible for reimbursement. There is a narrowly defined exception for **emergency projects**, but this applies only when:

- The CEO discloses the project is not in the CIP,
- Justification is provided in the Project Description or an attachment, and
- The emergency nature is reviewed and approved by OPM.

I am unaware of any such emergency request having been submitted. Moreover, the roof in question had known, pre-existing issues and was clearly assigned to ACT as its responsibility in their original **2017 lease**. This does not meet the standard of an emergency such as damage caused by fire, storm, or natural disaster.

### 4. Conflict of Interest and Public Confidence

The **Ridgefield Board of Ethics** has issued a finding of **probable cause** that First Selectman Rudy Marconi's involvement in this matter constitutes a conflict of interest under the Town Charter and Code of Ethics. In light of that, any statements or certifications from Mr. Marconi regarding the amended lease or LoCIP eligibility are potentially compromised and cannot be presumed impartial.

### 5. Timeline and Intention

This response is provided promptly in order to maintain transparency and fairness in the public record and to validate the substance of the draft affidavit. If the Town intends to dispute any of these material facts, I respectfully request a response **prior to June 30**, as I intend to file the affidavit with state and municipal auditors on that date.

Sincerely,



cc: K. Redmond

### Attachments:

- FYE 2024 Capital Improvement Plan
- FYE 2025 Capital Improvement Plan
- February 2025 LoCIP Guidelines