

Middlefield Board of Selectmen

Regular meeting March 7, 2011

Minutes

(Not approved at time of filing)

1. Call to order

Jon Brayshaw called the meeting to order with the Pledge of Allegiance at 7:02 p.m. Present are Jon Brayshaw, Mary Johnson and Ed Bailey.

2. Agenda (:50)

Jon Brayshaw asked to add housing rehab program under old business.

Mary Johnson asked if they needed to add something in order to send a notice to the Board of Finance about the needed appropriation and to schedule a town meeting. Jon Brayshaw stated that Joe Geruch will be working on it and they can do it in two week. Jon Brayshaw said he did not have the needed data at this time.

A motion was made by Ed Bailey to approve the agenda as amended. This motion was seconded by Mary Johnson and approved by all three selectmen.

3. Approval of meeting minutes (2:27)

February 7, 2011

Page 3, Jon Brayshaw stated he would like to add the exact amount for the interest payment rather than leave the rounded figure of \$20,000. It was agreed to leave it, because that is what was said.

A motion was made by Mary Johnson to approve the minutes of February 7, 2011 as filed. This motion was seconded by Jon Brayshaw and approved by Mary Johnson and Jon Brayshaw. Ed Bailey abstained from the vote as he was not present.

February 22, 2011

Mary Johnson noted on page 3, regarding the family fishing area, that the Board of Selectmen indicated they need approval from Inland Wetlands and Watercourses Agency. Mary Johnson asked Jon Brayshaw to advise Amy Poturnicki that she does need approval from the Inland Wetlands and Watercourses Agency.

A motion was made by Mary Johnson to approve the minutes of the February 22, 2011 meeting as filed. This motion was seconded by Ed Bailey and approved by all three selectmen.

4. Public comment (6:03)

Marianne Corona noted the Board of Education has increased more than was expected and Jon Brayshaw will have to adjust his budget. Jon Brayshaw

explained that the budget is now in the hands of the Board of Finance, and all the figures will be gone over.

Marianne Corona stated she asked for and received a copy of the financial advisor agreement with Webster Bank and stated it was a very expensive thing for the town to do and encouraged they use the in-house financial advisor, Joe Geruch.

In regards to the budget Marianne Corona asked that the selectmen look for givebacks from everyone and that they do not spend the money with Webster or anyone else when they don't have to. She noted her concerns for the taxpayers in town.

Seb Aresco asked if they were still rolling over the interest note on Powder Ridge. Jon Brayshaw stated when the bond referendum was crafted by Joe Fasi it was voluminous as to what the use of the bond would be. According to the bond counsel, Joe Fasi, until the town has a buyer and they know what the money is going to be used for, they can not permanently bond it.

Mary Johnson indicated that whether or not anyone is successful at restoring the ski area, has nothing to do with the fact that the town owes \$2.85 million and will have to pay it. Mary Johnson noted to split the loan for taxable/non-taxable they would need to have a buyer, but they could just do a taxable bond now.

Ed Bailey explained that the wording of the referendum has to be reflected in the bond, and if the property is sold for something other than skiing the town would have to have a new referendum. Ed Bailey said the other issue is the exact sale price and what portion will be taxable versus non-taxable.

Mary Johnson said this was foolish and Jon Brayshaw promised on February 7, that this would be going to permanent finance. Jon Brayshaw said they will eventually, but they need this deal to go through.

Seb Aresco was concerned that they are going to be paying double digit interest rates, and suggested better ways it should have been handled.

Jon Brayshaw reminded that this deal with Alpine will allow the town to retain the development rights which is a major factor in the value of that property. Jon Brayshaw provided some history on the issue. He explained to do what Mr. Aresco suggested would require the town to hold another referendum to change the wording and Joe Fasi has to be perfectly accurate when he represents a bond to buyers and that it reflects what was in the referendum. Jon Brayshaw noted they have been advised to do 3 or 9 month rollovers, and they have been getting them at 1.99 % and 2.99 %, and Joe Geruch has indicated this has saved the town approximately \$70,000 in interest, and this allowed them to put approximately \$170,000 on the principle.

Marianne Corona said the bond referendum was held on April 10, 2007 and she has been at almost every meeting and this is the first time she has heard and explanation for the 3-9 months being based on the rate. She stated that the bonds have always been based on the faith of bond people on the town of Middlefield.

Jon Brayshaw stated that Joe Fasi has always said it was project driven. Mary Johnson disagreed, saying it can not be project driven because they are not

getting all their money back on this property. She note the bonding referendum does not talk about the money owed to Middlefield holdings. She said they should have gone with the taxable bond months ago when the short and long term rates were equal and they would have save a lot of money. She said Joe Fasi should figure what the value of the developmental rights are for the non taxable bond as that amount will not change.

Jon Brayshaw said to find what the development rights are they would need an appraisal done, according to Joe Fasi.

Seb Aresco said the Board of Selectmen should be directing how they are going to lay out this bond. He was concerned about the potential for the double digit interest rates.

Paul Pizzo explained they were waffling on what was taxable and what was non taxable, but now, there should be no reason they can not get a taxable bond and get this done. Jon Brayshaw questioned what would happen if Alpine backs out of the deal? Then the bond language may no longer match the referendum language which needs to happen.

Mary Johnson asked what would happen to the bond if Alpine does buy it and it fails to operate as a ski area-will they call the bond then because the property use will not match the referendum then?

Lucy Petrella noted when they had Dan Frank interested in the property, they were not talking ski area then. She said after they met with Joe Fasi the Board of Finance unanimously agreed to long term bonding. Nothing then had come up about how the bond had to be written to match the referendum. She said they only went to short term bonding because of the situation with Joe Fasi. There had been do discussions no other choices at those times.

Jon Brayshaw said the only other choice is to restructure the call of a different town meeting that will authorize a different type of use. He noted that Joe Fasi was the one to word the call of the meeting which is connected to the bond and Joe Fasi can not sell the bond if it is misleading.

Ed Bailey noted at some point in the future they may find that they can not succeed in making that property a ski area, and they may have to re think the whole process.

Marianne Corona asked Joe Geruch to provide a figure of what it would cost with a 6% permanent bonding- she was told \$275,734.28 per year. Marianne Corona said since the beginning it was the intention of the town to have a ski area and open space, there was never any mention of the fact that they would have to wait for a buyer. She noted when they bought the Strickland farm they did so without knowing the use. The bond should be based on the town's ability to pay of the bond, not the use. She noted every time they roll over the temporary bonding the town pays. As of March 7, 2011 the estimated net cost to date is \$3,837,466 on Powder Ridge. The bond referendum was for \$2,850,000. She said they need to move on, to get permanent bonding built into the budget.

5. 2011-12 budget (40:13)

Jon Brayshaw reported they would be meeting on Thursday to go over the budget. He noted on page one of the budget on page one, there was a question

whether the \$179,000 was in or out under manufacturing equipment. He explained it should be reimbursed by the state as it is in arrears from last year, however, it will not be there for the next year. He noted they will also be getting the three PILOT. Under charges for services Jon Brayshaw said they are going to work on the fee schedules in town. He noted under 4500 Middlefield housing authority, they found an agreement with Charles Augur regarding a level that was reduced and they are looking at increasing that to where it was originally. 4505 is based on getting the first payment from Alpine if the sale of Powder Ridge goes through. He noted the investment income is down. There is over \$1 million in the fund balance so they are going to take \$75,000. Jon Brayshaw noted that many employees did not get increases last year or the year before, but there are two contracts being negotiated beginning this year and labor counsel will be required. Jon Brayshaw noted they have taken out 40-50 streetlights.

Ed Bailey noted that the cost for the street lights are going up as well.

Jon Brayshaw noted there are funds included in central services to help with the web site. He there are several entries for computers as some are 5-6 years old. Jon Brayshaw explained that the building official hours have been reduced to 14 hours per week.

Jon Brayshaw reported they are not too far off from the anticipated snow removal costs for this winter.

Jon Brayshaw noted that Middlefield has no economy of scale due to its size and a single dog warden, building official and other staff could probably be shared with Durham. He has spoken to Laura Francis regarding the idea of sharing a police officer, with Durham having 1.5 troopers and Middlefield with two constables and .5 trooper. The paperwork has been filed to make this happen but many things could prevent it. Jon Brayshaw noted that that trooper costs include with all the overhead, car, benefits, etc.

Jon Brayshaw reviewed the emergency management section. He said he was not a supporter of the emergency notification system, but the emergency management director would like the town to be tied in, as Durham and D13 is already.

The property taxes payable to Meriden and Wallingford will cease once the Powder Ridge is completed.

Jon Brayshaw noted the D13 budget figures they used were the best they could come up with that time. He explained that the parking lots for Community Center and the town hall are in need of repair, as well as the roof on the town hall.

Jon Brayshaw explained they need to have funds in the accrued benefits as there are employees nearing retirement and the town will have to buy out the unused sick and vacation time.

Re evaluation will begin once the weather is better and inspectors will be working until September/October. Jon Brayshaw explained there are trucks to replace and environmental compliance issues to address.

6. Powder Ridge financing (1:04:12)

Jon Brayshaw said he and Joe Geruch are talking with several financial advisors but have not made any decisions.

Marianne Corona asked if Jon Brayshaw intends to place the BAN with Webster Bank- Jon Brayshaw said he did not know who at this point. Marianne Corona asked how many choice were there, and if they would guarantee a 9 month in April. Ed Bailey said the Webster financial person indicated the market place did have 9 month financing available and it should not be an issue. It was clarified that the financing was not contingent on the town signing the financial agreement with Webster Bank.

Paul Pizzo asked why they would hire a financial advisor. Jon Brayshaw noted there has been much heated discussing regarding the financing of Powder Ridge and they want to make sure they do the right thing, explore all the options and avail themselves of wise counsel to make the right decision.

It was said for the financial advisor the cost is \$5,400 for the BAN which would be in addition to Joe Fasi's charges and the cost of the time spent by town employees getting information together. Mary Johnson noted it could exceed \$50,000 for a long term bond based on the schedule of fees provided.

Ed Bailey stated it was \$1,200 per note sale without disclosure which is the BAN. He noted they would not do the more expensive note sale with full disclosure. There would be additional fees which would bring the total to \$1,700.

Paul Pizzo asked if they were bidding for financial advisors, or reviewing other quotes. Jon Brayshaw said that Joe Geruch is looking into others.

Ed Bailey noted that government finance is a big business and a financial advisor acts as an independent advisor bringing everything from the marketplace. It was explained that Joe Fasi is the bond counsel.

Jon Brayshaw explained that he and the Finance Director are becoming a little skittish because they need to have concurrence regarding this financing and they want to be sure they are doing the right thing for the town.

Marianne Corona suggested they have Joe Fasi come down and discuss these issues.

Ed Bailey said they need to get the best advice they can, and to find a savings in interest on the BAN will save the town the cost of the advisors.

7. Change of polling place (1:17:36)

Jon Brayshaw has asked Sue Vicarro to discuss with the Board of Education the town using Memorial School again as the polling place. Jon Brayshaw explained that there is an issue about letting town employees who work in the Community Center remain in their offices during an election. He stated that if the "voting place" is those rooms in the building, not the building, the employees could providing there is one entrance for voters and one entrance for employees. Jon Brayshaw said depending on what the Board of Education says, they may look into other places. He noted they may use the community center only for town votes, and the school for presidential elections as they are already closed.

8. Housing rehab program (1:21:19)

Jon Brayshaw said they are near the end of the fourth \$300,000 grant that the Finance Director has been administering. He said if there are not more people

interested, the program will end. Jon Brayshaw explained that they need to get more people interested in this program so that they can receive additional grant funds.

9. Municipal Employees salary study commission (1:24:35)

Jon Brayshaw reported that there should be a salary study commission and asked the selectmen to consider staffing this commission.

Lucy Petrella suggested that commission also look at salaries for elected officials.

10. Web site (1:27:34)

Jon Brayshaw noted there was a memo, and provided copies for those in attendance. He explained that Steve Hodgetts listened to the comments made regarding the web site at a previous meeting and provided a memo in response to those comments.

Lucy Petrella asked to reiterate three points made at the last meeting, one that the privacy policy has to be approved, if Steve was not going to be in the office there has to be a process in place for someone to take over, and once that process is in place all boards and commissions need to be notified of what that process is so that thing can get done.

Lucy Petrella said Steve's memo questions the legal requirements for posting agendas/minutes- Lucy Petrella said they don't need a legal requirement, its common sense if the purpose of the web site is to notify the public. The information should be there in a timely manner.

Jon Brayshaw asked who would be qualified to write up a policy/protocol. It was explained that the privacy policy is on the web site now, but has not ever been approved. It was suggested that the selectmen should create the protocol/process. Jon Brayshaw said he would put the privacy on the agenda for the selectmen to approve.

11. Purchasing policy (1:33:40)

Jon Brayshaw read from the charter relating to purchasing and bidding procedures and questioned if they want to change the figures included in the purchasing policy to better reflect today's economy. Mary Johnson felt the figures were appropriate as they are.

Mary Johnson asked if Jon Brayshaw had been following the policy and keeping written records-he said for some things yes, some things no. She noted the spirit of the policy is to be sure the town is getting a fair price and to ensure they are not always using the same supplier for goods and services.

Jon Brayshaw said things have changed over the years and there are fewer places from which to get some products and services.

Mary Johnson said if he is not soliciting quotes when there is more than one supplier, the town is not getting the best price.

Jon Brayshaw said the town was a part of the State of Connecticut bidding program- Mary Johnson reported that Rebecca Adams felt in some cases the state was not getting the best prices. Mary Johnson said they have the purchasing

policy to protect the town and it should be followed. Jon Brayshaw said they are moving toward a purchase order system but there is a large number of items the town does not bid for and provided some examples.

It was agreed Jon Brayshaw would work on refining the policy and they would discuss it again at a future meeting.

12. Proclamations (1:45:05)

Jon Brayshaw read a proclamation regarding the exchange club (a copy of this document is on file at the town hall)

A motion was made by Jon Brayshaw to adopt the proclamation. This motion was seconded by Mary Johnson and approved by all three selectmen.

Jon Brayshaw read two proclamations regarding Kyle John Onofrio and Kevin Anthony Onofrio.

A motion was made by Mary Johnson to adopt the proclamation regarding Kyle John Onofrio and Kyle Anthony Onofrio. This motion was seconded by Ed Bailey and approved by all three selectmen.

Marianne Corona stated that the Inland Wetlands and Watercourses Agency has written a letter of commendation for the work done by the Eagle Scout.

13. Retirement planning (1:52:17)

Jon Brayshaw reported that Antoinette Astle has arranged for a conference on retirement planning to be held on March 22, 2011, from 6-8 p.m. at the Middlefield Senior Center. Those interested should call to register.

14. Appointments (1:53:02)

A motion was made by Mary Johnson to elevate Pat Olszewski to full member on the Zoning Board of Appeals for the term May 1, 2010 to April 30, 2015. This motion was seconded by Ed Bailey and approved by all three selectmen.

15. Tax Refunds (1:53:09)

Jon Brayshaw went over the list of tax refunds.

A motion was made by Mary Johnson to approve the list of tax refunds as requested by the tax collector. This motion was seconded by Jon Brayshaw and approved by all three selectmen.

16. Adjourn

A motion was made to adjourn at 8:57 p.m. this motion was seconded and approved by all three selectmen.

Middlefield Board of Selectmen

Regular meeting

April 19, 2011

Minutes

(Not approved at time of filing)

1. Call to order

Jon Brayshaw called the meeting to order at 7:07 p.m. with the Pledge of Allegiance. Present are Mary Johnson, Ed Bailey and Jon Brayshaw.

2. Agenda (:44)

A motion was made by Mary Johnson to approve the agenda with the addition of a discussion on an ordinance dealing with tats, oils and grease in the sewer system under New Business. This motion was seconded by Ed Bailey and approved by all three selectmen.

3. Approval of minutes (2:31)

A motion was made by Jon Brayshaw to approve the minutes to the April 4, 2011 meeting of the Board of Selectmen. This motion was seconded by Mary Johnson and approved by all three selectmen.

4. Public comment (3:12)

There were no public comments.

5. Website privacy policy (3:33)

Jon Brayshaw reported that he had both Joe Geruch and Steve Hodgetts review the policy.

A motion was made by Mary Johnson to adopt the web privacy policy. This motion was seconded by Ed Bailey and approved by all three selectmen.

Mary Johnson requested that Steve be advised to add the date in the appropriate area.

6. Powder Ridge update (4:52)

Jon Brayshaw reported that there will be a presentation by Alpine representatives at 7 p.m. on May 24 at Memorial School. There will be a town meeting to have a vote after that presentation.

Mary Johnson suggested as a board they make known their support for this contract as it is currently written.

Jon Brayshaw noted the representatives are willing to meet with smaller groups or individuals if they can not attend the public meeting.

A speaker suggested they advertise this meeting so the public is aware.

It was noted they could put the presentation on the town web site as well as local news websites.

Jon Brayshaw reported that they are still working with the DECD to get the grant money received.

A motion was made by Mary Johnson to set a public hearing at 7 p.m. at Memorial School followed by a town meeting for the purpose to sell Powder Ridge Ski Area. This motion was seconded by Jon Brayshaw and approved by all three selectmen.

7. Ordinance for fats, oils and grease (15:00)

Ed Bailey provided documents regarding an ordinance concerning fats, oils and grease in the sewer system and explained that the town has to address this issue, and recommended they adopt this ordinance as part 12 of the Water Pollution Control Authority ordinance.

It was noted the adoption will require a public meeting- it was agreed to adopt this at the same time as the illicit storm water discharge ordinance.

Ed Bailey noted that the Health Inspector has reviewed this and determined all the properties this will have an affect on. He noted it will impact any new food service places more so, and that waivers may be issued by the Water Pollution Control Authority.

8. Annual town budget meeting (26:32)

Jon Brayshaw noted that at the annual town meeting they will be electing two members to the DMIAAB board as well as the Board of Education. He noted that Al Raszcka has chosen not to run again, but Jim Gibbons has volunteered to run again if he is nominated. Jon Brayshaw explained that to be appointed to the DMIAAB or Board of Education a person has to be nominated first at the meeting, then voted on.

Jon Brayshaw noted it is unlikely to have a budget done by that date, and the meeting will be closed to be reconvened.

A motion was made by Jon Brayshaw to set the date of the annual town budget meeting on May 9, 2011 at 7p.m in the auditorium of the community center. This motion was seconded by Mary Johnson and approved by all three selectmen.

9. Eagle Scout proclamation (31:13)

Jon Brayshaw noted he had a proclamation regarding the Eagle Scout status to Lee B. Houle, who worked on the area behind the Levi E. Coe library. Jon Brayshaw went over the various accomplishments of Mr. Houle, noting if he is an example of today's youth, we are in good shape.

A motion was made by Mary Johnson to adopt the Eagle Scout proclamation for Lee R. Houle.

10. Employment update (33:16)

Jon Brayshaw reported that the building official is Robert Meyers, the Land Use office assistant is now Nancy Davidson and the assistant town clerk is Maureen Duffy.

Jon Brayshaw noted the hours were increased for the building official due to the anticipated increase in house building over the next year. Jon Brayshaw noted the law requires that the building official be appointed for a four year term.

11. Cuginchaug High School program (35:59)

Jon Brayshaw reported that on May 18, during Cuginchaug X block, grades 11 & 12, and on May 25 grades 9 & 10, the selectmen have been invited to come in and speak.

12. Resolution regarding state police contract (36:52)

Jon Brayshaw read a resolution allowing him to sign the contract for the resident state trooper.

A motion was made by Mary Johnson to adopt the resolution regarding the contract with the state police and empower the First Selectman to sign same. This motion was seconded by Ed Bailey and approved by all three selectmen.

The scheduling of the officers was discussed, Jon Brayshaw noted that when the DARE program is running there is more than one officer on duty at the time and this is a very time consuming project. It was noted that the officer in Durham participate in this as well.

13. Appointments (42:56)

A motion was made by Mary Johnson to appoint Karen Auger to the Central Regional Tourism Counsel. This motion was seconded by Jon Brayshaw and approved by all three selectmen.

A motion was made to appoint Steven DelVecchio to Regional Mental Health Board from June 1, 2011 to May 31, 2013. This motion was seconded and approved by all three selectmen.

Jon Brayshaw noted they are looking for two members for Zoning Board of Appeals, one for Economic Development Commission, one for the Conservation Commission and one on the Library Board.

14. Executive session to discuss union contract and adjournment (46:16)

A motion was made by Jon Brayshaw to enter into executive session at 7:53, followed by a motion to leave executive session at 8:07 p.m., noting there were no votes taken, and a motion to adjourn the meeting at 8:07 p.m. This motion was seconded by Mary Johnson and approved by all three selectmen.

Middlefield Board of Selectmen

August 4, 2011

Minutes

(Not approved at time of filing)

1. Call to order

Jon Brayshaw called the meeting to order. Present are Jon Brayshaw, Ed Bailey, Mary Johnson, Town planner Geoff Colegrove, Town attorney Ken Antin and Dennis Abplanalp of Alpine Ridge .

2. Agenda

A motion was made by Mary Johnson to approve the agenda; this motion was seconded by Ed Bailey and approved by all three selectmen.

3. Discussions

Board members discussed the following matters pertaining the sale of Powder Ridge:

Report of a meeting with Geoff Colegrove, Dennis Abplanalp, Jon Brayshaw, a DEP representative and others at King Road reviewing issues regarding that site and the DEP permit to locate a water suction structure at the Lake Beseck pump station; The DEP permit and state easement requirements for use of the lake and piping needed; Inland Wetlands and Watercourses Agency applications that the town will begin this month; and discussions regarding the nature and the design of the pump station with Dennis Abplanalp.

4. Adjourn

A motion was made by Mary Johnson to adjourn; this motion was seconded by Ed Bailey and approved by all three selectmen.

Middlefield Board of Selectmen
Regular Meeting
August 16, 2011
Minutes
(Not approved at time of filing)

1. Call to order

Jon Brayshaw called the meeting to order at 8:00 p.m. Present are Jon Brayshaw, Mary Johnson and Ed Bailey.

2. Agenda (:28)

Jon Brayshaw asked to add a discussion regarding Chuck Corley.

A motion was made by Jon Brayshaw to accept agenda with amendment to item 7, addition of recognition of Chuck Corley of the Town Times. This motion was seconded by Mary Johnson and approved by all three selectmen.

3. Approval of Minutes (1:30)

June 6, 2011

Mary Johnson noted that on the third page, item 11, regarding Mr. Fazzino, it appears that someone is living in the house. Ed Bailey noted the owners have applied for a Certificate of Occupancy.

A motion was made by Mary Johnson to approve the minutes to the June 6, 2011 meeting of the Board of Selectmen. This motion was seconded by Jon Brayshaw and approved by all three selectmen.

July 19, 2011

A motion was made by Mary Johnson to accept the minutes to the July 19, 2011 meeting with the change to item 6 in the first line the word stat should be changed to state. This motion was seconded by Jon Brayshaw and approved by all three selectmen.

August 4, 2011

Jon Brayshaw noted that the minutes are legal, and suggested they add the notes of Ed Bailey to them.

A motion was made by Jon Brayshaw to approve the minutes of the August 4, 2011 special Board of Selectmen meeting with the addition of notes from Ed Bailey. This motion was seconded by Mary Johnson and approved by all three selectmen.

4. Public comment (6:19)

Alma Elder stated the Economic Development Commission should be balanced in terms of R and Ds and if Mr. Smith is appointed there will be four Rs and one D. She recommended that the board review this and to hold off so that they can find a D to be on the committee.

Ken Leavitt said he was a D, and suggested that Marty Smith was an amazingly talented business man and in terms of the commission he suggested the commission would be lucky to have him regardless of D or R.

Alma Elder stated she did not want to impugn Mr. Smith, and agreed with that, but felt there are philosophies about businesses and she would feel better if it were more balanced.

Jon Brayshaw stated that the problem is that neither of the two town committees do their job in fielding, preparing and suggesting people as he has not received any information from the DTC in a long time or from the RTC. He has taken it upon himself to find talented people who are willing to serve and has never appointed any one on the basis of whether they are a D or an R.

A speaker, the chair of the DTC stated that she has not received anything from the town about any vacancies and communication is a two way street. She stated they did recommend someone for the Board of Finance and it was ignored.

Ed Bailey noted that at very many Board of Selectmen meetings Jon Brayshaw has provided a listing of vacancies to various boards and commissions. Ed Bailey noted that Jon Brayshaw does a wonderful job recruiting people for these vacancies.

Marianne Corona asked about the political make up of the Economic Development Commission-Jon Brayshaw was unsure. Marianne Corona noted there are rules about how the boards and commissions are to be made up.

Alma Elder asked that the Board of Selectmen hold off on making the Economic Development Commission appointment until the town committee can make a suggestion.

Jon Brayshaw noted they need 230 volunteers each year to run Middlefield, 92 or 93 appointments. He noted they should be trying to continually recruit new people.

Ken Leavitt read a proposal to the board concerning Powder Ridge noting the unemployment problems in the town and country. Ken Leavitt asked the board to consider if the deal with Alpine will bring enough benefit to the town, and to consider the Leavitt family proposal for an ECO result. Mr. Leavitt described his proposal. Documents describing this proposal were presented to the board. Mr. Leavitt provided information on his family's business history and experience in this industry. Mr. Leavitt asked that the board consider a more year-round approach to the property, and noted that the Leavitt Family is willing to invest in this proposal.

Jon Brayshaw stated that the Board of Selectmen will discuss and review this during an upcoming executive session.

Laura Williams asked that there be an open meeting with more transparency to discuss this issue.

Marianne Corona encouraged the board to get legal advice before getting into any type of discussion. Jon Brayshaw stated he would check with counsel.

A speaker asked about the issue of someone from the Board of Finance filling in for Joe Geruch in his absence. She asked if they gave any thought to creating a protocol for this type of situation.

Jon Brayshaw noted that the town runs pretty tight and there are no people to back up some key positions, and having both the First Selectman administrative assistant and the Finance Director out indicated the difficulty they could face. Jon Brayshaw said they should be put some thought into what they should do in this event.

The same speaker asked about a \$700 payment the town made to a windfarm company in California. Mary Johnson stated that it was either \$400 or \$700 – and she did not understand why they were buying a renewable energy certificate product. She explained what these were and questioned why the town would participate in this when the benefit is to other states. Jon Brayshaw stated they would need to question Joe Geruch. Mary Johnson stated that Joe Geruch would not have made this decision.

Jon Brayshaw explained there was an energy advisory committee that has done a lot of things, and some of the benefit has been solar panels for the schools.

Mary Johnson stated that while she is supportive of clean energy, the town should not be spending money to support other state's programs. Jon Brayshaw suggested that the chairman of the energy advisory committee be asked about these.

A speaker asked about the water diversion permit- it was noted this was to be discussed in an upcoming agenda item.

5. Powder Ridge update (49:45)

Jon Brayshaw reported that the Board of Selectmen can extend the closing date, and based on discussions with the town planner and attorney it was advised to extend it out two months.

Jon Brayshaw reported the DEP met regarding the diversion permit and explained about a possible easement on the bottom of the lake.

A motion was made by Mary Johnson to extend the closing date for the sale of Powder Ridge to October 1, 2011. This motion was seconded by Ed Bailey and approved by all three selectmen.

Marianne Corona noted there will be an Inland Wetlands and Watercourses Agency meeting the following evening and the diversion permit will be discussed.

Christine Leavitt asked why there is a delay in the closing. Jon Brayshaw explained they do not have all the components of the agreement perfect yet, including the details of the diversion permit.

6. Workforce Alliance (1:00:54)

Jon Brayshaw stated the program they signed up for with Durham employed between 20 – 24 high school kids and was well worth it.

7. DMIAAB (1:02:31)

Mary Johnson noted she had some issues regarding section 5-1 being changed from four from each town to five from Durham and four from Middlefield. She stated that it should either be equal or in favor of Middlefield due to the fact the transfer station is in Middlefield. Jon Brayshaw suggested they invite members of the ad hoc committee to the next Board of Selectmen meeting to further discuss this.

Marianne Corona noted that it should remain equal representation as there is a joint liability.

It was agreed to invite a committee member to further discuss this.

8. Midstate Regional Planning consolidation (1:06:59)

Jon Brayshaw provided a packet of information and suggested they have Geoff Colegrove in to discuss this. Jon Brayshaw explained a town meeting will be required to ratify the proposal. Jon Brayshaw will invite Geoff Colegrove or another member to a future Board of Selectmen meeting. It has been requested that the 17 towns involved do the ratification in September.

9. Resolution (1:15:34)

Jon Brayshaw read a resolution to the board members.

A motion was made by Mary Johnson to agree to resolution concerning emergency management. This motion was seconded by Jon Brayshaw and approved by all three selectmen.

10. Proposed new street signs (1:16:52)

Jon Brayshaw explained that the government is requiring every town and city to change its signage and there are several different deadlines. Jon Brayshaw noted there are hundreds of signs in Middlefield that will need to be changed. It was suggested that any new signs that are needed before the deadlines be made to conform to the new regulations. An audience member suggested they sell the offer the old signs for sale to help offset the costs.

11. Resolution (1:20:17)

Jon Brayshaw provided information about a particular checkbook used by Park and Recreation. The resolution would allow Chris Hurlbert and Amy Poturnicki to sign checks for Park and Recreation.

Board members discussed the need for oversight of these funds by the Finance Director. Jon Brayshaw noted the fire department does the same thing regarding their check book. Board members discussed what powers this would allow, noting concerns about anything other than deposit funds and sign checks.

A motion was made by Mary Johnson to agree to resolution regarding a bank account for Park and Recreation as per three page exhibit. Notes powder granted as per item 3. This motion was seconded by Ed Bailey and approved by all three selectmen.

12. Chuck Corley (1:29:14)

Jon Brayshaw noted Chuck Corley has been covering Middlefield for nearly six years for the Town Times and is going back to college. Jon Brayshaw stated he would like to send a thank you letter. Board members agreed.

13. Tax refunds (1:30:09)

A motion was made by Mary Johnson to approve the tax refunds as submitted by Tax Collector (not dated). This motion was seconded by Ed Bailey and approved by all three selectmen.

14. Appointments (1:32:20)

This item was tabled- Jon Brayshaw will look into the issues of political affiliation.

15. Adjourn

A motion was made to adjourn at 9:37 pm; this motion was seconded and approved by all three selectmen.

Middlefield Board of Selectmen
Regular meeting,
September 6, 2011
Minutes

(Not approved at time of filing)

1. Call to order

Jon Brayshaw called the meeting to order at 7:04 pm, with the Pledge of Allegiance. Present are Ed Bailey, Mary Johnson and Jon Brayshaw.

2. Agenda (:44)

A motion was made by Mary Johnson to approve the agenda with changes: move emergency management to public comment and delete Midstate Regional Planning. This motion was seconded by Ed Bailey and approved by all three selectmen.

3. Approval of minutes (2:25)

Page 4, item 10, the sentence regarding the signs should say “suggested they sell or offer the old signs”

A motion was made by Jon Brayshaw to approve the minutes of the August 16, 2011 meeting. This motion was seconded by Ed Bailey and approved by all three selectmen.

4. Public Comment (4:14)

Jon Brayshaw noted that Terry Parmelee did a magnificent job. Terry Parmelee provided a report of what he did beginning Monday August 22, the Monday before the storm hit. Terry Parmelee reviewed the report with the board detailing all his activities throughout the towns of Middlefield and Durham during and after the storm. He noted that business owners and residents of the town who had financial loss due to the storm, they should call 1-800-621-3362 FEMA’s office for this region. Terry Parmelee noted there are still meetings he has to attend to complete this issue, and he thanked all the residents who helped out at the shelter as well as the deputy director and First Selectman.

Jon Brayshaw thanked the efforts of CL&P noting they did a miraculous job. It was noted that the last few homes to get their power had issues on their own property. Residents were advised they need to call CL&P when the power goes out. It was explained that Cuginchaug was chosen as the shelter site as they had better shower facilities.

One speaker mentioned concerns about the landline telephone service not working during and after the storm.

Ed Bailey noted for drinking water there is a well at the pump facility on Mattabesek road, and with the generator it may be something to be utilized in the event of an emergency.

Terry Parmelee noted his desire to have the reverse 911 system in place. He explained he will be requesting funds for reimbursement from FEMA for some of the storm expenses.

A motion was made by Mary Johnson that non budgeted expenses related to Hurricane Irene will be paid directly from the operating contingency line item. This motion was seconded by Jon Brayshaw and approved by all three selectmen.

5. DMIAAB (37:04)

Jon Brayshaw reported that he expected one of the members from the task force to attend this meeting to update the board. Jon Brayshaw explained there will be a new interlocal agreement to address the transfer station. It was noted that electronics are now being accepted at the transfer station. There will be a ratification meeting for the townspeople to vote on the new agreement, which will have a 20 year term.

6. Powder Ridge (38:49)

Jon Brayshaw reported that the DEEP is now working on elements regarding the diversion permit, and he has been assured by DEEP that it is not a matter of if it will be approved, but rather when- it's a time consuming process. Jon Brayshaw noted that the Middlefield Inland Wetlands and Watercourses Agency approved the application regarding this property.

7. Illicit discharge (43:03)

Jon Brayshaw stated that has been voted in and takes effect on September 10, 2011.

8. Paving (44:03)

Jon Brayshaw noted the paving job has begun starting at Guida's intersection down Route 147.

9. Durham Fair (45:51)

Jon Brayshaw reported that White's Farm will not be available for parking so they can expect Strickland farm to be used more than ever as the main parking area. It was noted that there will be a charge for parking. Mary Johnson questioned how workers will be able to leave the fair long after it has closed to get to the parking areas.

10. Leukemia, lymphoma & myeloma proclamation (48:26)

Jon Brayshaw read for the record a proclamation concerning leukemia, lymphoma & myeloma month.

A motion was made by Mary Johnson to approve the Leukemia, lymphoma & myeloma proclamation. This motion was seconded by Ed Bailey and approved by all three selectmen.

11. Year End Financial information (50:24)

Board members noted they did receive this information.

12. Appointments (50:44)

A motion was made by Jon Brayshaw to appoint Seb Aresco to the Economic Development Commission to fill an unexpired term. This motion was seconded by Mary Johnson and approved by all three selectmen.

13. Adjourn

A motion was made by Ed Bailey to adjourn at 7:57 pm, this motion was seconded by Mary Johnson and approved by all three selectmen.

Middlefield Board of Selectmen

Regular meeting

September 20, 2011

Minutes

(Not approved at time of filing)

1. Beginning of recording

Jon Brayshaw noted it was now 7:09pm and the meeting had already been opened with the Pledge of Allegiance and the agenda had been approved.

2. Approval of Minutes (:27)

A motion was made by Mary Johnson to approve the minutes of the September 6, 2011 meeting as filed. This motion was seconded by Ed Bailey and approved by all three selectmen.

3. Public comment (:48)

Al Smith provided a drawing to the board and indicated it was the ‘sacred ground of six and half acres.’ Mr. Smith noted the location of a walking path, Reidy’s house, Main Street and Race Track Hollow. Mr. Smith stated that Mr. Cahill was putting in 1,300 feet of track and questioned if that was going to encompass a particular area. Jon Brayshaw was unsure what the Park project included. Mr. Smith questioned the math explaining if it were only one leg, it was unacceptable, and he insisted it must encompass an entire particular area. Mr. Smith noted where soccer teams were playing and said they were going to force people in wheelchairs into a certain area and that was unacceptable. Mr. Smith said this was one of the nicest parks in the area and noted the new path was only five feet wide- but the ADA states it must be wide enough to allow two 30-inch wheelchairs to pass-and questioned why some areas were only five and not eight. Jon Brayshaw noted that there are other path areas not included in the figures provided by Mr. Smith. Mr. Smith stated he brought someone from the state down and she wrote a letter to the town a while back, and one to Mr. Smith a few days ago.- portions of which he read to the board. He stated there must be ADA compliant paths to the skating pond and to the beach. He stated that he did not think the parking area was handicap accessible (location unclear on tape). He stated that by March 2012 the playground must conform to the ADA standards and currently it does not. Mr. Smith stated that he will attend the next board meeting and he will discuss why he filed the complaints against the town regarding the park.

Ken Leavitt stated he was representing the jobs committee meeting because there are a lot of people out of work including himself, and he won't get any money until his deal gets funded and he has an agreement with someone somewhere. Mr. Leavitt reminded he presented his idea for an ECO park which could be done anywhere. He noted that the town was advised not to speak with him as they were negotiating an agreement with Alpine already. Mr. Leavitt reported that he spoke to Dennis at Alpine to

advise him of his plan. Mr. Leavitt asked what will happen if the Alpine contract does not get signed by October 1, noting he has concerns. Mr. Leavitt went over some of this history of Powder Ridge-regarding snow guns and CL&P energy efficiency program and discussed ways that things could have been done. Mr. Leavitt noted different types of snow guns and how he felt they performed. He reported that the representative from Alpine have promised they are going to use new technology snow guns, but they are the same ones Mr. Leavitt had used in the past, and then sold to the competition. He reported that the representative was surprised to find that particular type of snow gun had already been used at Powder Ridge, and that the competition had them.

Mary Johnson questioned why they put another siren on Way Road, noting she was not happy with this. She questioned why there had been no public discussion prior to the installation. She noted the siren that was there was strictly for use in the event Connecticut Yankee nuclear power plant had a meltdown and evacuation was necessary for Middlefield. She stated the new siren is for every fire call and questioned the need in this day and age of advanced communications for the firefighters.

Regarding cost, Jon Brayshaw noted they received a grant. He stated that he understands there needs to be two methods to contact firefighters. Mary Johnson said they had radios and cell phones, and there should have been a hearing to inform the neighbors. Mary Johnson asked for it to be removed, as well as the Connecticut Yankee siren as the plant is no longer in operation. Jon Brayshaw stated he would look into this, noting there are three of them.

Marianne Corona suggested that the town have a comprehensive plan done regarding Peckham Park. Jon Brayshaw noted he has been working with the ADA to the extent they have the funds, and described some of the work they have done and discussed. Marianne Corona and the selectmen discussed the difficulties regarding parking in the area. Jon Brayshaw noted the park is being worked on and has been for two years with a lot of ADA compliance achieved.

Mary Johnson asked if the town would be compliant in 2012 as required- Jon Brayshaw saw no reason to think they will not.

4. Discussion regarding DMIAAB (30:30)

Jon Brayshaw reported that the 40 year DMIAAB interlocal agreement is expiring and noting the vast changes in waste handling, there has been a task force appointed to review the agreement.

Howard Weisberg, a member of the ad hoc committee provided some history on the task force and the work they have done drafting a new agreement. He noted some of the changes include: The duration of the agreement will be 20 years; they clarified how assets would be divided in the event of a dissolution; definitions were changed; presentation requirements to the Boards of Selectmen; and the handling of fund surplus. Mr. Weisberg noted there had been debate amongst the committee members regarding the representation of the towns, changing the split to have a majority representation for Durham as they pay a larger share of the fees based on population. Geoff Colegrove noted the documents have been submitted to the two selectmen for their review and action.

Other changes included changes to how a chairman is chosen; and purchasing limitations. It was noted that there were discussion regarding who is allowed to use the transfer station, industrial entities as well as residential and commercial.

Marianne Corona asked if this is still an interlocal agreement- Geoff Colegrove stated that it was. It was clarified that the selectmen do not have a vote on the DMIAAB board. Geoff Colegrove noted there is a need for capital planning on DMIAAB.

Mr. Weisberg noted there are still some tasks for the ad hoc committee to consider including bylaw review. It was noted some changes have already taken place due to observations and suggestions discussed by the task force. Mr. Weisberg and Geoff Colegrove went over some of them, including the scale project now being completed for bulky waste.

Jon Brayshaw noted there ad hoc committee has a 12 month limit and asked to be sure they do not usurp the authority and description of work of the DMIAAB board. Mr. Weisberg indicated that there are more tasks the committee has to do.

Mary Johnson noted concerns about the stickers being sold for cash as that leaves a potential for cash to be missing. She also suggested when they sell the sticker both license and registration must be shown.

Geoff Colegrove reported that the task force chairman would like to set up sub committees to review the outstanding issues such as the operations, the by laws and make suggestions to DMIAAB. Geoff Colegrove noted that they hope to get the scale in place by October/November with the hope that will help to correct the deficit of over \$70,000 per year on bulk waste.

Marianne Corona noted there will be a need to hire a manager at some point – Geoff Colegrove noted they have discussed this and both the current agreement and the draft agreement allow for DMIAAB to do that. Board members discussed how they should proceed by either having the task force address the remaining issues or asking DMIAAB to pick t hem up. Mr. Weisberg noted the task force had considered creating sub committees to address specific issues. It was agreed to have the task force continue.

Mary Johnson explained how the waste program is handled in a town in Maine.

Jon Brayshaw stated that he wanted the DMIAAB board to review and approve the draft document prior to having the public hearing and town meeting as they were all elected board members. Mary Johnson and Ed Bailey noted that they would like for DMIAAB to approve, however, it is the townspeople who will vote on the agreement despite DIAAMB approval or non approval. The selectmen agreed they would like DMIAAB to approve of this. Mr. Wiesberg noted that the chairman of DMIAAB has received the draft copies of the document. It was noted the ad hoc committee can work with DMIAAB in their meetings/discussions.

A motion was made by Mary Johnson to extend the ad hoc committee for DMIAAB for 9 months or not later than June 30, 2012, to continue with the initial charges of said committee. This motion was seconded by Jon Brayshaw and approved by all three selectmen.

A motion was made by Jon Brayshaw to set public hearing followed by town meeting to review and vote on approval of DMIAAB interlocal agreement dated September 15, 2011 for October 18, 2011 at 7 p.m. This motion was seconded by Mary Johnson and approved by all three selectmen.

Jon Brayshaw thanked Howard Weisberg and the rest of the committee for their hard work and service to the town.

5. Midstate Regional Planning authority (1:15:55)

Geoff Colegrove provided documents regarding the consolidation of Midstate Regional Planning Agency with the Connecticut River Estuary Regional Planning Agency. Geoff Colegrove noted there have been efforts towards consolidation for a long time, and it was agreed it was best to make some choices rather than have it done by the state.

Jon Brayshaw invited members of the press to the table to view the documents/maps in order to show the consolidation lines.

Geoff Colegrove provided some history on how they came to the consolidation they have drafted, noting the town has to vote and approve of this. He suggested the consolidation may take place before the end of 2012.

A motion was made by Ed Bailey to call a public hearing followed by a town meeting to ratify the vote of the Connecticut River Valley Council for Elected Officials to become a council of governments on October 18, 2011 at 7 p.m. (see attached draft ratification agreement on file in the town clerk office) This motion was seconded by Mary Johnson and approved by all three selectmen.

Geoff Colegrove noted that he plans to leave planning agency once it has been consolidated but will continue to provide planning services for Durham/Middlefield.

6. Powder Ridge update (1:30:40)

Jon Brayshaw reported that he has received a document from Alpine regarding the DEEP water diversion permit. Geoff Colegrove reported that there is a professional surveyor working on the issue surrounding the permit, and explained the process and where the delays are. He noted they are about 2 weeks behind the anticipated schedule, but work is being done moving forward. Geoff Colegrove did not think they would make the October 1 closing date.

Ken Leavitt reported that there is an additional layer of graffiti and vandalism on the property, as well as various pieces of equipment along the trails in the area. He noted there seems to be a lot of activity on the property that should not be occurring and had concerns about delays.

A motion was made by Mary Johnson to extend closing date for Powder Ridge with Alpine Ridge LLC to October 31, 2011. This motion was seconded by Ed Bailey and approved by all three selectmen.

7. Public works (1:41:15)

Jon Brayshaw reported the town is far behind in public works projects due to preparing for the hurricane and clean up after the storm. The chip sealing will be taken place on several roads including Peters Lane, Long Hill Road, West Street and others.

8. Durham Fair (1:41:58)

Jon Brayshaw stated there was some confusion about parking and volunteers, but the Strickland Farm on Cherry Hill will be the main parking area for the fair. There will

be earlier and later busses used to accommodate volunteers arrival and departure at the fair.

9. Paving (1:43:56)

Jon Brayshaw noted the state has done paving on Route 147, and there will be more paving done on Route 157.

10. FEMA (1:45:41)

Jon Brayshaw stated there are a few people who may have had monetary loss due to Hurricane Irene, and they should contact FEMA. Jon Brayshaw stated the town will be submitting a bill for tens of thousands due to damages in Middlefield.

11. Pumpkin Festival (1:46:55)

Jon Brayshaw stated that he has heard the pumpkin festival that took place last year at the community center may be held again this year but at Peckham Park.

12. Adjourn

A motion was made to adjourn at 8:56 pm; the motion was seconded and approved by all three selectmen.

Middlefield Board of Selectmen

Regular meeting

October 3, 2011

Minutes

(Not approved at time of filing)

1. Call to order

Jon Brayshaw called the meeting to order at 7:07 pm with the Pledge of Allegiance. Present are Jon Brayshaw and Mary Johnson.

2. Agenda (:42)

A motion was made by Jon Brayshaw to approve the agenda with changes: remove Midstate replace with MAT. This motion was seconded by Mary Johnson and approved by both selectmen.

3. Minutes (2:13)

Jon Brayshaw noted that at the last meeting they voted to have a public hearing and town meeting regarding DMIAAB but he wished to discuss it further.

A motion was made by Jon Brayshaw to approve the minutes of September 20, 2011 meeting. This motion was seconded by Mary Johnson and approved by both selectmen.

4. Public Comment (4:56)

Marianne Corona asked to reserve her comment for the DMIAAB discussion. Jon Brayshaw agreed.

5. Hazardous Waste (5:09)

Jon Brayshaw noted there was a hazardous waste collection on October 8, at Moody School in Middletown. He asked that people do not overdue this service, and the staff reserves the right to determine if the amount of items brought is one home or more and will charge Middlefield accordingly. Jon Brayshaw noted the acceptable items list may be different than what taxpayers expect.

A motion was made by Mary Johnson to accept the MDC hazardous Waste agreement and authorize the fist selectman to sign the agreement on behalf of the town. This motion was seconded by Jon Brayshaw and approved by both selectmen.

6. DMIAAB Agreement (11:09)

Jon Brayshaw explained that he would like to have just a public hearing at the next Board of Selectmen meeting not the town meeting. This will allow for an opportunity to discuss changes or amendments based on public comment with Durham.

A motion was made by Mary Johnson to set a date of October 18, 2011 for a public hearing to review the draft of the DMIAAB agreement at 7 pm at the Community Center. This motion was seconded by Jon Brayshaw and approved by both selectmen.

Marianne Corona read a written statement that she had sent to Howard Weissberg regarding the DMIAAB agreement and language concerning the selection of the chairman of that board.

Board members discussed the issue; Mary Johnson recommended they have Middlefield's town attorney review the document as well.

7. ADA (21:35)

Jon Brayshaw reported that the town has receives letters from ADA regarding compliance- and provided a packet of documents, noting they are available for anyone to review.

8. Water company property sale (22:26)

Jon Brayshaw reported that the town owned a water company that provided Rovers' lodge with water at a minimum cost of \$12,000 per year. There is now a new well on Rovers' property and the land that held the other well will be sold shortly.

9. Powder Ridge (25:33)

Jon Brayshaw reported that DEEP has received some of the important information they were waiting for. Jon Brayshaw stated that the \$500,000 grant money has arrived. He noted that chairman of the chamber of commerce, Larry McHugh was very helpful in securing those funds.

10. Midstate regional Planning (28:32)

Jon Brayshaw suggested they have the town meeting the same night to explain about the COG (Council of Government) formation. Jon Brayshaw read a resolution for the public explaining what is happening regarding Midstate Regional Planning.

A motion was made by Mary Johnson to hold a public hearing on the resolution to participate in the formation of the Ct River Valley Council of Government (COG) on October 18, at 7 p.m. at the Community Center. This motion was seconded by Jon Brayshaw and approved by both selectmen.

11. Lake Drawdown (33:00)

Jon Brayshaw reported the DEEP sent a letter on September 26 notifying the town that on October 1 the lake draw down will begin and will continue to a six foot draw down. Jon Brayshaw noted that the town is charged \$60-\$70 per hour to manage this.

12. MAT agreement (36:16)

The selectmen reviewed the MAT agreement.

A motion was made by Mary Johnson to approve the MAT agreement dated July 1, 2011 and authorize First Selectman to sign on behalf of the town. This motion was seconded by Jon Brayshaw and approved by both selectmen.

13. The pumpkin festival (37:58)

Jon Brayshaw reported the pumpkin festival is coming up on October 29 at Peckham Park.

14. Meeting (40:23)

Jon Brayshaw noted that the Connecticut River Valley CEOs- 17 town organization, met in Middlefield to discuss items of importance. He reported that there were representatives from CL&P that addressed concerns surrounding Hurricane Irene. There were handouts provided, a copy of which was available for review. Jon Brayshaw noted there was a lot of information provided about what happened during the storm.

15. Industrial development (45:03)

Jon Brayshaw reported that the Economic Development Commission has met with a developer and they may be submitting a proposal to the Board of Selectmen regarding the Brookside property.

16. Tax Refunds (46:13)

Mary Johnson read the list provided by the tax collector.

A motion was made by Jim Malcolm to approve the tax refunds as presented by the tax collector on October 3, 2011. This motion was seconded by Jon Brayshaw and approved by both selectmen.

17. Appointment (48:13)

A motion was made by Jon Brayshaw to reappoint Frederick Vincent to five year term on the Housing Authority. This motion was seconded by Mary Johnson and approved by both selectmen.

18. Adjourn

A motion was made Jon Brayshaw to adjourn at 7:55 pm; this motion was seconded by Mary Johnson and approved by both selectmen

Middlefield Board of Selectmen

Regular Meeting

October 18, 2011

Minutes

(Not approved at time of filing)

1. Call to order

Jon Brayshaw called the meeting to order at 7:04 pm with the Pledge of Allegiance. Present are Jon Brayshaw, Mary Johnson and Ed Bailey.

2. Agenda

Mary Johnson asked to add under old business closing date extension, and also the Pogmore property.

A motion was made by Ed Bailey to approve the agenda as amended, adding to item 8, extension on Powder Ridge Closing and Pogmore property. This motion was seconded by Mary Johnson and approved by all three selectmen.

3. Public hearing regarding DMIAAB agreement (2:19)

Jon Brayshaw noted there were copies of the draft agreement available for the public and introduced Chad Spooner, chairman of the DMIAAB Task Force, noting there were other members present as well.

Chad Spooner provided some background on the task force and the history of the draft agreement before the board.

The audience was asked if they wanted the board to review the entire document- there were none to recommend that.

Jon Brayshaw noted this was created over a long time with many meetings, and provided a history of the dump in Middlefield and then the transfer station as it is now. Jon Brayshaw stated that the new agreement is for only 20 years rather than 40.

Regarding section 5.3 Audience members noted concerns about the need for chairman of the DMIAAB board to be confirmed by the First Selectmen of the two towns. Marianne Corona noted she and Ellen Waff attended a meeting of the task force and expressed their unhappiness with that item. She noted her support of the 4/4 representation of the town on the board. Chad Spooner noted the language was only for acknowledgement and confirmation. Mary Johnson questioned what would happen if one of the First Selectman would not confirm in writing the election of the chairman- noting the board would then not be able to do what they need to do, including signing contracts and more. Chad Spooner noted the language did not allow for it to be an option- the word “shall” implies it must simply be acknowledged by the First Selectmen in both towns. Mary Johnson suggested they word it differently.

Dom DelVecchio, a member of the DMIAAB task force, stated that DMIAAB is an independent entity that represents both communities, and it needs to be outside the political arena.

Mary Johnson suggested that the language be changed to imply that the DMIAAB board must inform both First Selectmen of their election of chairman. Other options were discussed including changing it to ‘acknowledging’ only, or removing the line all together.

It was noted that Durham will be dealing with this issue on the 24, and Jon Brayshaw suggested they wait and see what they do, or to give these comments back to the task force and allow them to reconstruct the document where needed.

Mary Johnson expressed her support for the way the capital expenses were going to be handled as noted in section 4.2.

Frank Petrella suggested that they make sure the task force is aware of the desires of Middlefield townspeople, and that is that they want that comment in 5.3 out.

Other changes from the original document were reviewed.

Lucy Petrella noted her supported for the removal of that line in section 5.3, and noted item 6.3 in article 6, and noted the word uses should be changed to users; and in 6.10 the t in towns should be consistently capitalized or not. On 6.17 she noted the use of the word ‘waste’ and asked if they wanted to use more specific terminology as they did in the rest of the document. In 7.3 she asked why the removed ‘assume full responsibility to...’ and made that change. Chad Spooner stated he did not recall but could look into that.

It was noted that one of the task force members is an attorney, and that both town’s attorneys would also review the document when it is in its final form.

In response to a question, Jon Brayshaw provided some history on the addition of the additional land for the transfer station. There was a question about whether or not the land was sold.

A speaker asked for background regarding the six-month opt out in section 1-5. It was stated that was part of the original document. The speaker felt it was a short amount of time.

Chad Spooner was asked to take these comments back to his committee and continue to review the draft.

4. Public hearing for the Council of Government – regional planning (31:39)

Jon Brayshaw provided a map indicating the different regional planning agencies and the areas they cover, noting Middlefield was covered under Midstate Regional. He noted that the state is pushing for consolidations of these planning agencies. Jon Brayshaw provided documents for attendees to review in this regard, noting they need to call for a town meeting to ratify this. Jon Brayshaw provided a brief overview explaining the benefits to Middlefield in moving forward with this merger before the state forces a merger with Hartford which will leave Middlefield with much less voice.

Members of the audience expressed support. Jon Brayshaw explained that the 17 First Selectmen of the involved towns would make up the board of this group.

A motion was made by Mary Johnson to set town meeting for November 7, 2011 for the Council of Elected Officials Action regarding the creation of a merged Midstate Regional Planning Agency and the Connecticut Estuary Planning Regional in the auditorium. This motion was seconded by Jon Brayshaw and approved by all three selectmen.

5. Approval of minutes (46:39)

October 3, 2011.

A motion was made by Mary Johnson to approve the minutes of the October 3, 2011 meeting as filed. This motion was seconded by Jon Brayshaw and approved by Jon Brayshaw and Mary Johnson. Ed Bailey abstained from the vote as he was not present.

6. Public comment (47:20)

Al Smith discussed Peckham Park, noting the increase in attendance at the park, causing parking problems. He noted he has called the police and came before this board to address this problem, all to no avail. He noted in 2009 the First Selectman had issued a memo to the resident trooper and the park and recreation department to establish rules and regulations for parking at the park. Mr. Smith stated to his knowledge this has not been done and the parking problems persist on a daily basis. Mr. Smith provided some history on the actions he has taken to address this issue and the very limited results of those actions. He noted there are still two ongoing complaints in the hands of the federal attorney for ADA compliance regarding the skating park and Lake Beseck beach. He requested copies of a memo to the town from the attorney in this regard. Mr. Smith used the chalkboard to discuss his issues regarding the park. He indicated a particular path and asked Jon Brayshaw if it is intended to tie into another area?

Jon Brayshaw stated he did not know. When asked why he did not know, Jon Brayshaw explained that Park and Recreation commission has the full authority over what goes on over at the park, not the First Selectman. Jon Brayshaw stated he would provide a response from the state of Connecticut that indicates they are very satisfied with all that is done at the park, 90% of the improvement have been made.

Mr. Smith continued his discussion stating that what is there will not satisfy the ADA complaint. Mr. Smith went on using the chalkboard to indicate areas he was not happy about. Jon Brayshaw stated again it was Park and Recreation that controlled the park. Mr. Smith would not accept that, stating the First Selectman is to over see all of the town, and again continued to state that the path was not accepted by ADA. He discussed the restroom area- noting the location of the door, and stating there was a lip there that would prevent a wheelchair from getting over that threshold, which was then addressed by a contractor, but the work done was not satisfactory to ADA regulations according to Mr. Smith.

Jon Brayshaw noted there is a handicap bathroom, leased from Cahill, at the park so the bathroom Mr. Smith is discussing does not have to be handicap accessible. Jon Brayshaw listed several items that have been done to comply with ADA. Mr. Smith stated the work done was not in compliance.

Mr. Smith noted years ago a survey was done to indicate what townspeople wanted at the park- a walking path was number one, the skate park was 26- and a grant was received for \$250,000 and a skate park was built. He noted the construction of the skate park did not go out to bid, which was illegal by the state, and he hoped the town would not have to return the money. Mr. Smith noted there are safety rules that are not being followed or enforced at the skate park. He noted concerns about a possible accident and subsequent lawsuit.

Mr. Smith noted the town recently lost a lawsuit against a former building official, and requested a copy of the settlement of that case. Jon Brayshaw noted those requests for copies of documents should be in writing. Mr. Smith indicated it was in writing because the meeting was being recorded. Mr. Smith read from previous meeting

minutes regarding statements made by Jon Brayshaw and stated he felt it was a bunch of bull and asked Jon Brayshaw to take some control and get it done right.

Ellen Waff noted that the Board of Selectmen were the administrators of the grant received for the park, not Park and Recreation.

After some discussion Jon Brayshaw stated it is clear to him that he has no authority over what goes on at the park- none. He noted that the town wants the park to be ADA compliant and they are working with the state to ensure compliance, and it is much more so now than five years ago.

Kathy Kokoszka noted that the Water Pollution Control Authority is a separate entity from the town as well, and townspeople all the time complain to the First Selectman but do not complain to Water Pollution Control Authority as they should. With regard to the skate park she noted that there was a group of interested people that attended and pushed for that feature helping to get it created. She noted the impossibility of overseeing the activities at the park every hour of every day.

Jon Brayshaw noted the difficulties in trying to make either the skating pond or the beach handicap accessible. He noted the federal representatives sided with the town agreeing with those difficulties making it not possible. Jon Brayshaw noted how hard the park and recreation commission and the director work toward keeping the park as enjoyed as it is, and has worked diligently with the state and federal government representatives for ADA compliance.

Barbara Rowe suggested when they set the town meeting, they include the stipulation that it be downstairs in the auditorium because the upstairs rooms will be utilized that evening for election set up.

7. Powder Ridge Financing Bond Anticipation Note (BAN) (1:12:41)

Jon Brayshaw provided some handouts prepared by Joe Geruch the Finance Director for the selectmen to review and went over them with the board. Jon Brayshaw noted there are many who want the town to go for permanent financing however the Finance Director as well as the town attorney and Jon Brayshaw all object to that, and so far it has been successful. Jon Brayshaw went over the figures provided and asked the board to ratify the instruction to the bond counsel to go for another 9 month BAN at approximately 2%.

There was an error noted that it stated September 2011 maturity date, where it should be September 2012 maturity date. All agreed that needs to be corrected.

Mary Johnson stated that long term taxable rates and short term rates were identical and very low and she stated again they should have gone for permanent taxable financing at that point in the past.

Jon Brayshaw provided some information and figures that indicate how beneficial it has been for the town, including the fact the town has already paid \$320,000 on the principal by financing the way they have.

Ed Bailey noted there have been so many false reports that the town has not paid anything on the principal and that is miss-information.

A motion was made by Mary Johnson to enter into BAN for Powder Ridge financing at interest rate approximately 2% for 9 months. This motion was seconded by Ed Bailey and approved by all three selectmen.

Lucy Petrella noted her agreement with Mary Johnson regarding how they could have financed this previously. She noted the Board of Finance last year and this year have put aside funds for payment on the principal.

There were discussions on various ways this will be addressed in the future.

8. Powder Ridge closing extension (1:22:48)

Mary Johnson recommended they do the extension now rather than wait until the end of November.

Jon Brayshaw stated that town attorney Antin recommended going for another 30 days.

A motion was made by Mary Johnson to extend closing with Alpine Ridge LLC for the sale of Powder Ridge to November 30, 2011. This motion was seconded by Ed Bailey and approved by all three selectmen.

Kathy Kokoszka noted that Len Suzio was currently in the building and he has been trying to get DEEP moving on issues and is frustrated by the slowness. Jon Brayshaw noted they have half the employees they used to.

Mary Johnson noted whenever there is an issue at the lake the legislators begin to intervene and perhaps that is not the best way to approach DEEP to get things done. As it implies the town does not wish to go through the established process but rather wants special legislative attention.

9. Pogmore Property (1:28:47)

Mary Johnson referred to an email sent out and noted that the plans discussed were done by Brian Curtis, and they did not address the 500 feet between Cherry Hill Road and Mr. Pogmore's land. She noted with all the rain this may not be the right time to be going in there. She questioned if the new bridge construction would impact this property as well.

Jon Brayshaw noted the elevation of the Coginchaug River only changes a foot or two for a very long distance between Durham and Rockfall. He noted there are efforts to keep the area around the Coginchaug from becoming a bog. He stated anything they can do to add water to the river is a bonus. They are putting off the work on Pogmore's and Lee Vito and Brian Curtis will be policing the activities to be sure the right things are happening.

Marianne Corona stated that the Inland Wetlands and Watercourses Agency did not give a permit for the activity, it was brought in under the agricultural exemption to allow this to happen, but it was not given a permit.

Jon Brayshaw noted that they are trying to address this, but to fully correct it would cost at least \$200,000 so they agreed this would be a 15-20 year solution.

Marianne Corona noted that activity not on Mr. Pogmore's land would not fall under the agricultural exemption as this does.

Jon Brayshaw agreed when the industrial park was completed this should have been addressed then.

Marianne Corona stated again this does not go to Cherry Hill Road- Jon Brayshaw stated he just wants Mr. Pogmore to be able to reclaim the land that was once farmable so that he can farm it again, and the lack of the town building the lagoon all those years ago when they did the industrial park is the cause of the land being worth nothing.

Darin Overton explained he has been to the property and noted it has been wet but there are drier days forecasted.

It was agreed this was never intended to go to Cherry Hill Road.

Ellen Waff asked why the town is doing this, as it is not the town's obligation to help every farmer reclaim his property. Jon Brayshaw explained the town was the partial cause. Ellen Waff asked how they don't know it isn't just the river backing up? Ellen Waff asked about Jon Brayshaw asking for the right of first refusal if and when Mr. Pogmore wished to sell his property. She also asked if Jon Brayshaw's son holds that right of first refusal.

Jon Brayshaw stated that his older son went to Mr. Pogmore before Jon Brayshaw was First Selectman, and asked if he had any property he wished to sell but he has no rights to first refusal.

Ellen Waff says this calls into question ethics with Jon Brayshaw putting the town money into private property. Jon Brayshaw said they have to let the townspeople decide if that's the truth or not.

Lucy Petrella asked if it has been put into writing that this is the one and only time the town will be responsible for doing this? Jon Brayshaw said he does not know what the drawings call for as he handed it over to Brian Curtis. Jon Brayshaw stated that he will follow up on that. Mary Johnson recommended a written agreement. Lucy Petrella noted that she has reports indicating several sources contributing sedimentation on to Pogmore property. She noted there are multiple ways to address this to minimize this from happening again. She asked if they do this one part on his property without doing anything else, without making a written agreement, he is setting the town up to have to go back on the property again and again.

Jon Brayshaw noted again that the lack of the detention pond that the town was supposed to have installed has caused in part the filling in of Pogmore's drainage channel. It is this channel that the town will be removing the fill from.

Lucy Petrella noted her concern is to set a precedent requiring the town to continue to do this. She offered other suggestions on how to handle this. Jon Brayshaw noted if they do not fix this, Mr. Pogmore will take the town to court, and this is the least expensive solution that will buy 10-15 years.

Mary Johnson suggested Mr. Pogmore sign a legal release acknowledging the town is not admitting any liability but is helping to mitigate and there will be no future claims of liability for him or his heirs in the future. Jon Brayshaw stated he would look into this.

Marianne Corona indicated the area is wetlands and it will always be so.

Kathy Kokoszka noted when they worked on the industrial park there were reservations but they were overshadowed by the amount of financial gain the town was to reap. She noted the Pogmore issue has been brought up before.

10. Eagle Scout proclamation (1:53:14)

Jon Brayshaw read a proclamation regarding Eagle Scout Andrew Carter, noting he is the ninth or tenth Eagle Scout in the last two or three years. He asked the selectmen to sign this and he would make the presentation on November 6.

A motion was made by Mary Johnson to make proclamation – Andrew Carter-Eagle Scout. This motion was seconded by Jon Brayshaw and approved by all three selectmen.

11. Proclamation from DMFYS (1:56:08)

Jon Brayshaw read a proclamation regarding Red Ribbon Week.

A motion was made by Ed Bailey to make the proclamation for Red Ribbon Week. This motion was seconded by Jon Brayshaw and approved by all three selectmen.

12. Miscellaneous (1:58:03)

Jon Brayshaw noted a particular bridge along Rt 147 near the Pogmore property being so narrow as to cause many mirrors to be removed. He gave to Darin Overton, the chairman of Inland Wetlands and Watercourses Agency, a notice of application for approval of exemption. It was noted that the Inland Wetlands and Watercourses Agency already had that notice.

It was noted the intention is to make the road less narrow, but it will not be an higher so any flooding that takes place will have the same effect.

Darin Overton stated he had questions regarding the impact this may have on the flood plane and asked for copies of the plans for the bridge.

Jon Brayshaw stated there were construction drawings somewhere. Marianne Corona stated they were 2006. Jon Brayshaw noted he has seen them and he has provided comments regarding them to the state including the use of pressed stone, and to retain the small parking area for fishermen.

Marianne Corona asked Jon Brayshaw to request a new set of plans, and offered to drive up to get them.

Darin Overton stated that the issue is whether this changes the flood plan-and questioned what is the exemption they are requesting. He noted the flood plane regulations are part of Planning and Zoning Commission not Inland Wetlands and Watercourses Agency. It was recommended that a set of final plans be obtained and to find out exactly what exemptions DOT is requesting.

13. Light up Middlefield (2:06:18)

Jon Brayshaw reported that Light Up Middlefield is coming along very well and will be held from 4-8 pm on October 30, at Peckham Park. There will be a DJ, a bonfire, and a pie contest. Jon Brayshaw noted they need more volunteers.

14. Appointments (2:07:26)

Jon Brayshaw noted there are over 90 appointments on various boards and commissions in Middlefield and they need to always be looking for people to volunteer.

15. Adjourn

A motion was made to adjourn at 9:12 pm; this motion was seconded and approved by all three selectmen.

Middlefield Board of Selectmen

Special meeting

October 25, 2011

Minutes

(Not approved at time of filing)

1. Call to order

Jon Brayshaw called the meeting to order at 4:00. Present are selectmen Mary Johnson, Ed Bailey and Mary Johnson as well as town attorney Ken Antin and town planner Geoff Colegrove.

2. Agenda

A motion was made by Mary Johnson to approve the agenda as printed. This motion was seconded by Jon Brayshaw and approved by all three selectmen.

3. Executive session

A motion was made by Mary Johnson to enter into executive session at 4:07 pm; this motion was seconded by Jon Brayshaw and approved by all three selectmen.

A motion was made by Mary Johnson to come out of executive session at 5:36 pm; this motion was seconded by Ed Bailey and approved by all three selectmen.

It was noted that no votes were taken during the executive session.

A motion was made by Mary Johnson to authorize town attorney Ken Antin to prepare reply to Attorney Corona's letter of October 20, 2011, and to reject Alpine Ridge LLC's request for refund of deposit. This motion was seconded by Ed Bailey and approved by all three selectmen.

Jon Brayshaw read a prepared official press release.

A motion was made by Mary Johnson to adopt official press release noted as exhibit A (on file in the town clerk's office). This motion was seconded by Jon Brayshaw and approved by all three selectmen.

4. Adjourn

A motion was made by Mary Johnson to adjourn at 5:40; this motion was seconded by Jon Brayshaw and approved by all three selectmen.

Middlefield Board of Selectmen

Special Meeting

November 4, 2011

Minutes

(Not approved at time of filing)

1. Call to order

Jon Brayshaw called the meeting to order. Present are Jon Brayshaw Mary Johnson and Ed Bailey

2. Agenda

A motion was made by Ed Bailey to approve the agenda as presented. This motion was seconded by Jon Brayshaw and approved by Ed Bailey and Jon Brayshaw. Mary Johnson voted in opposition.

3. Executive session

A motion was made by Jon Brayshaw to enter into executive session at 10:18 am; this motion was seconded by Mary Johnson and approved by and Jon Brayshaw. Mary Johnson voted in opposition.

(Beginning of recorded meeting)

A motion was made by Mary Johnson to leave executive session at 11:49 am; this motion was seconded by Jon Brayshaw and approved by all three selectmen.

It was noted that there were no votes or decisions made during the executive session.

4. Adjourn

Before adjourning, Jon Brayshaw noted how much he enjoyed working with Mary Johnson.

A motion was made by Jon Brayshaw to adjourn at 11:49; this motion was seconded by Jon Brayshaw and approved by all three selectmen.

Middlefield Board of Selectmen
Regular meeting
November 22, 2011
Minutes
(Not approved at time of filing)

1. Call to order

Jon Brayshaw called the meeting to order at 7:02 pm with the Pledge of Allegiance, present are Jon Brayshaw and Dave Burgess.

2. Agenda (1:13)

Jon Brayshaw suggested tabling the minutes as Ed Bailey was not present, and to move the discussion of Powder Ridge to earlier in the meeting.

A motion was made by Dave Burgess to approve the agenda as amended; this motion was seconded and approved by both selectmen.

3. Recognition of Mary Johnson and Mary Hooper (4:36)

Jon Brayshaw recognized both Mary Johnson and Mary Hooper for their years of dedication. Jon Brayshaw read a citation into the record recognizing Mary Johnson for her years of service on the Board of Selectmen, and presented her with a flag that had been flown over the Middlefield town hall. Mary Johnson expressed her thanks and gratitude for the citation and the gift, and noted it has been her pleasure to serve to the town.

Jon Brayshaw recognized Mary Hooper for her many years of service as the town treasurer, and read a citation in her honor and noted there will be an engraved brick in her honor placed at Peckham Park.

4. Powder Ridge (14:37)

Jon Brayshaw noted that there are four viable groups who have expressed interest in the Powder Ridge property.

Mary Johnson stated she has been speaking to one of those and if they can extend the current contract though January 31, 2012 to allow them time to talk with Alpine Ridge they may be back in business.

Jon Brayshaw noted they need to put tarps on two of the roofs over the winter.

Marianne Corona encouraged the board to continue and finish the water diversion permit.

It was stated that they would need to extend the contract tonight in order to make it work. Jon Brayshaw noted reluctance as Ed Bailey was not present. Dave Burgess stated he would make the motion. Jon Brayshaw noted by approving the extension, it would not give them any exclusivity, as there are other people who are interested and he would not approve it without that understanding. Mary Johnson explained that continuing

to deal with Alpine it will be allow the town to not have to expend the funds needed to get to this point again with another company.

Jim Malcolm stated that he did not agree with extending the contract for Alpine as there are others now interested in the property, including himself as a potential buyer.

The selectmen debated whether or not to make this extension. Jon Brayshaw agreed he would extend it one month in order to allow time for review by all the selectmen.

Jim Malcolm voiced his opposition to this extension stating that it limits the amount of time others could come forward to make an offer.

Dave Burgess made a motion to extend the contract to extend the closing date of the contract with Alpine Ridge LLC until December 31, 2011. This motion was seconded by Jon Brayshaw and approved by both selectmen.

Marianne Corona asked again that they continue to work on and complete the water diversion permit process.

5. Succession (39:55)

A motion was made by Dave Burgess to designate and approve the line of succession as follows: Jon Brayshaw-First Selectman, Ed Bailey-Second Selectman and Dave Burgess-Third Selectman and fourth the chairman of the Board of Finance. This motion was seconded and approved by both selectmen.

6. Meeting schedule for 2012 (41:04)

Jon Brayshaw provided a list of the regular meetings for the 2012 calendar year.

A motion was made by Dave Burgess to approve the calendar for 2012; this motion was seconded and approved by both selectmen.

7. Meeting protocol (41:53)

Jon Brayshaw explained he would like to come up with a workable public comment section with a time limit. It was suggested they limit public comment to 5 minutes per person. Board members discussed the issue.

A motion was made to limit contributions from the public, under Public Session only, to five minutes per person per subject matter. This motion was seconded and approved by both selectmen.

8. Public Comment (49:22)

Jim Malcolm stated that he would like to contact the selectmen to discuss the purchase of Powder Ridge. Jon Brayshaw stated that would be fine.

9. Planning agency changes (50:08)

Jon Brayshaw stated that there will be a new planning agency developed. Currently there are 17 towns in a group that will be ratifying a larger planning agency that he would like to be a part of. Jon Brayshaw noted there will be a town meeting necessary to approve this and the annual town meeting will be held on December 5 per the charter.

Marianne Corona noted that Geoff Colegrove has been the town's town planner and this position will have to be reviewed as a separate issue.

Jon Brayshaw noted on December 5, there will be a regular Board of Selectmen meeting, and the annual town meeting which will include the vote on ratifying the agreement for the new planning agency.

In response to a question, Jon Brayshaw stated he was unsure if they would be deciding the DMIAAB agreement at that meeting.

10. FEMA (1:00:58)

Jon Brayshaw noted there has been a great deal of effort to keep track of all the expenses related to Storm Irene and Storm Alfred. Storm Irene's expenses were approximately \$55,000 of which they are expecting \$25,000-\$30,000 from FEMA. For Storm Alfred's expenses they are unsure how much FEMA will be providing for that storm. Jon Brayshaw noted that since August the road crew has only been doing storm clean up and will be unable to do leaf pick up. Jon Brayshaw explained once the massive amounts of brush are picked up, they will contract for someone to come out with a tub grinder and turn it all into chips.

Marianne Corona suggested the town consider purchasing a chipper as this is going to be a problem in the future as well. Jon Brayshaw noted they also need to review the tree cutting budget to address it as well.

11. Fazzino/Rovers (1:10:21)

Jon Brayshaw reported the land transfer has nearly completed with the small parcel of land between Rovers and Fazzino's.

12. Bridge replacement (1:10:28)

Jon Brayshaw reported that DOT has requested a meeting for December 6 at 11 a.m. to discuss the bridge replacement on Route 147. Jon Brayshaw noted that is the main route between Durham and Middlefield and as the work will take up to two years they will need to pay attention to the details of managing the traffic.

13. Signatures (1:13:36)

Jon Brayshaw noted each year they need to sign some papers having to do with the bank accounts, and indicated he and Dave Burgess can do this after the meeting.

A speaker stated that the resolution needs to be done.

Jon Brayshaw read the three resolutions regarding the signatures on the bank account, for TD Bank, Liberty Bank and Farmington Bank.

A motion was made to adopt the three resolutions for the authorization agents Board of Selectmen, TD Bank, Farmington Bank and Liberty Bank; this is the resolution of the signatures for the Board of Selectmen members; this motion was seconded and approved by both selectmen.

14. Durham/Middlefield Board of Education (1:20:10)

Jon Brayshaw reported ever couple of years Durham and Middlefield have a meeting with the Board of Education, and the towns Board of Selectmen and Board of Finance. Jon Brayshaw stated there will be a meeting this year on December 7, and if the Board of Selectmen members attend he will post it as a meeting. Dave Burgess noted he would attend.

15. Housing authority (1:21:17)

Jon Brayshaw noted the housing authority has lost two key members this past year and Mark Gribko has expressed an interest in serving on that board.

A motion was made by Dave Burgess to appoint Mark Gribko to serve on the Middlefield Housing Authority, term dates to be determined; This motion was seconded by Jon Brayshaw and approved by both selectmen.

16. Miscellaneous (1:24:10)

Dave Burgess noted during his campaigning there were a lot of concerns brought up regarding traffic, including speeding especially during the times when kids were waiting for busses. Dave Burgess asked if they could request more police presence on certain roads, a list that Lucy Petrella has, for those morning and afternoon hours when there is a lot of bus traffic. Jon Brayshaw noted they have already been including the area around John Lyman School and Memorial School in the mornings. Jon Brayshaw said that the number one issue from townspeople is speeding. Dave Burgess stated he would get the list from Lucy and provide it to Jon Brayshaw, noting the concerns are primarily when the kids are waiting for the busses and when they are being dropped off.

Marianne Corona noted the police cruisers need to be marked so that their presence is known.

17. Adjourn

A motion was made to adjourn at 8:30 pm; the motion was seconded and approved by both selectmen.

Board of Selectmen

Regular Meeting

December 5, 2011

Minutes

(Not approved at time of filing)

1. Call to order

Jon Brayshaw called the meeting to order at 7:07 pm, with the Pledge of Allegiance. Present are Jon Brayshaw, Ed Bailey and Dave Burgess.

2. Agenda

Ed Bailey asked to add a discussion and motion for approval of meeting dates for 2012. It was noted this was done at the last meeting.

Dave Burgess asked to have a follow up on police presence.

A motion was made by Dave Burgess to add to the agenda under New Business a discussion of police presence. This motion was seconded by Ed Bailey and approved by all three selectmen.

A motion was made by Ed Bailey to approve the agenda as amended. This motion was seconded by Dave Burgess and approved by approved by all three selectmen.

3. Approval of minutes

A motion was made by Jon Brayshaw to approve the minutes to the October 18, 2011, October 25, 2011 and November 4, 2011 meetings. This motion was seconded by Ed Bailey and approved by Jon Brayshaw and Ed Bailey. Dave Burgess abstained from voting as he was not present for those meetings.

A motion was made by Dave Burgess to approve the minutes of the November 22, 2011 meeting as filed. This motion was seconded and approved by Jon Brayshaw and Dave Burgess. Ed Bailey abstained from the voting as he was not present for that meeting.

4. Public Comment (5:55)

There were no public comments

5. Powder Ridge Update (6:03)

Jon Brayshaw noted the BAN will be executed tomorrow and will require several signatures. He noted there are copies of the note and its history available to the public. This BAN is for nine months, up to September 12, 2012, with an interest rate of 1.75%. At that point they will have paid off approximately \$300,000.

Jon Brayshaw stated according to the town attorney the previous agreement can not be extended as it was between Alpine and the town and Alpine is not a party to it any longer.

Jon Brayshaw noted that the building official feels it is necessary to provide a lot more security up on the site and in the next few weeks there will be a lot more signs posted and there will be plywood installed over some of the openings. Jon Brayshaw stated they will be fencing the pool and the restaurant building as they are very unsafe. Dave Burgess noted they need to advise the Board of Finance as the expense is not budgeted.

A speaker asked what roll the public works department will play in helping with the security. Jon Brayshaw stated they are far behind in their duties due to the brush pick up that has taken place, and much of the work is out side of their skills.

Marianne Corona asked about the liability insurance regarding this. Jon Brayshaw stated his understanding is the town does not have a lot of liability insurance on that property, but Joe Geruch would have better information. He explained once the building official placards the buildings, the town 30 days to come up with a game plan to make the buildings safer.

In response to a question, Jon Brayshaw noted the people who were arrested on the site will be in Middletown Superior Court.

6. New Planning Agency (16:54)

Jon Brayshaw explained that the town has to ratify the decision to become part of the bigger group. There is a document available in the town clerks office that explains what they will be voting on. He noted they should consider ratifying this in January, and set a date for the town meeting to vote on it.

It was agreed to have the town meeting to vote on this, as well as the continuation of the Annual Town Meeting to February 6, noting they will need to have the town reports ready for that date. It was suggested to include the DMIAAB agreement as well.

A motion was made by Dave Burgess to set Town meeting for February 6, 2012 for the following items: 1) Annual Town Meeting; 2) Council of Elected Officials action regarding the merge of Midstate Regional Planning agency and the Connecticut Estuary Planning Region; and 3) the adoption of new DMIAAB agreement. This motion was seconded by Ed Bailey and approved by all three selectmen.

7. Brookside Industrial Park (25:38)

Jon Brayshaw provided information given to him from the Economic Development Commission, including a draft proposal. Board members reviewed and discussed the draft. Dave Burgess suggested the inclusion of a performance bond. It was agreed the document they had was not an agreement, but highlights of a potential agreement. Dave Burgess noted he did not think it possible to have the agreement include the issue of tax abatements. Jon Brayshaw provided some history on the property and the various uses that had been considered. It was agreed that the town Attorney would review the document.

A speaker stated that as much as they want economic growth in town, he had concerns about the taxpayers becoming the financial institution for these ventures, and suggested it puts the town at risk. He stated there should be a performance bond in place to protect the town.

It was noted the concerns about the town bankrolling the project had been brought up at the Economic Development Commission.

Jon Brayshaw stated he would bring these concerns to the town attorney as well as the Economic Development Commission. Marianne Corona asked that the attorney also elaborate on what he may see as other issues the town has to address.

Lucy Petrella asked about conflict of interest-noting that Mr. McLarty the main principle of Coastal Enterprises is a tenant of Jon Brayshaw's building. Jon Brayshaw noted that was true and has not gone to the Economic Development Commission meetings to avoid any conflict. Lucy Petrella suggested there is a conflict and noted with the Planning and Zoning Commission if there is any chance of legal issues, a member would excuse themselves. She also noted she is in favor of developing the industrial park. She noted with this potential agreement the town will get \$75,000 but will have to pay OR&L 100% of their commission based on the selling price. Ed Bailey noted the Economic Development Commission has plans to discuss this with OR&L.

Jon Brayshaw described other entities who have shown an interest in the property but because the town can not make it available quick enough they have moved on. This will allow them to have the property ready.

8. Pogmore project (1:00:14)

Jon Brayshaw provided a report from the town engineer that goes over the project. The piles will be left to drain over the wintertime.

Marianne Corona noted in wetlands law there is no such thing as non conformity and she would like a copy of what the town engineer wrote sent over to the Inland Wetlands and Watercourses Agency . There was also a letter from Lee Vito that will be sent to the Inland Wetlands and Watercourses Agency.

9. FEMA Report (1:02:13)

Jon Brayshaw noted that Storm Irene cost about \$43K and the town will be reimbursed by FEMA for about \$32K. With Storm Alfred Jon Brayshaw noted as soon as the road crew picks up brush from one street, the next week there is more brush being put out and they need to have residents understand they have to stop putting it out. A speaker stated once the crew finished a street, they can simply not go back again.

Marianne Corona suggested also the crew should document the street and pick up the brush only once.

Board members agreed they need to make people aware through the media that the town will pick up only once.

Jon Brayshaw noted it will cost tens of thousands of dollars to manage the brush that has been collected.

10. DMIAAB (1:09:46)

Jon Brayshaw reported the task force was given a list of concerns, and they were to address those as well as the Durham concerns. Jon Brayshaw described the scale installation that is taking place on the site.

Lucy Petrella reported the task force has met and completed their function and their recommendations will be sent to the selectmen.

11. Joint meeting with BoE, BoFs and BoS Dec. 7, 2011 (1:11:59)

Jon Brayshaw stated there will not be a joint meeting on Dec. 7, and he is going to meet with the First Selectman of Durham and plan out an agenda along with a meeting place and a date to be announced.

12. Year End Audit (1:14:00)

Jon Brayshaw stated the audit is done. Dave Burgess noted that he has read the audit and had a concern which he addressed with Joe Geruch and it was alleviated by the fact there is a rider on the policy, which protects the town.

13. Police Presence (1:16:37)

Dave Burgess provided a listing of the streets that he and Lucy Petrella had collected during their campaigning that residents had concerns about public safety. The list contained seven streets that the concerns had to do with school age children as they waited for busses or in the later afternoon when being dropped off.

Ed Bailey noted he too had residents complain a lot about the speeding on those streets, and it was a common concern that was mentioned. Ed Bailey asked about the looking into the small radar devices that are attached to telephone poles.

Board members agreed speeding is an issue and the police presence in those areas will help.

Marianne Corona asked that the new cruiser be marked as a Police Car.

It was noted the police need to be visible in those areas possibly on a rotating basis so that there is good coverage.

14. Goals (1:23:51)

Jon Brayshaw noted he had four items he considers goals for the board: Charter Review, Computer use policy, Job Descriptions and a Purchasing policy. He asked if the other selectmen had goals they would like to add to the list, to let him know and they can begin to look at them.

15. Appointments (1:26:11)

A motion was made to reappoint Bob Johnson to the Planning and Zoning Commission as a regular member. This motion was seconded by Dave Burgess and approved by all three selectmen.

Jon Brayshaw noted there are various vacancies and people should come forward if they are interested in serving.

16. Adjourn

A motion was made to adjourn at 8:34pm; the motion was seconded and approved by all three selectmen.