



# TOWN OF MIDDLEBURY

## Board of Selectmen

RECEIVED FOR FILING

Sept. 22 2023 at 12:05 p.m.

TOWN CLERK'S OFFICE

MIDDLEBURY, CT

### MINUTES

Special Meeting of the Board of Selectmen

September 20, 2023 – 4:00 p.m.

Town Hall Conference Room

*Erin M. Beaudin*  
TOWN CLERK

Start – 4:00 p.m.

End – 4:38 p.m.

#### Present:

Edward B. St. John, First Selectman  
Elaine Strobel, Selectman  
J. Paul Vance, Selectman  
Robert Smith, Town Attorney

Marj Needham, Middlebury Bee Intelligencer  
Sarah Shelton, Voices  
Liana St. Germain, Recording Clerk

#### Also Present:

Steve Huebner

#### Call to Order with Pledge of Allegiance

The meeting was called to order by the First Selectman at 4:00 p.m. with the Pledge of Allegiance.

#### Approval of September 5<sup>th</sup>, 2023 Meeting Minutes

First Selectman St. John MOTIONED to approve the minutes from September 5<sup>th</sup>, 2023, SECONDED by Selectman Vance. Unanimous approval.

#### Tax Rebates

ACAR Leasing LTD - \$712.11  
Sandra M Alfano - \$ 29.55  
Elisabeth Bell - \$61.23  
Thomas Browne - \$41.10  
CCAP Auto Lease LTD - \$58.84  
Lucille A. Dinova - \$36.48  
Honda Lease Trust - \$822.69  
Hyundai Lease Titling Trust - \$596.39  
Julinda & Admir Kulla - \$76.98

Jacquelyn A. Quesnel-Fisher - \$137.49  
Toyota Lease Trust - \$290.70  
Toyota Lease Trust - \$505.64  
Toyota Lease Trust - \$754.95  
Toyota Lease Trust - \$673.43  
USB Leasing LT - \$696.01  
Vault Trust - \$623.26  
Vault Trust - \$198.14

First Selectman St. John MOTIONED that these rebates take their usual course, SECONDED by Selectman Strobel. Unanimous approval.

#### Resignation

First Selectman St. John MOTIONED to accept the resignation of Mark Nagrabski from the Parks and Recreation Commission, SECONDED by Selectman Strobel. Unanimous approval.

## **Appointments**

First Selectman St. John stated that the Republican Town Committee had endorsed two individuals to the Zoning Board of Appeals, Dr. Brandon Cyr, and George Tzezos. First Selectman St. John MOTIONED to nominate Dr. Brandon Cyr (R), SECONDED by Selectman Strobel. Unanimous approval.

Term – 9/20/23 – 9/20/28

First Selectman St. John stated that the Republican Town Committee had endorsed two individuals to the Parks and Recreation Commission, Robert Mastroianni and Jeff Olsen. First Selectman St. John MOTIONED to nominate Robert Mastroianni (R) SECONDED by Selectman Strobel. Unanimous approval.

Term – 9/20/23 – 9/20/28

## **Discussion and Consideration**

### **Approval of Job Description**

#### **Accreditation Manager**

First Selectman St. John noted that Amy Von Culin is currently filling this position. First Selectman St. John also said they did very well on the first tier. First Selectman St. John stated that as part of the police accountability bill passed by our legislature, several mandates were required. The police department had to purchase body cameras and all cameras within each vehicle. J. Paul Vance goes on to note, with his history in law enforcement and having participated in this in the past, the accreditation process is pervasive, and to pass with no problems is an absolute feather in Amy Von Culin's hat as well as the Chief, and the men and women of the police department.

First Selectman St. John MOTIONED to approve the job description for Accreditation Manager SECONDED by Vance. Unanimous approval.

#### **Reserve Officer**

First Selectman St. John stated that this job description was redone as part of the accreditation certification. First Selectman St. John MOTIONED to approve the job description for the Reserve Officer SECONDED by Selectman Strobel. Unanimous approval.

Selectman Strobel mentioned that she was glad the Board of Finance approved the go-ahead on the "Property Fraud Alert."

First Selectman St. John stated to the present public, to clarify, that multiple residents brought to his attention that people can manipulate property ownership of someone and fraudulently switch it to someone else. Questions were asked about what the town was doing to protect its residents. Our Town Clerk, Brigitte, researched and found a software program that would work perfectly.

**Public Comments**

Mr. Huebner stated at the last Planning and Zoning Commission meeting that the Middlebury Small Town Alliance withdrew its application, but at the conclusion of the meeting, the chairman stated and went to great lengths, saying he was sorry to see that you withdrew the application. We really would like to have liked to have your input because we are in the planning process right now. Mr. Huebner goes on to say that he is unaware of any outreach to the residents on such a planning process. First Selectman St. John stated that he is unsure how far they are into the planning process. First Selectman St. John notes that the planner, Hiram Peck, has been working on this for several years, and we still have not seen the finished product. First Selectman St. John requested that Mr. Huebner reach out to the chairman, Terry Smith, and advise him of your interest in being part of that discussion and the planning process. Marj Needham stated that her observation of how the Planning and Zoning Commission handles things is they hire Hiram Peck, who works and comes back, and they approve or don't approve, and there may be a public hearing. Ms. Needham is unaware of any public input on when they first decided that they were going to make zoning regulation changes. Ms. Needham does not recall any public notice or public discussion, and she believes Hiram Peck was hired and that he's a pro and worked on it. First Selectman St. John noted that they haven't voted to change our zoning regulations. Mr. Huebner stated that the main question is that no public input meetings are being held. First Selectman St. John requested our town Attorney, Robert Smith, who is present, contact Attorney Dana D'Angelo on this concern.

First Selectman St. John questioned Mr. Huebner if he was the individual who posted on social media that every town employee received a 9% raise. Mr. Huebner noted yes, he did post that, and he posted it because he was informed that all town employees received a 9% pay increase. First Selectman St. John clarified that the town has four stipend employees – the Fire Chief, Fire Marshall, Inlands/Wetlands Officer, and the Zoning Enforcement Officer. First Selectman St. John stated that these employees work 19 or so hours a week, but instead of figuring out a percentage increase, each one would receive an increase of \$1,000, which is about 9%. Other town employees received 2.5%, and some received 4%.

**Executive Session**

None

**Adjournment**

Selectman Elaine Strobel MOTIONED to ADJOURN the meeting at 4:38 p.m.; SECONDED by Selectman J. Paul Vance. Unanimous approval.

The next meeting is slated for Monday, October 2, 2023, at 4:00 p.m.

These minutes are submitted subject to approval.

Respectfully Submitted,

*Liana St. Germain*

Recording Clerk

\*Attachments



September 6, 2023

RECEIVED FOR FILING

Sept 7 2023 at 11:05 a.m.

TOWN CLERK'S OFFICE  
MIDDLEBURY, CT

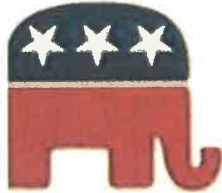
*Brigham M. Benson*  
TOWN CLERK

Dear Chairman Ron Clark,

I write to inform you that I will be resigning from my position as Commissioner from the Middlebury Parks and Recreation Commission effective September 8, 2023. It has been with great pleasure to work alongside such amazing individuals and serve the beautiful town of Middlebury for the past 4 years. I truly appreciate the opportunity that was given to me and appreciate everything that you and our commissioners do for the Town of Middlebury.

Sincerely,

*Mark Nagrabski*



## Middlebury Republican Town Committee

PO Box 1206, Middlebury, CT 06762

September 17th 2023

Edward B. St. John  
First Selectman  
Town Hall  
1212 Whittemore Road  
Middlebury, CT 06762

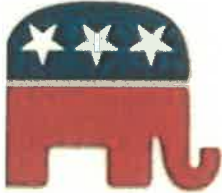
Dear Ed,

The Middlebury Republican Town Committee at its September 12th meeting, voted to endorse: Brandon Cyr of 252 White St and George Tzezos of 99 Burr Hall Rd0 for the position on the Zoning Board of Appeals..

Please share our recommendation with the selectmen when you consider appointments.

Sincerely,

Russ Tolles  
Secretary



## Middlebury Republican Town Committee

PO Box 1206, Middlebury, CT 06762

September 17th 2023

Edward B. St. John  
First Selectman  
Town Hall  
1212 Whittemore Road  
Middlebury, CT 06762

Dear Ed,

The Middlebury Republican Town Committee at its September 12th meeting, voted to endorse: Robert Mastroianni of 23 Atwood St and Jeff Olsen of 815 Breakneck Hill Rd for the positions of Parks & Recreation Commissioners.

Please share our recommendation with the selectmen when you consider appointments.

Sincerely,

Russ Tolles  
Secretary





## MIDDLEBURY POLICE DEPARTMENT POLICY & PROCEDURE

TITLE: Job Descriptions

NUMBER: 2.1

EFFECTIVE: 10/05/2021

REVISED: 7/26/2023

REVIEW: ANNUAL

ISSUED: Chief Patrick Deely

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### ACCREDITATION MANAGER

- 2.1.52 Works under the direct supervision of the Chief of Police. Responsible for keeping the Middlebury Police Department up to date and in compliance with all required and current standards of either The State of Connecticut Police Officer Standards and Training Council Accreditation Program or that of The Commission on Accreditation for Law Enforcement Accreditation (CALEA). The Accreditation Manager is to receive specialized training as soon as practicable following their assignment to accreditation, but not more than one (1) year from assuming Accreditation Manager duties.

### SPECIFIC DUTIES AND RESPONSIBILITIES

- a. Monitors and manages the Middlebury Police Department accreditation program and ensures that all P.O.S.T. or CALEA accreditation required reports and all-time sensitive activities occur as needed.
- b. Collects source material for the preparation of the department's reports on continued compliance with P.O.S.T. or CALEA accreditation standards.
- c. Compiles and maintains all proofs of compliance with the law enforcement accreditation process.
- d. Maintain accreditation files to ensure re-accreditation, handling standards updates and changes.
- e. Manage the software system for policy, training, P.O.S.T. or CALEA accreditation, and other records.
- f. Maintain and conduct P.O.S.T. or CALEA accreditation orientation for new employees and before on-site assessments.
- g. Manage and proactively prepare for the yearly file reviews and the P.O.S.T. or CALEA accreditation on-site assessment.
- h. Perform compliance inspections based on established guidelines for P.O.S.T. or CALEA accreditation.
- i. Perform statistical analysis as needed by the department.





## MIDDLEBURY POLICE DEPARTMENT POLICY & PROCEDURE

TITLE: JOB DESCRIPTIONS- Reserve Officers

NUMBER: 2.1

EFFECTIVE: 07/01/2023

REVISED:

REVIEW: ANNUAL

ISSUED: Chief Patrick Deely

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I. PURPOSE:

- To establish a policy concerning Reserve Officers.

II. POLICY:

It shall be the policy of the Middlebury Police Department to establish a reserve officer program, consisting of retired and/or other certified Police Officers, known as Reserve Part Time Officers, to enhance the operations of the department and assist in department functions.

III. PROCEDURE:

- 2.1.53. Reserve Officers shall be eligible to work private duty jobs, and any unwanted patrol shifts if unfilled by Full-Time Middlebury Police Officers. The Chief of Police reserves the right to set the work standards of the reserve officers in order to meet the department's needs.
- 2.1.54. Reserve Officers will only be offered a private duty job, hired for a special event, or a patrol shift after all full-time regular police officers have been offered the job; meaning after every union member has been offered the job, but before the job is offered to out of town officers or an order to work for Unionized officers is issued.
- 2.1.55. Middlebury Reserve Police Officers are subject to department policies and procedures and may be disciplined in accordance with the same. Policy violations will be investigated and the officer may be disciplined as a result. Disciplinary actions may include, but not necessarily limited to, verbal warning, written warning, suspension, and termination by the Chief of Police. Reserve Officers are not Collective Bargaining Members, and therefore do not have Union Member protection. Reserve Officers shall have the same liability protection as regular officers.

#### Reserve Officer Selection Process

- 2.1.56. A Middlebury Reserve Police Officer shall mean any officer who either leaves the department in good standing after continuous full time service or those who are current/former/retired Police Officers. All applicants must follow requirements for part time employment as set forth in the Town of Middlebury Handbook and must follow the same employment process procedures as statutorily required for new Full Time Officers with POST-C Certification. A letter submitted to the Chief of Police stating that he or she would want to be a Reserve Police Officer would be required.

- j. Research alternate policies and best practices, compile data, and present to command staff.
- k. Create and submit reports for chief of police.
- l. Serve as a liaison with other law enforcement agencies and staff with regard to the accreditation process.
- m. Maintains policy and reviews for changes
- n. Other duties as assigned.

2.1.57. All Town and departmental requirements concerning fitness-for-duty, and other qualifying criteria which apply to regular officers shall apply to Reserve Officers.

#### Reserve Officer Training

2.1.58. Reserve Officers shall maintain POST-C certification.

2.1.59. Reserve Officers shall receive training concerning use-of-force and firearms on the same basis as regular officers, and must achieve the same scores in order to qualify. Use of force and firearms training will be scheduled and conducted by the department Training Officer.

2.1.60. Reserve Officers shall receive at minimum, in-service training equal to that statutorily required for regular full time officers.

#### Reserve Officer Uniforms and Equipment

2.1.61. Uniforms shall be provided by the Middlebury Police Department and will be issued the same duty equipment as full-time officers. Reserve Police Officers will carry the Department issued firearm. The department will furnish a portable radio, and body camera for use while on duty.

#### Private Duty

2.1.62. Reserve Officers may work private duty assignments at the discretion of the Chief of Police.

2.1.63. Reserve Police Officers will be compensated for private duty jobs at the extra duty rate as agreed upon between the Town of Middlebury and the current FOP Collective Bargaining Agreement.

#### Shift Fill Assignments/Extra Patrol

2.1.64. Reserve Officers filling unwanted patrol shifts, extra shift patrol, and/or working school patrol will be paid on an hourly basis at the Reserve officer straight hourly rate set forth by the Town of Middlebury. Reserve Officers will not be eligible for shift differential pay, holiday pay, vacation or personal time.

