

Town of Ridgefield
Board of Selectmen Meeting
Wednesday, October 24, 2018 – 6:30 pm
Town Hall Large Conference Room
400 Main Street, Ridgefield, Connecticut
REVISED/APPROVED MINUTES

In attendance: R. Marconi, B. Hebert, M. Kozlark, S. Zemo

Agenda

1. Public Comment
2. Sarah Slavin (D)-Graveyard Restoration Committee Appointment
3. Tara Ford – Youth Committee (Member Appointment)-Graduating 2021
4. James W. Carroll- Board of Ethics Re-Appointment (Term ending 12/31/18)
5. Renewal of Ridgefield Playhouse
6. Fracking Ordinance
7. Approval of Minutes 10/10/2018
8. Selectman's Report

Public Hearing

R. Marconi advised all present the BOS will break at 7:30 p.m. for a Public Hearing and Town Meeting for two issues.

1- Removal of the unbuilt portion of Sky Top road from the Town of Ridgefield's map requested by the Conservation Commission. (Town Meeting)

2-Revisions to the Pension Commission: Information previously posted online did not include the revisions. Town Counsel has advised us to repost correct version and we will have the Town Meeting for on November 13th. (Public Hearing)

R. Marconi called the **Public Hearing** to order at 6:42 pm.

1. Public Comment

No Comment

2. Sarah Slavin (D) Graveyard Restoration Committee Appointment

R. Marconi welcomed S. Slavin and asked that she tell the BOS a few things about herself. S. Slavin stated she has been in Ridgefield many years in and out visiting and now lives in Ridgefield since 2014. She became more aware of the cemetery conditions and need for upkeep once a family friend asked her to clear and weed the mother's grave site.

R. Marconi read a letter from Jeff Lundberg stating the Graveyard Restoration Committee has accepted S. Slavins application as a new member.

S. Zemo asked Sarah what interested her the most in joining? S. Slavin stated the cleaning up part and touring with historical information was of great interest. S. Slavin noted how interesting Ridgefield's grave sites are with people buried from Civil and Revolutionary War time periods. M. Kozlark thanked Sarah for coming forward stating the committee is a very interesting one and feels she will do a great job. B. Hebert questioned Sarah if she has joined any other boards? S. Slavin stated no she hasn't participated on any other boards and been working with this committee in an ad-hoc way.

S. Zemo moved and M. Kozlark seconded the motion to appoint Sarah Slavin to the Graveyard Restoration Committee. Motion carried 4-0.

3. Tara Ford – Youth Committee Member Appointment (Graduating 2021)

R. Marconi welcomed Tara and read a letter from her requesting to join the Youth Committee.

B. Hebert stated Tara's letter was very thorough and asked what skills would she bring to the committee and did she have enough time to participate? T. Ford stated yes, she does have the time and feels she has good time management skills in handling her schedule. T. Ford noted she feels confident in public speaking due to being involved in theatre and is comfortable with editing and technology.

M. Kozlark questioned Tara in how she first heard about the Youth Committee. T. Ford stated they are family friends with the *Qualey's* and has found out a lot about the group and has spoken to Shane Bowler while working together on the Kindness Mural.

S. Zemo asked Tara how she would bring back issues to the Youth Committee. Is there anything that is of concern or improvements needed? S. Ford stated there is improvement needed with youth handling social media. Parents having control is good, but there still is problems of being addicted to your phone and cyber bullying. One area I want to work on with the Committee is kindness in social media. Just one small thing can have a large impact. R. Marconi asked Tara if she was aware of the Compassionate Achiever event in Town noting the Youth Committee being involved might be of interest.

M. Kozlark moved and B. Hebert seconded the motion to appoint Tara Ford as a Member of the Youth Committee. Motion carried 4-0.

4. James W. Carroll-Board of Ethics Re-Appointment (Term Ending 12/31/18)

R. Marconi stated James isn't feeling well and this item will move to another meeting.

5. Renewal of Ridgefield Playhouse

Present: Suzie Rabinowitz, Alison Stockel, Eric Friedenrich and Julie Paultauf. (*spelling???for all*)

R. Marconi stated the renewal of the Ridgefield Playhouse lease has been in discussion and on the docket for some time now. We will open the discussion of the lease with BOS questions or clarifications needed.

M. Kozlark questioned section **Demise and Taking, Item 1.** clarifying rehearsal space will be a mutually agreed upon location. Alison stated this is an area needed for people performing so they have a location to rehearse. Also, we rent out this space at times for a small fee and after school programs use the location too. Susie commented they were very grateful to be a tenant in the building however the

“mutually agreed upon” is because of the partnership and relationship with the Town of Ridgefield. If this lease was with anyone else the “mutually agreed upon” would not be allowed in the lease. We thank you for the history and relationship.

M. Kozlark questioned section **Demise and Taking, Item 3**, clarifying B.O.M.A verification of square footage and who is doing it? Alison stated their architect will verify the square footage. R. Marconi noted B.O.M.A is the verification of footage and the Town will then verify the client’s number calculated. S. Zemo asked if the 4,865 sq. ft noted in **Demise and Taking, Item 2** be verified ahead of the lease being signed? Then **Item 3** could be entirely removed from the lease. Susie stated they also need to clarify the 17,045 sq. ft is accurate. R. Marconi agreed applicant is to verify all square footage before parties’ sign lease.

B. Hebert questioned the 20-year lease renewal in **Term-1st paragraph**, stating it would make more sense in a commercial lease to do a renewal notification 6 months or more before it expires. Once it expires, negotiating takes place ending up in extensions leading to a cumbersome process. Susie stated it is hard for them to bury that into the lease not knowing who will be running the Playhouse 20 years from now possibly losing the right if missed. B. Hebert stated in standard commercial leases, it is in a tickler system where notifications would come ahead of time, for example, 6 months prior to expiration. Negotiating then can be done ahead of expiration. R. Marconi stated a 12-month notification would be good and the Playhouse’s contributors may prefer that too.

M. Kozlark and B. Hebert questioned **Page 2, Item 1** – back-stage area together with lobby/concession area shall be \$1 per year asking what was the metric for determining the \$1? Alison stated it has always been the \$1 since the first lease consisting of the lobby, stage and theatre. Alison noted the expanding of the lobby, expecting to still pay the \$1 especially due to the increase with utilities. Alison noted any areas used for office space will be \$14 sq. foot.

7:29 BOS Meeting suspended for start of Public Hearing and Town Meeting.

R. Marconi called to order the Public Hearing and Town Meeting at 7:30 p.m. R. Marconi noted the Public Hearing for the Revision to the Pension Commission is rescheduled to November 13, 2018. All BOS in agreement. R. Marconi called to order the Town Meeting as next discussion with start of Pledge of Allegiance.

7:37 Town Meeting ended, and BOS 10/24/2018 meeting commenced.

B. Hebert asked Alison to clarify the numbers again. Alison stated \$17,045 at \$1 per year plus utilities. R. Marconi noted actual utilities could not be broken down due to one bill received for entire building. Susie stated the 4,865 at \$14 sq. ft is the initial cost increasing annually based on CPI with a 3% cap.

M. Kozlark questioned **Page 4**, HVAC equipment installed as a result of the expansion of the Demised Premises be responsibility of the landlord? Alison stated the Town needs to take care of the 5 total units. Mulvaney came out and provided a quote for install of 5 units advising they were inefficient and probably would last only a year or more. Once installs take place the Ridgefield Playhouse will take care

of any repairs needed on the units that run the Playhouse. R. Marconi will look to see if the Mulvaney quote was provided to his office.

M. Kozlark questioned the breaker box install by landlord on the lease and how much would it cost? R. Marconi stated roughly \$3,800.

R. Marconi stated corrections to be made in the lease are as follows:

Demise and Taking, Item 1.-remaining

Demise and Taking, Item 2.-add applicant will architecturally verify square footage with Town prior to signing the lease agreement.

Demise and Taking, Item 3.-eliminate B.O.M.A provision

Page 2 add provision that 12 months prior to expiration of lease both parties agree to notify Town of Ridgefield of their intention to renew the lease.

S. Zemo questioned time line to have everything done. R. Marconi said it is based on Town moving the Board of Ed. We are looking to commence the second week of November. Select Construction got the bid. S. Zemo asked what is the goal to have the lease signed? Alison stated by end of year. B. Hebert pointed out correction needed for typo on page 13 from "tenant" installing HVAC to "landlord".

No Vote

6. Fracking Ordinance

R. Marconi provided copy of petition sent into Selectman's Office that was approved by Town Counsel and will be circulating. This petition is coming from our citizens. As a recap we were originally concerned the ordinance was potentially too restrictive. The concern is it doesn't refer to fracking and oil natural gas fracking waste it refers to just oil and gas waste. Asphalt is a product of oil waste. 50 other communities have signed the ordinance. I am just recalling our hesitations in doing this. All BOS have agreed they tried to review this Ordinance many times and should now invite RACE to a meeting.

No Vote

7. Approval of Minutes 10/10/2018

M. Kozlark moved and S. Zemo seconded the motion to approve as modified 10/10/18 BOS Meeting Minutes. Motion carried 4-0.

8. Selectman's Report

- a. **Town of Ridgefield** will receive a Bronze metal reward at the CCM Convention in recognition for the Community at Foxwoods, 7:30pm, October 30th. I will be going to receive the reward. It is for everything we do as a community: library, recycling, community and economic development not just sustainability. Thank you to RACE for all the efforts and hard work putting the application together.
- b. **Tuesday, November 13th, Project Resilience, Scotch Ridge Middle School**-reminder for all BOS to be present.
- c. **Building Fees for Town Buildings vs Non-Town Buildings**- Jason our Building Official sent letter regarding any decisions made. We were going to have a policy if it was Town owned we could abate and verify with legal. Research indicated 74% of fee stays with Town and 26% goes

to the State of Connecticut. We can only abate 74%. This is across State for all Municipalities. We will let Jason know to go ahead and abate 74%.

d. **Stonehenge** – A new well was drilled, and the State has found based on location of new well it is within 75 feet of the road. Their attorney came in looking for an easement from the Town stating we will never put a septic system in that area or run a sewer line in that area. If we do not provide an easement we can write a letter stating there is nothing in the foreseeable future that we are aware of being placed in that area. BOS agreed to writing the letter.

e. **Still River Existing Condition Report**- letter was read from Courtney Moorehouse providing information on progress in the watershed plan.

f. **Branchville Train Station Commuter Bus** – a gentleman came in to propose a coach bus express to NYC with pick up at the Branchville Train Station, 6 a.m. Monday-Friday. We will need to investigate this further and contact the State to review if ok to give permission since we lease the property. People out of this station have been looking for more express opportunities into NYC.

g. **City of Danbury Letter**- Danbury is submitting an Ordinance and Resolution for City Council review, authorizing a request for Danbury electors in November 2018, to approve in the budget referendum a \$102.6 million borrowing. The borrowing will fund upgrades and improvements to the Danbury Waste Water Treatment Plant. Ridgefield is being notified due to our local agreement with Turner Hill. Whatever our portion of that cost gets passed on to those residents as well.

S. Zemo moved and M. Kozlark seconded a motion to adjourn the Board of Selectman Meeting at 8:45pm. Motion carried 4-0.

Respectfully submitted,
Susan M. Setaro