

MIDDLEFIELD BOARD OF SELECTMEN
405 Main Street
Middlefield, Connecticut 06455

Minutes of the June 19, 2018 Regular Meeting

Call to Order

Ed Bailey called the meeting to order at 6:40 PM. Dave Burgess and Edward Bailey were present; Bob Yamartino arrived late.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Approval of Agenda

Mr. Burgess made a motion, seconded by Mr. Bailey, to approve the agenda, as written. Motion carried, with Mr. Yamartino abstaining.

Public Comment

None.

Approval of Minutes of the Board of Selectmen Meetings

- A. April 2, 2018 Regular Meeting. ***Dave Burgess made a motion, seconded by Ed Bailey, to approve the minutes of the April 2, 2018 regular meeting of the Board of Selectmen, as presented. Motion carried, with Bob Yamartino abstaining.***
- B. May 7, 2018 Regular Meeting. These minutes were not available at this time.
- C. June 7, 2018 Special Meeting. ***Dave Burgess made a motion, seconded by Ed Bailey, to approve the minutes of the June 7, 2018 special meeting of the Board of Selectmen, as presented. Motion carried, with Bob Yamartino abstaining.***

Presentation by the Coginchaug Area Transition Team (Community Garden Committee)

Betsy St. John, Sue VanDerzee, Jen Huddleston and Judy Moeckel were present at tonight's meeting. Ed Bailey explained that they wanted to take an area outside the building and create a

common good garden. It was explained that all produce would be donated to the local food bank, a limited foot distribution in Durham or Amazing Grace. They are hoping to enlist the help of community groups to maintain the garden. The garden would also be educational and Sue Michael, the outdoor education teacher for the district, will be coming to a planning meeting next week.

They intend to start small and asked the Selectmen for space and access to water. Ed Bailey stated that there is an adequate well that serves the Community Center and the Fire House, with a hose outside. Dave Burgess felt that it was a wonderful idea and for a good cause. He suggested they contact the newspaper to get the word out and they also agreed to use social media. They also intend to visit local churches, etc. to gather interest and then hope to have a manager to schedule the duties. They have also talked with an Eagle Scout about helping to build raised beds.

They would be looking to put the garden in the flat area by the tree and the courts. Dave Burgess also suggested they put a sign up announcing the upcoming garden that people can see when they come to vote. Ed Bailey explained that that location is where Bob Yamartino envisioned pickle ball courts, but he would prefer to see them at Memorial School.

Mr. Bailey had no problem with this idea and suggested that the ladies mark it out and he will talk to the town staff about the area. Once the idea is fully vetted, they will make a resolution by the Board of Selectmen to support it.

Strickland Farm Lease - Attorney John Corona

Ed Bailey reviewed that Attorney Corona had made a presentation back in October or November.

Attorney John Corona was present on behalf of the Durham Agricultural Fair Association and reviewed that the Durham Fair began leasing the Strickland Farm property and use it for parking. Before that time, it was leased to a vegetable farmer and there had been a problem with contamination in some of the groundwater. The Durham Fair returned the property to a hay field.

Attorney Corona reviewed that the Durham Fair has historically used the property once a year, with maybe one event outside the annual event in all the years. The property is fertilized and mowed every year and the hay is taken by a farmer, but they have just learned that Greenbacker's Farm is going out of business. The Durham Fair does have another farmer in mind who will continue with the work.

Bob Yamartino arrived at this point in the meeting.

Attorney Corona explained that the Fair would like to make a long-term commitment to the property and the draft lease proposes a 10-year lease with an option for renewal of 10 more. It does provide exclusions for properties that the town may want to take out. They have proposed a rent which is consistent with the current rent of \$13,800 for 10 years. The Durham Fair also spends \$6,000 or \$7,000 on the fertilizer for the property every year.

Attorney Corona would like the Board of Selectmen to consider the lease for a 10-year term with the option for the second 10 years. There have been several modifications to the lease over time and he explained that this lease is consistent with what has been in place. He mentioned that he has spoken with Ed Bailey about someone else planting part of the property, but he explained that the Durham Fair is not interested in doing that nor is the farmer that they will use. However, they are not opposed to providing something in the lease to offer that possibility in the future and hoped that any activity would require the joint consent of both the Durham Fair and the town.

Ed Bailey felt that the lease is very mutually-beneficial in that the property is kept as open space and the Town does not have to carry that expense. The benefit to the Durham Fair is for parking and they are concerned that there is a reliable, steady plan in place. Mr. Bailey does not recall anyone complaining about the Fair's use of the property, though there have been some issues with traffic control. Dave Burgess does feel that it seems to be very well-organized in the parking lot.

Mr. Burgess had no problem with the agreement and felt it has a long history going back to the 90s. Attorney Corona is aware that people have concerns with having to pay for parking on town-owned property, but reminded everyone that the Fair pays to lease the property and pays for maintenance of the property. He also explained that the Fair has nonprofit organizations manage the parking lots and they are paid a fee for that service. Attorney Corona also explained that this lot is also an integral part of the traffic plan, keeping a lot of the traffic out of the center of Durham along with Wimler Farm and the Greenback property. He also explained that the Greenbacker lot will likely be lost in the coming years.

Bob Yamartino asked about the property boundaries of the Strickland property and Attorney Corona explained there is no singular map to show that and the tax map is the best available. There is no longer access from the old Indian Trail side of the property. Ed Bailey explained that most of the parking is in the central part of the property. The Durham Fair doesn't use the area down the slope because it is usually too wet for parking. Ed Bailey asked if Attorney Corona knew the capacity of the parking lot and he did not, stating that the Fair has never come close to filling it.

Mr. Yamartino asked about the rent on the lease and Attorney Corona explained that the original lease was for \$10,000 in 1998 and has escalated by almost \$4,000. Mr. Yamartino calculated that this new lease is just over .6 percent from the current lease and would be fixed for 10 years.

Attorney Corona has polled some farmers and no one would seem willing to pay even \$10,000 to hay the property.

Attorney Corona stated that the Durham Fair would need to hear any comments about the proposed lease very soon and Ed Bailey stated he'd like to see it resolved within 30 days. Dave Burgess felt that this has been a longstanding partnership and is income for the town. Mr. Yamartino brought up that the Board of Education may want to use the property to park school buses, but Mr. Bailey wasn't sure that would be an acceptable use. Attorney Corona felt that a 10-year lease would be an advantage to both parties. Mr. Yamartino mentioned that he'd like to see a walking/running path that could connect Strickland Farm with other open space and Peckham Park at some point.

Ed Bailey explained that the Durham Fair has used the property for 20 years and the town has not come up with another use for it. Bob Yamartino would like to take time to review the lease. Mr. Bailey felt that the town required maintenance be done on the property so that it can remain open space and this lease has worked out very well for the town. Attorney Corona stated that Mr. Greenbacker had given him an estimate of \$40,000 annually to mow the property, without fertilization.

Mr. Yamartino also mentioned that he has heard folks complain about the cost of parking and asked what the escalation of the price of parking has been since this lease is remaining basically flat. Attorney Corona did not have information about the cost of parking, but does not believe that it has increased since it was implemented.

Attorney Corona offered to put a clause in the lease regarding subletting the property for crop farming. Mr. Bailey pointed out that rent for the second 10 years would be \$144,000, a slight increase over the \$138,000 (4.34 percent). Mr. Burgess felt that it will be guaranteed income with no maintenance and people can still use the property as open space. Mr. Yamartino felt it was odd to see a lease for 20 years without annual increases, but understood that this is not a normal lease.

Attorney Corona will provide updated language and this will be reviewed again at the next meeting. They will also have the Board of Finance and the town's attorney review the lease.

Update from Board of Education member Bob Yamartino regarding Board of Education

Bob Yamartino reported that the Board of Education is in its quiet time, but they are continuing to work on the potential closing of John Lyman School. A letter has been sent to the Board of Selectmen asking for a committee to be convened to discussion disposition of the school should the Board of Education look to close it. Ed Bailey thought that may be jumping the gun on that issue. Mr. Yamartino stated that the Board of Education felt that the disposition of Korn School

was not handled well and they did not want a repeat of that with John Lyman School. They would like to know what Middlefield would consider acceptable uses for the building. Mr. Yamartino reiterated that no decision has been made as of yet to close Lyman, but there may be a better than even chance that it would close.

Discussion continued about maintenance and capital improvements costs at John Lyman vs. how much it would cost to close the school. Ed Bailey thought that it costs \$950,000 a year to keep John Lyman open. Mr. Yamartino explained that the Board's Finance Committee will do a complete study of the numbers. He also stated that it is costing the district between \$60,000 and \$70,000 to maintain Korn School while it is closed, with no capital improvements. Ed Bailey felt that number was closer to \$80,000 per year as it is partially used. Bob Yamartino noted that there is close to \$5 million worth of work that needs to be done at John Lyman.

Dave Burgess felt it would be important for the people of Middlefield to weigh in on this subject before any decision is made. Bob Yamartino reviewed all of the meetings and public information sessions that the Board of Education has held. The Utilization process has been going on for three years, with the focus being on John Lyman School for the last year.

Ed Bailey reviewed that the Board of Selectmen does not get involved in the decision to close John Lyman School, but the Board of Education would like input about acceptable uses for the building. Mr. Bailey felt that the delay in disposition of Korn School was due to the fact that Durham wanted to gain control of the property. He also stated that Middlefield has no desire for the building as they already have more park space and building square footage than is necessary for a town this size. Mr. Burgess again stated that he felt it would be important for the community to have input in this.

Mr. Bailey believes that an ad hoc committee should be formed to come up with some possibilities and that committee would get public input to do that. Mr. Yamartino asked who would determine the zoning for the building and Mr. Bailey explained that that would fall on Planning and Zoning. Mr. Burgess did not feel the issue should be presented as a question of zoning and Mr. Yamartino explained that the potential uses of that building will determine the sales price.

Ed Bailey thought that he could charge the Planning and Zoning Commission to take this issue on and possibly Economic Development as well. He reviewed that the building would have to be demolished because it doesn't conform with the zoning. The question is could the zoning be changed to accommodate other uses.

Dave Burgess would like to wait for the Board of Education to make a decision before making any changes. Due to the lengthy process of re-zoning and then selling a building, Mr. Yamartino

asked Mr. Burgess if he would be okay with an abandoned building on the site for two to three years.

Mr. Bailey asked if the future use of the building would have an impact on the Board of Education's decision to close the school and Mr. Yamartino felt that it would impact the financial aspect. He also felt that if the acceptable uses are highly-restrictive, the Board of Education will have to get a commercial real estate broker to appraise the building and it may take quite some time to sell the building. Mr. Yamartino also brought up the investment that the Coginchaug Soccer Club put into the property as well as the playground equipment there. He also mentioned senior housing.

Bob Yamartino felt that this boils down to a decision of whether to raze the property or sell it, and what uses would be acceptable in the building if it was sold. Mr. Bailey stated that he will talk to the Town Planner and ask whether Planning and Zoning can participate on the committee. Mr. Yamartino also felt that Planning and Zoning needs to look into locations for strip clubs, porn shops and recreational marijuana stores and if they don't want that in town, it needs to be put in the regulations now. Mr. Bailey explained that the Planning and Zoning Commission is preparing an RFP for a revision of their regulations.

Dave Burgess felt that the public will have a problem moving forward on this when the question of closing the school is still in doubt.

Health District Progress Report and Process

Ed Bailey reported that this is behind schedule as there are some issues with the bylaws which need to be cleaned up before we can move forward. No official letter of invitation has been received, but they did agree to have Middlefield join. Mr. Bailey hopes to have this complete by August 1st. He believes the buy-in costs will be \$54,000 the first year, with an annual cost of about \$29,700. As of now, the State of Connecticut will contribute \$1.65 per person.

Town Procurement Policy Revisions

Ed Bailey did not have the document completed because of the turnover in his office and will have it for the next meeting. Judi Rand, the former Assistant Town Clerk, has been hired as the Confidential Executive Assistant and is a non-union position.

SOLARIZE Connecticut Program Update - Workshop Wednesday August 15, 2018, 7:00 PM in the Auditorium

Ed Bailey reported that the first event was attended by over 50 people, but the last one had only about 10 people present. There will be two more, with the next one on August 15th and one in September.

Appointments

A. Lake Beseck Ad Hoc Committee

David Burgess made a motion, seconded by Bob Yamartino, to approve the appointment of an Ad Hoc Committee to be called the “Beseck Lake Environment Committee,” effective June 19, 2018. This committee is to advise the Board of Selectmen as needed and take actions with matters concerning the ecology of Beseck Lake including, but not limited to, water quality, sedimentation and evasive weeds. The Ad Hoc Committee shall also advise the Board of Selectmen as to the Town’s stewardship, advocacy, management and any other matters deemed important regarding Beseck Lake. The Committee will include: Rebecca Adams, Edward Bailey (as First Selectman), Randy Bernotas, Jim Irish, Melissa Kowal, Kathy Kukowski, John Lindner, Craig Lundell, Hannah Malcolm, Darin Overton, Amy Poturnicki, Rob Poturnicki, Richard Santos, Daria VanderVeer with Dick Boynton, Pete Parker (Public Works) and Lee Vito (Town Sanitarian) as advisors. Motion carried unanimously.

Bob Yamartino noted that the Beseck Lake Environment Committee does a fantastic job for the town in terms of truly understanding the needs of the lake and moving things along so that it can be kept in great shape. He also pointed out the work that has been done in terms of landscaping and renovation of the beach area. The other members agreed and the Board compliments them for all of their hard work. Ed Bailey also stated that the Ad Hoc committee and the Park and Rec Commission held an event at the beach that had a turnout of around 100 people. They are now going to start monitoring the make-up of the algae in the lake.

B. Zoning Board of Appeals - Michael Skelps, term 01/01/2018 to 12/31/2020

Bob Yamartino made a motion, seconded by David Burgess, to approve the appointment of Michael Skelps to the Zoning Board of Appeals with a term of 01/01/2018 to 12/31/2020. Motion carried unanimously.

First Selectman’s Report

Ed Bailey reviewed the personnel changes in the Town Hall and the new accounting and payroll systems that are being implemented. He also reported that the town did receive the TAR money from the State yesterday.

Bob Yamartino asked about pickle ball and Ed Bailey reviewed the presentation that was made earlier this evening by the Coginchaug Area Transition Team who would like to create a common good garden outside the Community Center. Mr. Yamartino was happy with pickle ball at Memorial School, but suggested that a public garden be developed at an area at Peckham Park, possibly with a gazebo and a few walkways. There could also be a place for a community garden. Ed Bailey wasn’t sure what the long-term use of that property would be and felt that maybe the Park and Rec Commission has a better handle on that. He stated that the ground is

very hard there and would need a considerable amount of topsoil. Mr. Bailey explained that the town parks are completely under the jurisdiction of the Park and Rec Commission, per town ordinance. Discussion continued about how this type of park improvement would be funded and the fact that most of the park is aimed more toward the enjoyment of the youth of the town. Mr. Bailey did think that accessibility to that part of the park may be a problem.

Ed Bailey suggested that this type of facility may be a good fit for the open space on Strickland Road and the adults would be separated from the recreational activities happening at Peckham Park. Mr. Yamartino felt that that might give more impetus to get the connecting pathways established. Mr. Burgess pointed out that there are bathroom facilities at Peckham Park.

Getting back to pickle ball, Bob Yamartino asked how this idea can be moved to fruition. Ed Bailey did not know if Park and Rec has done any work on this yet. Mr. Bailey did get a phone call from Rob Francis about the tennis courts and he was going to be getting some numbers together. Mr. Yamartino had sent an email to Kathryn Veronesi and Bob Moore about the lack of maintenance at the tennis courts, with an aerial photo showing the cracks in the courts. Mr. Bailey liked the idea of partnering with the school district to rebuild the courts at Memorial and incorporate pickle ball.

Bob Yamartino stated that Jim Irish had told him that the Board of Finance may be able to fund between \$20,000 to \$25,000 for the project. Mr. Yamartino also asked Mr. Bailey to check with the street light vendor about lights for the courts as well. Posts and lights are already in place, but no one was sure if they were working.

Mr. Yamartino wanted to know what could be done as the next step and Mr. Bailey stated that they needed to get feedback from the school district first and what their plan might be. Mr. Bailey stated that the US Tennis Association has grants available and he has the paperwork on that. Mr. Yamartino also commented that he sees people using the tennis courts at least three to four times a week.

Adjournment

*A motion was made and seconded to adjourn the regular meeting of the Board of Selectmen.
Motion carried unanimously.*

The meeting was adjourned at 9:30 PM.

Respectfully submitted,

Debi Waz

Debi Waz
Alwaz First