

MIDDLEFIELD BOARD OF SELECTMEN
405 Main Street
Middlefield, Connecticut 06455

Minutes of the March 21, 2023 Regular Meeting

Call to Order

Bob Yamartino called the regular meeting to order at 6:37 PM. Bob Yamartino, Carol Bufithis and Jim Irish were present.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Approval of Agenda

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

Public Comment

None.

Approval of Minutes of Selectmen Meetings

a. February 21, 2023 Regular Meeting

Mr. Yamartino asked to change the third paragraph of the Solar Project Update as follows: the town can conceivably receive \$50,000 over the next 20 years. He also asked to change the lettering of item Selectmen/Select woman report. He also asked to delete the words “approach” and “and” from the second paragraph of item f.

Jim Irish made a motion, seconded by Carol Bufithis, to approve the minutes of the February 21, 2023 Regular Meeting, as amended. Motion carried unanimously.

b. March 6, 2023 Regular Meeting

Carol Bufithis made a motion, seconded by Jim Irish, to approve the minutes of the March 6, 2023 Regular Meeting, as presented. Motion carried unanimously.

Fire Company Supplemental Benefits Ordinance Revision

Bob Yamartino reviewed that they have been working with the Fire Company on their supplemental benefit over the past year. The method by which the firemen are awarded benefits is based on the number of years served, the number of incidences they report to and what levels of certification they have achieved with more emphasis on attending more of the calls. The overall amount of the benefit has gone up 5 or 10 percent this year to better reflect the needs of the department and recognize seniority, based on suggestions from the Fire Company. They also found that there is a town ordinance that discusses the Fire Company's supplemental benefits with some very specific provisions that the new plan don't align with. They are going to propose a change to the ordinance, the Board of Selectmen will need to review that and recommend a public hearing, with a town meeting to approve it. Jim Irish felt it would make sense to have it as part of the Charter Revision. He also felt that rewarding people for their level of participation is a good thing.

Public Communications

Bob Yamartino noted that people have reached out regarding the removal of the tires. The tires were removed last week and the garbage removal should have been completed today.

Carol Bufithis received a call from Tom Kilroy regarding CT General Statute 4973(b) which would help get the town's money back. He stated that the town would need to notify the bank and the people in the house within 30 days and there would be a better chance of getting the money back. Mr. Yamartino explained that Middlefield does not have a blight ordinance, so that statute does not apply. They have discussed a blight ordinance which would specifically enable the Tax Assessor to place a lien on a property for clean-up of a violation. Any tax lien goes to the first position against a property. The main reason the town has not moved forward with a blight ordinance in the past is that defining blight is very challenging. Mr. Yamartino added that the Department of Environmental Protection did nothing to help the town prevent the situation. He is totally disappointed with the number of calls made to the Lieutenant Governor and DEEP only to get little to no response. He was also discouraged with the response from the courts. Mr. Yamartino noted that the clean-up finally happened because of zoning violations.

Jim Irish thought they should get Lee Matterazzo's thoughts about how effective the ordinance in Middletown is and how they have tried to streamline the process. He felt that they have learned that it's not very time efficient to work through the courts. Carol Bufithis encouraged Bob Yamartino to touch base with Tom Kilroy as well. Mr. Yamartino added that he would have seized their vehicles months ago if he knew that was possible. As of now, there were 8,300 tires on the property. Mr. Yamartino added that this has been going on for a year.

Jim Irish complimented the work on both the website and the Facebook page. Comments are now allowed on the Facebook page, but Mr. Yamartino stated he will not respond to any.

Selectmen/Selectwoman Reports

a. Solar Project Update

Bob Yamartino had nothing additional to report other than they are working on getting the Coginchaug High School solar project going. As far as the transfer station project, the company has been reaching out to George Eames. Mr. Yamartino would still like to do something behind-the-meter for the town and trying to get Durham to cooperate may be too big of a challenge.

Mr. Yamartino noted that having the solar project would have been a nice cornerstone for the environmental certification Ms. Bufithis is working on, but hopefully they can get energy audits done and work on individual solar. Ms. Bufithis reported that there is at least one thing under every initiative that is already completed, except for the homelessness initiative. Jim Irish added that the Sustainable CT agency offers free energy audits.

b. Ross Road Tires Update

Bob Yamartino stated that the total cost of the remediation is coming in at just under \$30,000. An invoice will be prepared to send to the property management company that the bank has hired to see if they will just pay it. He has also instructed Jerry Russ that if the last truck rolls off today, he should start preparing the document of the fine. The fine has been in effect since January 6th and is \$150/day. That will go directly to the bank and they have 10 days to respond. If the bank doesn't respond, Bob Yamartino will go to the hearing officer to enter a default judgment against them. They will be notified of the default judgment and then have 30 days to respond. If they don't respond to that, it gets filed with the court to get a judge to enforce the fine which then starts another process that may take a month or two. If the fine is enforced, the town puts a lien on the property. The bank involved is Wells Fargo, which is the holding company, though a mortgage company bought the underlying securities from them.

In summary, the property is pretty well cleaned up now and the residents are well aware that if they bring any other junk onto the property, it can result in an arrest because of violation of the court order, a \$219 fine for illegally dumping trash and seizure of the property. The residents actually brought tires out of the garage and put them on the driveway for the town to pick up. The Resident Trooper fined them \$219 for illegal dumping. They could not be arrested as the tires were already on the property. Mr. Yamartino also understands that the bank has already started eviction.

c. Other

Carol Bufithis distributed a copy of a revision of the Common Ground grant. She asked the selectmen to review it and they can discuss it at the next meeting. She wants to be sure that they

are okay with Andrew Taylor presenting this. If they are not okay with this revision, Ms. Bufithis would like Middlefield to move ahead without partnering with Durham. At first glance, Mr. Yamartino felt that it was watered down. Ms. Bufithis agreed, but felt that they need to compromise to get something done as opposed to having it be much more provocative for people. She felt that there are more overt problems in Durham around racial justice and racial issues than in Middlefield.

Mr. Yamartino felt that she was really asking if Middlefield was going to continue to fund this initiative with ARPA funds, along with Durham. She agreed, but would then want to move forward without Durham. He looks at bullying in the district, racial issues and the fact that Durham is looking to cut Durham-Middlefield Youth & Family Services and Local Wellness Council funding and yet that organization is working hard to keep school-aged kids off of drugs and alcohol as well as suicide prevention. Carol Bufithis noted that Mr. Yamartino was talking about social issues, but they are not racial issues per se. She had a very long conversation with a family of color in town last week and the high school student stated that the “N” word is thrown around at the house school a lot and there are no consequences. Mr. Yamartino felt that they need to start the dialog.

Carol Bufithis felt that this new revision has a lot of open-endedness and people who would be asking for money may have a lot of different ideas. Jim Irish noted that the amount the communities would put in is not listed. Ms. Bufithis noted that Middlefield has \$5,000 earmarked and they have asked Durham to do the same. Mr. Irish felt that most times a funding opportunity is announced, the total dollars are listed. Ms. Bufithis agreed that something much more specific will have to be written up if the towns agree to it. She had heard that Chad Spooner was not happy with Middlefield’s proposal.

Jim Irish began a presentation about a number of projects in town that need champions if they are ever going to happen. The first project needing a champion would be the sidewalks or multi-use trails from Town Hall to the library to Main Street and the town stores. He went on to show slides and describe the project.

The second project would be to create a second Lake Beseck access road. A pathway currently exists for about .8 miles and goes over to Black Pond. It is seven feet wide and has a gentle grade. He then showed slides and described this project as well.

The third project would be extension of the Trolley Trail from Peckham Park over the Coginchaug River to Strickland open space. That would require an easement from the State of Connecticut and Hannah Malcolm ran into a hassle with the state. Bob Yamartino would like to see that connected to the top of Cherry Hill at the Strickland Farm. Jim Irish added that the state put in a trail in Meriden which ran about .8 miles at a cost of \$4.8 million.

Mr. Irish then described the project to extend the sewer line from Harvest Woods Road up Route 66. Another project would be extension of the sewer line from Lake Road north along Route 147.

Jim Irish summarized by reiterating that they need champions for these projects. Some should be under the purview of the EDC. Bob Yamartino reminded everyone that the town does not own the town green and would need the church's permission to do anything there. He understands that the church is having some financial difficulty and may be interested in transferring the property if the price was right. Mr. Irish felt that that is just what a champion could do. Bob Yamartino added that the Lake Beseck trail sounds like a recreational project, but Mr. Irish noted that it would also allow access for emergency vehicles. Mr. Yamartino felt that another potential would be to make it an actual access road. Jim Irish volunteered to be the champion for the access road project.

Bob Yamartino noted that they have gone through a number of town projects that are in different stages of design and engineering, with some of them close to being shovel ready for when grant opportunities become available. Mr. Yamartino thought it may be time to have a conference with all of the boards and commissions to lay out the various projects, explaining that no one can work in isolation. Hopefully, they can solicit help on the projects. He added that they also have needs at the Fire House and Town Hall. Carol Bufithis liked the idea of a joint meeting and noted that it could really be a visioning effort. Jim Irish agreed with the concept, but felt it runs the risk of creating a discussion about who has the right to decide things for a particular project. Bob Yamartino suggested creating an ad hoc committee for each project, with representatives from the boards and commissions, which is chaired by the champion. They then discussed which boards and commissions should be heavily represented on each project. Mr. Yamartino stressed that these projects will not be completely done with tax dollars and grants will be important.

Carol Bufithis asked if they thought there were any grants available in the list she gave them from Rosa DeLauro and Jim Irish stated that that list did not have community-funded activities, but rather grants available from the Build America Better infrastructure legislation. Mr. Irish felt that they should look at the state grants and he reviewed some of the available programs. There was then discussion about the road work necessary at Lake Beseck.

Carol Bufithis felt that they need to put a name on this process and let everyone know how hard they have worked to stabilize the boards and commissions as well as recreating the Economic Development Commission and Affordable Housing. Bob Yamartino suggested that the Board of Selectmen meet with the chairmen of all of the commissions first.

Bob Yamartino reported that they have received the results of the OSHA inspection and it has been posted in the workplace. There were a number of findings with a proposed fine of \$3,750. They have an appointment with the commissioner on Monday when they will see what fines can

be reduced or eliminated. Mr. Yamartino reviewed the items that received fines. OSHA will help the town with some of the planning and implementation of these items. The Fire Marshal also did an audit and gave a complete report and the building is in compliance.

Adjournment

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

The meeting was adjourned at 8:32 PM.

Respectfully submitted,
Debi Waz

Debi Waz
Alwaz First