

**TOWN OF HADDAM
INLAND WETLANDS COMMISSION
TOWN HALL
21 FIELD PARK DRIVE, HADDAM, CT 06438
REGULAR MEETING
MONDAY, 21 AUGUST 2023
APPROVED MINUTES
*Approved as Submitted at the 16 October 2023 Meeting***

ATTENDANCE

A	Paul Best
A	Curt Chadwick
X	Jeremy DeCarli, Chairman
X	Gail Reynolds
X	Joe Stephens
X	Mark Stephens, Secretary
X	Tom Worthley, Vice Chairman (Arrived 7:03 p.m.)
X	David Costa, Alternate – (Arrived 7:05 p.m.) - Seated
X	Leon Mularski, Zoning and Wetlands Enforcement Officer
X	Bunny Hall Batzner, Recording Clerk

1. Call to Order & Attendance/Seating of Alternates

Mr. DeCarli, Chairman, called the meeting to order at 7:02 p.m. noting that this was an organizational meeting only as there were no applications on the agenda.

All regular and alternate members were seated. Upon their arrival, Mr. Worthley and Mr. Costa were seated.

Mr. DeCarli congratulated Mrs. Reynolds on becoming a full member of the Commission.

2. Additions/Corrections to the Agenda

There were no additions/corrections to the agenda.

3. Public Comment

There was no public present.

4. Executive Session

No executive session was scheduled.

5. New Business

a. Election of Officers

Mr. M. Stephens nominated Jeremy DeCarli and Tom Worthley for chairman and vice chairman, respectively. Mr. DeCarli nominated Mark Stephens for secretary. There were no objections to the nominations from the Commission.

MOTION: Mark Stephens motioned to approve the slate of officers as presented: Jeremy DeCarli, chairman, Tom Worthley, vice chairman, and Mark Stephens, secretary. Gail Reynolds second. Motion carried unanimously.

b. Review of By-Laws

Mr. DeCarli reported the Commission is responsible for reviewing their by-laws every year; and asked if anyone had any comments, suggestions, or amendments. The Commissioners reviewed and discussed the following:

Article 5, Section 2: Mr. J. Stephens asked if \$200 for expenses related to day-to-day operational costs was sufficient. Mr. DeCarli asked if the Commission had a budget. Mrs. Batzner stated yes, and that she would obtain a budget run off and email it to all Commissioners. A brief discussion followed regarding CACIWC membership (do not believe it has been paid for).

Authorized Agent (Section 12 – Action by Duly Authorized Agent – of the *Inland Wetlands Regulations*, pages 29-30) - Mr. Mularski asked about being the Commission's agent.

MOTION: Mark Stephens motioned to approve Leon Mularski, Wetlands Enforcement Officer, as the Commission's authorized agent. Jeremy DeCarli second. Motion carried unanimously.

Article 5, Section 3: Mr. J. Stephens questioned the wording allowing the chairman to change the results of a vote. Mr. M. Stephens stated Mr. Iwanicki used to follow this procedure; however, he (M. Stephens), as well as other commission chairmen, always voted. Mr. DeCarli stated he felt the language should be changed to reflect reality.

Mr. Worthley stated the chairman would not be changing the results of the vote, the chairman would merely be breaking a tie. Mr. M. Stephens agreed.

Discussion followed regarding amended language – *"The Chairman shall be one of the Commission members and shall have the privilege to discuss all matters before the Commission and is entitled to vote on all matters."*

Article 5, Section 5: Mr. J. Stephens asked what newspaper the Commission (the Town) publishes Legal Notices/Decisions in. Mrs. Reynolds and Mr. M. Stephens stated the Haddam-Killingworth News/Now. Mr. DeCarli stated the statutory requirement is that the newspaper have general circulation within the municipality. Discussion followed regarding amended language – delete *"in the newspaper"* and change it to read *"in a locally distributed newspaper."* This wording would allow some flexibility if the name of the newspaper changes or another newspaper is used.

Article 6, Section 1: Mr. J. Stephens questioned the wording *"first regular meeting"* noting that there is only regular meeting per month. Mr. J. Stephens suggested the wording be *"can be held in February"*. Mr. M. Stephens suggested *"or the next regular meeting"*. Mr. DeCarli noted that the Commission has only one regular meeting a month and suggested *"the next regularly scheduled meeting."*

The Commission agreed on the following proposed language - *"An annual organizational meeting shall be held at the regularly scheduled meeting in February or at the next regularly scheduled meeting in the event of a cancellation."*

Article 6, Section 3: Mr. J. Stephens asked what constitutes *"a majority of the vote from the entire membership of the Commission"*. Mr. M. Stephens asked how that would be accomplished especially during the winter. Mr. DeCarli stated a seven-member (full members, not including alternates) board would require four regular members to vote in favor of the candidate. A brief discussion followed with the Commission agreeing to leave the wording as it stands.

Article 7, Section 3: Mr. J. Stephens asked what constitutes a quorum of the Regular members. After a brief explanation was given, Mr. J. Stephens noted that he hadn't realized seven was the full membership and only four would be required to approve an application. A brief discussion followed regarding the seating of an alternate and that alternate becoming a regular member for that meeting only.

Article 12, Section 5: Mr. J. Stephens questioned the use of the word "*attenders*" rather than "attendees". Mr. M. Stephens stated "*attenders*" references those attending the hearing not the Commissioners.

As a point of information, Mr. Worthley stated Article 15 outlines the process for making amendments to the by-laws and the Commission is following the proper procedure – "*only after the proposed change(s) has/have been read and discussed at a previous meeting*".

Mr. DeCarli will make all changes (showing strike outs and proposed new language) and will email the document to all Commissioners for their review prior to the next meeting.

Mr. Mularski asked for clarification regarding the number of alternates on the Commission. Mr. DeCarli and Mrs. Batzner stated there is only one alternate, Mr. Costa. Mr. Mularski asked who the permanent members are. Mrs. Batzner stated Jeremy DeCarli, Gail Reynolds, Joe Stephens, Mark Stephens, Tom Worthley, Paul Best, and Curt Chadwick.

Copy of the Wetlands Commission Operational Guidelines, dated 1/96, are on file with the minutes in the Town Clerk's Office and the Land Use Office.

This matter is continued to Monday, 18 September 2023.

6. Wetland Enforcement Officer's Report

Mr. Mularski's reports dated, June 19, 2023, covering the period of 05/20/2023-06/19/2023, and July 21, 2023, covering the period of 06/19/2023-07/21/2023, were distributed to the Commission. Copies on file with the minutes in the Town Clerk's Office and the Land Use Office.

316 Candlewood Hill Road – Mr. Mularski stated it took nine months to get the work completed.

143 Injun Hollow Road – Follow Up – Mr. Mularski reported approximately four or five weeks ago, the property owner's engineers submitted the plans to DEEP. Mr. Mularski stated he had written a letter on behalf of the Commission indicating that he was not in favor of disturbing the Town's wetlands to removing the rocks as the wetlands have reestablished themselves. Mr. Mularski stated if DEEP would like to fine the owners, that would be acceptable.

457 Killingworth Road – Prior to the close of the meeting, Mr. M. Stephens asked Mr. Mularski if he had advised DOT of their culvert needing attention. Mr. Mularski stated he has not approached DOT regarding their culvert, he had only approached the property owner about work that concerned him. Mr. Mularski stated the issue with DOT is they do not maintain their culverts and this one is approximately two-thirds full. Mr. Mularski stated he viewed the site during the last couple of heavy rain falls and the culvert has not backed up.

82 Saybrook Road, Repair of Superstructure of a Driveway Bridge – Mr. Mularski reported the contractor has done a great job with this project and nothing flowed down the stream.

7. Approval/Correction of Minutes

Corrections to the 17 April 2023 minutes: page 2, Request to Allow for Repair of Superstructure of a Driveway Bridge at 82 Saybrook Road, second paragraph, last sentence – insert “not” between “had” and “been”; page 2, third paragraph, third line – change “head’s” to “heads”; page 3, first paragraph, fourth line – change “in tacked” to “intact”; and page 3, third paragraph, third line – change “Mrs. Reynolds clarified” to “Mrs. Reynolds asked Mr. Jarboe to clarify”.

MOTION: Mark Stephens motioned to approve the 17 April 2023 minutes as amended. Gail Reynolds second. Motion carried unanimously.

8. Adjournment

MOTION: Gail Reynolds motioned to adjourn. Mark Stephens second. Motion carried unanimously.

The meeting was adjourned at 7:31 p.m.

Respectfully Submitted,

Bunny Hall Batzner
Bunny Hall Batzner
Recording Clerk

The next regular meeting is scheduled for Monday, 18 September 2023.