

### **Special Town Meeting February 22, 2017**

The First Selectman, Rudy Marconi, called the meeting to order at 7:30 p.m. in the large conference room of Town Hall.

Mr. Marconi asked the audience to stand and recite the Pledge of Allegiance.

Mr. Marconi then asked for a motion to appoint a Moderator. Mark Blandford, 164 Main St. nominated Ed Tyrrell, and Helen Dimos, 11 Barlow Mtn. Rd., seconded the nomination.

**Vote: "Aye" votes unanimous and Mr. Tyrrell was appointed Moderator.**

Mr. Tyrrell called the meeting to order, and announced that the first order of business was to appoint a secretary. John Katz, 473 Ridgebury Rd. made a motion to appoint Barbara Serfilippi, Town Clerk, as secretary, and Jim Coyle, 258 Florida Rd. seconded the motion.

**Vote: "Aye" votes unanimous and Ms. Serfilippi was appointed secretary.**

Mr. Tyrrell read the call of the meeting as it appears on page 207. He then asked for a motion to approve Item #3, a proposed donation of land at 41 Lakeside Dr. to the Town of Ridgefield. Maureen Kozlark made the motion to approve, and Steve Zemo seconded the motion.

The Moderator asked Mr. Marconi to give an overview of the proposal. Mr. Marconi reported that this property is basically a wet piece of property, approximately  $\frac{1}{4}$  of an acre. It connects to another 67 acres of open space. Mr. Marconi asked Jim Coyle of the Conservation Commission to speak on the proposal. Mr. Coyle said that the Conservation Commission was in favor of accepting the donation.

There was no further discussion, and the Moderator called for a vote.

**Vote: "Aye" votes unanimous and the motion carried.**

Mr. Tyrrell proceeded to read Item #1 of the call of the meeting to act upon a proposed lease of the premises known as "The Schlumberger Auditorium" and a portion of the basement on 36 Old Quarry Road between the town of Ridgefield and ACT. He asked for a motion to accept. John Katz, Ridgebury Rd., made the motion, and Linda Hanley, 91 Grandview Dr. seconded the motion.

The Moderator asked Mr. Marconi to give an overview of the proposal. Mr. Marconi reported that the Town bought the property in 2012, after Schlumberger was unable to sell the property for five or six years. They asked the Town to make an offer, but if the Town did not make an offer to buy the property, they would land bank the property and raze the buildings and when the market got better, they would sell it off to the highest bidder. In order to protect the quality of life in Ridgefield and control the destiny of the property, the Selectmen and the Town voted to purchase the property for \$6,000,000 and \$1,000,000 for remediation. The remediation process is still in progress, but the Town cannot sell it now, because if they do, it would be a part of the chain of ownership that would make the town liable for potential cleanup costs. DEEP says we can only lease it. The first lease to an arts collector failed. He also said that after that the Selectmen, Bob Hebert and Steve Zemo, and Dick Larson of the Citizens Committee went to work and found other people interested in leasing the two buildings, the Auditorium and the Philip Johnson Building.

Steve Zemo, Selectman, informed the audience that the ACT group would take over the Auditorium, as is, and use their own money to make renovations. The Town would not be bonding or spending any money. In lieu of rent, they will make the investment. He felt that it was not only for the preservation of the theatre and the use of the theatre, but enhancing the art community.

Mr. Marconi announced that two items came to surface after the public hearing concerning the lease. One, the language that added all sewer use fees, should not be added, and needs to be deleted. The reason being that when the Town leases buildings for office use, the Town does not charge sewer use

fees. The Town incurs that cost. Secondly, any alterations and repairs should refer to the heating system as well.

After discussion of the changes, Steve Zemo made the following motion to modify the lease as presented: "the lease before us tonight will be modified to include in paragraph 5B reference to repairs to the heat, and, secondly, for consistency to remove any language that has difference between the lease brought to the public hearing and the lease before us tonight any reference that the tenant being responsible for sewer use, fees, or assessments." Maureen Kozlark seconded it.

The Moderator called for a vote on the amendment first.

**"Aye" votes unanimous and the motion to amend was approved**

John Katz, 473 Ridgebury Rd., made a motion, and it was seconded to accept the lease as amended.

The Moderator asked for discussion. Joseph Doucett, 76 Pumping Station Rd., suggested that for safety reasons, the meeting adjourn and move to Veterans Park School, since the number of people in the room might exceed that required by the Fire Marshall. The Moderator counted the people in the room and felt it was under the number of capacity.

Helen Dimos, 11 Barlow Mtn. Rd., congratulated the Selectmen and the Schlumberger Committee in coming up with a great solution.

Jeff Bartlett, 27 Seth Low Mtn. Rd. asked if when ACT makes changes, does the Town have oversight on them. Rudy Marconi responded that the plans have to be submitted to the Board of Selectmen for approval.

Sunnie Colon, 77 Sunset Lane, asked where the ingress and egress for the buildings are. Mr. Marconi replied that they will be on Old Quarry Rd., and plans for that are at Planning & Zoning now.

Mike Cobelli, 10 Dillman Court, expressed his concern for the existing businesses in Town and if the purpose of ACT was just a performing company or a business. He felt if it was a locally subsidized business, it would compete with other programs such as educational programs, summer programs, etc. which would not have the same benefit of a subsidized program.

Rudy Marconi commented that he did not consider it a subsidy, because ACT will be investing funds. The same applied to Chef's Warehouse. Steve Zemo also commented that the Town is getting improvements done, instead of receiving rent. The Town is just providing a place that needs renovation. ACT can do what they want in their space. He also felt that it would complement other businesses in town.

Mark Meachem, 27 Barry Ave., stated that the Ridgefield Arts Council supports the lease.

John Katz, 473 Ridgebury Rd., stated he supports the lease and moved the question to a vote.

The Moderator then called for a vote.

**"Aye" votes unanimous and the lease was approved.**

Mr. Tyrrell then presented the last item on the agenda, the proposed lease of the premises known as the "Philip Johnson Building" and a portion of the basement on 36 Old Quarry Rd, between the Town of Ridgefield as lessor and Bassam Fellows, Inc. as lessee. Steve Zemo made a motion to approve, and Maureen Kozlark seconded it.

Mr. Marconi stated there were several letters received on the lease and were available to the public. He stated that Philip Johnson designed the building for Schlumberger in 1952. It was his first commercial building. The Selectmen had informed the Philip Johnson Foundation if they were interested in it. They told Mr. Marconi they were involved in other projects in New Canaan to spend money on and could not come to Ridgefield. The Selectmen embarked on many other possibilities, but about a year and a half

ago, a pipe for the fire suppression system froze and there was much damage done to the building. He stated that the condition of the buildings are in repair. Now, Mr. Zemo has worked with Bassam Fellows, who would like to lease it.

Steve Zemo made a motion to approve and Maureen Kozlark seconded that section 5b be modified to include reference to repairs to the heating system and any reference to this lease and any lease brought to the public hearing be consistent that the tenant not be responsible for sewer assessment and use.

John Katz, 473 Ridgebury Rd. wanted to make sure there would be no manufacturing in the building. Mr. Marconi said there would be no manufacturing.

There was no discussion, and Mr. Tyrrell called for a vote on the amendment.

**"Aye" votes unanimous and the lease was approved.**

Maureen Kozlark made a motion, and seconded to adjourn the meeting.

**"Aye" votes unanimous and the meeting adjourned at 8:15 pm.**

Respectfully submitted,

Barbara Serfilippi, Town Clerk