

Received 1/22/2024
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Tonya Hogan, TC

MIDDLEFIELD BOARD OF SELECTMEN
405 Main Street
Middlefield, Connecticut 06455

Minutes of the January 16, 2024 Regular Meeting

Call to Order

Bob Yamartino called the regular meeting to order at 6:42 PM. Jim Irish was present at the meeting and Carol Bufithis was present remotely.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Approval of Agenda

Carol Bufithis made a motion, seconded by Jim Irish, to approve the agenda, as presented. Motion carried unanimously.

Public Comment

None.

Public Communications

Jim Irish stated that the amount of rain has decreased the likelihood of a drawdown at the lake. He added that he received a note this evening from Lucy Petrella that the BOE is holding community forums at Memorial School and no one from any board or commission in Middlefield has signed up to attend. Mrs. Petrella requested that someone represent the town at the forums. All three selectmen noted that they will not be able to attend either forum. Jim Irish will reach out to Mike Skelps to hopefully have a Board of Finance member attend. Ms. Bufithis wished that the Board of Selectmen had been notified in a more personal way.

Bob Yamartino reported that two people are interested in working with the Animal Control Officer and he had discussions with CIRMA about liability and with the Animal Control Officer as well. At a minimum, the town would want to require a rabies vaccine for anyone working with the animals. The requirements are different for a volunteer vs. an employee, so they will need to work through that and will require a waiver. Carol Bufithis asked what the need is and Mr. Yamartino stated it includes walking the dogs, giving them attention and feeding them. State statute requires that animal shelters are heated and air conditioned. Middlefield's shelter

does have heat, but air conditioning will be needed. Jim Irish asked if the Animal Control Officer is happy with receiving help and Mr. Yamartino stated that he was, once the details are worked through.

Carol Bufithis added that she has received a few phone calls during the rainstorms from people who were not happy about water in places they had never had before. She spoke with Jay Wickham and he was aware of the situation. He explained that roads would have to be raised and there was nothing that could be done right now. Ms. Bufithis added that she was told about a tree that came down on Baileyville Road and she called Chief Tyc who didn't answer. She then called Mr. Wickham who said she needed to call 911. She called 911 but wasn't sure she was very helpful. Mr. Yamartino agreed that it would be up to the state DOT to take care of that. Bob Yamartino added that he also got a couple of calls about brooks in people's yards but he explained that the town doesn't own the brooks.

Carol Bufithis stated that people have reached out to her with names of people who would like to serve on boards and commissions. She has not called anyone yet because she felt the Board of Selectmen needs to talk about it first.

Approval of Minutes of Selectmen Meetings

- a. December 19, 2023 - regular meeting

It was agreed to table the minutes until next meeting.

Boards and Commissions

Carol Bufithis asked if she could take the lead on this and contact individuals who are interested. Jim Irish explained that he only took this on to expedite the Zoom interviewing and is happy to have Ms. Bufithis take the lead. Mr. Yamartino agreed.

Bob Yamartino had heard comments that the Board of Selectmen should not meet in Executive Session to interview potential board and commission members and that FOIA would not allow that. Mr. Yamartino researched it and CT General Statute section 1.206A, Executive Session, states that Executive Session can only be for discussion concerning the appointment, employment, performance, evaluation, health or dismissal of a public officer or employee provided that such individual may require that discussion is held in an open meeting. Looking further, he found that a commission or board member is a public officer. Mr. Yamartino felt that they are allowed to do exactly what they were doing. The Executive Sessions should be noticed with 24 or 48 hours, but they should also give individuals the right to choose to have the interview held in public. Carol Bufithis added that they are doing it for the benefit of the person who has volunteered to serve the town. She felt that they are not trying to hide anything, but to be respectful of people.

Carol Bufithis explained that Nancy Senick cannot be on Inland Wetlands due to a conflict in scheduling. Rebecca Adams had explained that it would take some time to change their meeting nights. Mr. Yamartino asked if Ms. Senick is still interested if the meeting night is changed and

Ms. Bufithis was not sure, but felt that she would be. Bob Yamartino mentioned that there may be a vacancy on the WPCA.

Jim Irish asked about Linda Li terming out and not being interested in being the vice chairman. Carol Bufithis hasn't reached out to her yet and Bob Yamartino asked to take that conversation offline. Jim Irish added that he worked with Daria Vander Veer for six years and would be an excellent candidate.

Newsletter Update

Bob Yamartino stated that they have reached out to boards and commissions and have started to get some content. They hope to have the newsletter launched by the first or second week of February. They reached out to CCM, a publishing company in Durham and the Town Times. A quote from the Town Times for eight pages was \$3,000 which is more than twice what CCM would charge, including mailing. Mr. Yamartino noted that the Town Times would distribute it to 6,000 households (including Durham) and Judi Rand reached out to see what the Town Times would charge for just printing or to have it inserted only to Middlefield. Mr. Yamartino felt that it would be roughly \$1,500 per edition and he felt it would likely be a quarterly publication due to the amount of effort it takes to put it together.

Carol Bufithis felt that the first edition should not go out until it is really ready and she liked that the Town Times would create a template for the first edition that the town can use over and over again. She asked who would create the template if they don't go with the Town Times. Bob Yamartino explained he is working with Diya Patel and Judi Rand on the layout. He believes that it will be called Town Hall Newsletter for Middlefield and Rockfall as it is really all about the town government. He did not feel it should include events from other organizations in town.

Bob Yamartino added that they will need to be sure to include this in next year's budget.

Investment Policy

Bob Yamartino did not have an updated investment policy to present and will do it at the next meeting. He discovered that Beth Moncata cannot serve on a board, committee or commission and there were questions about the Town Clerk being part of it as well. He will ask Matt Willis if Ms. Moncata can serve on an advisory panel.

Land Use

- a. Application Ordinance Revision - resolution

Jim Irish noted that Robin Newton wrote an ordinance but the resolution to approve it was tabled. No one had a copy of the resolution and it was agreed to table this until next meeting.

- b. Building Permit Cost Valuation Schedule

Bob Yamartino explained that he received the Building Official's comments, but this schedule does represent a pretty steep increase and would like to look at it further. He proposed looking at this during the February meeting as well.

Selectmen/Selectwoman Reports

a. Town Properties - Appraisal/Sale Status - Jim Irish

Jim Irish has completed the full list of town-owned properties and sent them to the Board of Selectmen as well as Robin Heath, Jen Huddleston, Bill Warner and Robin Newton for review. Mr. Heath stated that he would have the Conservation Commission review the list. Mr. Irish hopes to attend the next EDC meeting, but cannot attend the P&Z meeting. He will check with Ms. Newton to see how she feels P&Z should handle the review. Bob Yamartino will try to attend the P&Z meeting to answer any questions.

b. Natural Hazard Mitigation Plan/Regional Climate Action Team

Bob Yamartino attended a meeting last week and RiverCOG is in the process of putting together their final plan. The focus will be on which types of hazard mitigations/climate action items would have the most effect on underserved communities. Mr. Yamartino pointed out that they are sitting in climate change and major devastation to state forests and parks. RiverCOG is thinking more about inner city parks and plantings, but someone else pointed out the importance of state parks and forests for all people. They also talked about generators and solar energy. Carol Bufithis felt that the canopy in urban settings is very important and noted that many underprivileged people have no green space at all. Mr. Yamartino added that they also talked about waste and composting. They hope to have the final report by the middle to end of February.

Jim Irish asked if there was anything Middlefield wanted included in the plan and Bob Yamartino was interested in solar on government properties as well as working with DEEP. He did propose behind-the-meter solar. Infrastructure for the Cuginchaug River improvements doesn't really fit into any of the categories. Carol Bufithis went to the waste management meeting and there has been some discussion about anaerobic digesters being in the Middletown area. She also reported that the composting program reduced waste by 25,000 pounds this year.

c. Other

Carol Bufithis asked about the Middlefield Community Center user policy and Bob Yamartino explained that Judi Rand has been using the current rates as no decision was made on the new rates. Mr. Yamartino felt that some background work needs to be done and he will check to see what other communities charge. He added that liability insurance is also necessary for anyone using the town's facilities and a link to CIRMA will be added to the website. Ms. Bufithis asked if they have ever considered taking a deposit.

Carol Bufithis then asked if the board had agreed to meeting dates and Mr. Yamartino explained that they had approved the meeting schedule. Ms. Bufithis will not be at the May 21st meeting.

Bob Yamartino met with CIRMA about builders' insurance that was part of the town's policy to cover construction projects. Contractors are required to carry their own insurance. CIRMA is no longer offering builders' insurance as part of the town's policy and the town will need to buy a rider for each project. The coverage will stay intact until July. Another insurance issue is cyber security and the town pays approximately \$15,000 per year. Mr. Yamartino has asked for a meeting with an expert about that. He will also talk to the school district about having them handle the town's IT, but is not optimistic about that.

Jim Irish hopes to have a final draft of the blight ordinance for the February 5th meeting. He also reported that they are putting together a grant application for cabinets and new appliances for the Senior Center and feels they will be fully covered. Mr. Irish stated that the south side culvert berm washed out a little bit and the north side berm had washed out prior to that. Bob Yamartino had a discussion with the engineering firm and part of the problem is that materials upstream of the culvert created a dump in the middle that redirected the water up along the sides. He was also told that it may have to do with the size of the stone that was used. They have reached out to Cahill to start some repairs and he was not sure how the cost will be covered. Mr. Yamartino wanted to know if this was a construction failure or a design failure. They do not believe it was a construction failure and the engineering firm signed off on it as did the town. Mr. Yamartino asked them to go to their insurance carrier for errors and omissions type liability. He received an email from the engineering firm asking to hold off on any repairs. The board agreed that this is very disappointing and frustrating.

Tax Refunds

None.

Adjournment

Carol Bufithis made a motion, seconded by Jim Irish, to adjourn the regular meeting of the Board of Selectmen. Motion carried unanimously.

The meeting was adjourned at 8:03 PM.

Respectfully submitted,

Debi Waz

Debi Waz
Alwaz First