

**MIDDLEFIELD BOARD OF SELECTMEN**  
*405 Main Street*  
*Middlefield, Connecticut 06455*

Minutes of the March 6, 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

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

Executive Session with Board of Finance - Cell Tower Lease Renewal

***Jim Irish made a motion, seconded by Carol Bufithis, to move into Executive Session with the Board of Finance to discuss the cell tower lease renewal. Motion carried unanimously.***

During Executive Session, no motions were made and no votes were taken. The Board of Selectmen will continue to work on the cell tower lease renewal with guidance received in the Executive Session.

Public Comment

None.

Public Communications

Jim Irish explained that the people in the Registrar's Office would like their file cabinet to lock and also noted that they are limited to one computer for each party, with times that they need two. They had asked if there was a possibility to get a small computer for each of the deputies. Jim Irish suggested they bring these issues to the Board of Finance when they talk about their budget. Bob Yamartino explained that Judi Rand's computer was at the end of its life, but in

fairly good condition. They recently acquired a laptop for Ms. Rand and Mr. Rusilowicz so that they can both work remotely, if necessary. Ms. Rand's computer was given to the Tax Collector. Mr. Yamartino stated that a lot of computers are at the end of the life spans. He added that the registrars may be better off with laptops and their needs should be assessed.

Carol Bufithis reported that Sue D'Orvilliers has reconsidered her lofty AARP project and is looking at doing something different now and is asking for bids.

Bob Yamartino received communication from Durham's former First Selectman regarding solar projects on Johnson Lane and she said that that encumbers the high school, but Mr. Yamartino does not believe that is the case.

### Selectmen/Selectwoman Reports

#### a. Solar Project Update

Jim Irish spoke to the project leader working on the system on the Farnham property between Haddam Quarter Road and Johnson Lane and they are doing an "all-buy" program. Because it is municipal, they had to identify the town's demand and the school's demand, but the all-buy program does not reallocate credits back to justify the municipal rate. All of the energy generated is sold to Eversource, but they give only 10 percent back. That means that the town could still use the school's load for a program, but the project leader wasn't sure if the 10 percent would have to be discounted off the behind-the-meter project. This project didn't get Siting Council approval until 12/2021 and it has taken them a year to line up approvals and financing. It will be a 2.8 megawatt system.

Bob Yamartino added that he spoke to the vendor today and was told that they need to get a right to use the property agreement for the transfer station location. Mr. Yamartino told him to email George Eames but noted that he would not commit the town to the project if they wanted to do a behind-the-meter at the municipal buildings and schools. The vendor explained that behind-the-meter is not the same for municipalities and houses. It would offset the electricity being used, but the demand charges would still have to be paid. Mr. Yamartino added that if Mr. Eames is interested, he would not be opposed to that.

Dave Lowry suggested that they write to the legislators to encourage them to change state policies on electric generation. He also felt that Eversource should not be spending money on lobbying and things like that, but then wondering why no changes in policy are happening.

In summary, Mr. Yamartino told the vendor that Middlefield might participate in the project at the transfer station, but it is unlikely because Mr. Eames has not responded. The board agreed that if Mr. Eames wants to work on the transfer station project, Middlefield will take another

look at it. Mr. Yamartino would like to move with solar, but he doesn't want to sell the power to the utility.

b. Ross Road Tires Update

Carol Bufithis went by the property today and it looked like a lot was happening. Jim Irish added that the issue made Channel 8 news and accurate information was broadcast which is a good thing. Bob Yamartino added that the information is on the town's website and Facebook page. He summarized that, as of today, the Town of Middlefield is exercising its authority under CT Superior Court Order #418032, allowing them to remove the tires from the property located at 198 Ross Road due to the fact that the tires present a health and environmental hazard and are in violation of zoning. The defendants are required to reimburse the town for the costs, though they may not have the financial wherewithal to do that. As of today, CT Superior Court is serving notice to the bank that has taken possession of the property that they are being named as a defendant on this order and if they are found liable as well, the town can place a lien on the property. The town has also been levying a fine of \$150/day since the beginning of January and Mr. Yamartino will execute the documents required to request the fines at the conclusion of the removal of the tires. They then have the opportunity to have a hearing on the total of the fine and depending on the result of that hearing, the town can then go to court to have the fine enforced. The total fine could be about \$9,000 which could offset part of the cost of removal, but if the defendant is found liable, the town will receive full cost of removal plus the fine.

Bob Yamartino will get in touch with the Health District to see what actions they want to take about cleaning up the interior. Carol Bufithis asked if DEEP has taken any responsibility and Mr. Yamartino explained that the only thing DEEP did was to provide a summary of the actions taken against the occupants of the property, with no comment about any action against the bank.

Jim Irish asked what the expectation was about Rep. Fishbein's bill and Mr. Yamartino stated that he spoke with him and filled him in on the action the town is taking and that the town is pursuing a judicial solution against the bank. Rep. Fishbein has the paperwork necessary to get the legislature to vote on the \$80,000 to send it to the Bonding Commission. Given that cost estimates are considerably lower than \$80,000 and that the town may recover some of the cost, Rep. Fishbein stated that the Bonding Commission would likely penalize the town with interest on money that was tied up. At that point, they agreed to wait and see where the judicial process takes it.

Mr. Yamartino noted that people in the community have said that the town is doing things behind their backs. Jim Irish put together a summary of all the actions to date and Mr. Yamartino thought they may want to add that to what has been posted online. Mr. Yamartino stated that the people speaking out in public media are totally uninformed and have never reached out to Town Hall, attended a Board of Selectmen meeting or read the minutes. A suggestion was made to Mr. Yamartino that he post something on the Middlefield Connects

Facebook page with the correct information so that people no longer have to read Jerry Finch's post. Jim Irish felt that it was moving in a good direction now and hopefully, by the end of week, it will be close to complete.

c. Budget

Bob Yamartino stated that the budget will be presented to the Board of Finance on Thursday night. The total non-tax revenues are up 5.8 percent and the amount of taxes to be collected is up 4.6 percent. Town expenditures are up 1.2 percent (\$38,986). Capital expenditures are up \$135,484 or a 15.8 percent increase, with \$90,000 of that being a new line item that is a result of an engineering survey done behind Lake Beseck. Chip sealing and repair of the roads are necessary. That results in a total municipal operations increase of 4.2 percent. Outside agencies are up 7.1 percent (\$45,000). The real driving factor is the school district which is up almost 5 percent (\$631,000). All of the town's increases total \$219,000 vs. the school district with \$631,000. Jim Irish mentioned that enrollment went in Middlefield's direction this year, but barely. Total expenditures for the town are up 4.8 percent in total.

This results in a mill rate increase of .89 mills or 3.2 percent after considering the non-tax revenue and increase in expenses. Jim Irish asked if there was an increase in the Grand List and Mr. Yamartino explained that there was and without that, the increase would be about 4.6 percent.

Bob Yamartino noted that money for a reserve fund for the firehouse is not included in this budget, but either is the anticipated surplus from this year's budget which should be between \$250,000 to \$300,000. This budget contemplates the reserves to be around 13 percent. He proposed that the surplus could be allocated directly into the Capital/Non-Recurring by the Board of Finance and approved at a town meeting.

Mr. Yamartino also mentioned that the budget incorporates a slight reduction in the Assistant Town Clerk's office, but still funds it at 21 hours. It also includes 14 hours of an Accounts Payable clerk which will take a considerable load off Tonya Hogan and Judi Rand. Carol Bufithis asked if Accounts Payable is part of the role of the Treasurer and Bob Yamartino explained that the Treasurer's function is to balance the accounts each month.

In the past, the Assistant Town Clerk was given the role of producing the Board of Selectmen minutes. This Town Clerk has stated that neither she nor the Assistant Town Clerk can do the minutes, by statute. Mr. Yamartino was not sure there would be much savings by bringing this function in-house, but savings could be seen by doing only what is required by FOIA with a summary written by a member of the board or by a verbatim transcript. Carol Bufithis felt that the minutes are long and tedious, but wondered how people in the community access the recordings of the meetings.

Bob Yamartino added that he, Tonya Hogan and Judi Rand have had discussions about the website and how to get updates done. Mr. Yamartino wondered if they should hire someone to get the website to where they want it. He would also like people from Park and Rec, Senior Services and Public Works to be comfortable enough to post on their sections of the website.

Jim Irish asked Mr. Yamartino to repeat his thoughts about the reserve for the firehouse. He explained that that line item has not been funded. He will suggest that the projected surplus be allocated to that line item to be voted on at the town meeting.

d. Other

Bob Yamartino stated the Economic Development had talked about an interest in Jackson Hill Road and Meriden Road sewer extension. He will reach out to Middletown to start discussions on this.

Mr. Yamartino noted that the contractor on the Lake Shore Drive culvert would like to start conducting some prep work, laying in additional piping, on March 8<sup>th</sup>, however that is not the official start of the project on the contract.

Jim Irish sent the consultant's work on Jackson Hill Road and Cedar Street to RiverCOG asking how to get it put into the plan. He also asked for ideas on funding for the trail over to Black Pond and has asked both senators' offices about the viability of funding for the \$90,000 chip sealing project at Lake Beseck. Bob Yamartino noted that they want the trail to Black Pond as an emergency egress from the lake and if it is open for public access, but closed to traffic except in case of emergency, it would a very scenic route. He felt that funding may be available for that. Mr. Yamartino also suggested that that trail be made available to ATVs. The board then had a discussion about ATVs at the lake and that everyone needs to call 911 and report them. They will start to impound the vehicles. Mr. Yamartino felt that it was a real problem to have them driving on the roads while they are not licensed and the vehicle is not registered or insured.

#### Adjournment

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

The meeting was adjourned at 7:45 PM.

Respectfully submitted,

Debi Waz

Debi Waz

Alwaz First