

**BEACON FALLS BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MONDAY, FEBRUARY 13, 2012
(Subject to Approval)**

First Selectman Gerard Smith called the meeting to order at 7:32 PM with the Pledge of Allegiance.

MEMBERS PRESENT: First Selectman G. Smith, Selectman D. D'Amico and Selectman C. Bielik

MEMBERS ABSENT: None

PUBLIC PRESENT: Approximately 25 members of the public

COMMENTS FROM THE PUBLIC

Sue Dowdell of 32 Wolfe Avenue asked the Selectmen about the Community Calendar, which is to be integrated onto the Town Website. First Selectman G. Smith would like to see a separate calendar for town activities, because the current town calendar is small and would get cluttered. Two calendars will be the easier way to do it, both on the front page of the website. S. Dowdell will coordinate with Ed Groth.

Sue Dowdell also asked about performance evaluations for the town's employees, which have recently been discussed in Seymour. First Selectman G. Smith noted that performance evaluations have not been done in Beacon Falls.

Hugh Potter, Business Manager from Region 16, is present representing the Region 16/Board of Education. His comments are to be addressed later on the agenda.

Doug Bousquet commented about property tax abatement with regard Kevin Swan's death in the line of duty with over 50 years of service to Beacon Hose Co. #1. State statutes allow for the town to consider a percentage of property tax abatement and asked that the Selectmen look into this matter for Kevin's widow, Sandra. G. Smith noted this issue will be addressed later in the meeting under correspondence.

Bill Clossy of Wolfe Avenue asked about more crosswalks in town, particularly leading from Wolfe Avenue to the sidewalk on Burton Road, and a crosswalk to Town Hall. He walks everywhere and feels drivers do not know when to give pedestrians the right of way. More crosswalks should be on the town roads. G. Smith duly noted these comments.

C. Bielik made a motion to amend the agenda to move Item 13 - Old Business up to the front of the agenda. D. D'Amico seconded the motion. All ayes.

OLD BUSINESS

A. Johnson Street Lot Line – Attorney F. Stannick appeared representing L&R Trepca LLC on the issue regarding street line proposal for Johnson Street, which has been addressed in previous meetings and at a public hearing. He presented the Board of Selectmen with a revised map showing the approved line which has been reviewed by the Town Attorney Steven Byrne. He also presented a document addressing an easement for 113 Main Street for the Selectmen's consideration. The town attorney's recommendation is for the note regarding the easement to be added to the map and document pertaining to a wall on the property. The note would state if the wall is not maintained by

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the owner, the town can go on the property to maintain the wall and bill the owner. The First Selectman will need to sign the map once the changes are made.

D. D'Amico made a motion to approve the lot line change and accept the modified map and changes to the document, subject to Gerard Smith's signature on the amended documents. C. Bielik seconded the motion. All ayes.

B. Streetscape – G. Smith noted that the Selectmen have been holding special meetings on the streetscape project which is moving forward, and they hope to include extra work in the project, notably the paving of north and south bound lanes of Main Street. At 80% reimbursement from the State of Connecticut, it makes the most sense to include paving in the project. Several change orders are in process and they are tying up loose ends on the project.

C. Toby's Pond - Rich Minnick of Cedar Lane provided the Selectmen with a document on the Repair and Maintenance of Toby's Pond and Roles and Responsibilities for the property. The document outlines who is responsible for each piece of the process moving forward with Toby's Pond. Mr. Minnick's role would be to secure, research, and make recommendations for the future of Toby's Pond, as a single point of contact for the Board of Selectmen. He will not enter into contracts or spend any monies at this time.

C. Bielik made a motion to appoint Rich Minnick as steward for the Board of Selectmen in the matter of Toby's Pond. D. D'Amico seconded the motion. All ayes.

C. Bielik made a motion to further amend the agenda to move Item #14 – New Business to the next item of the agenda. D. D'Amico seconded the motion. All ayes.

NEW BUSINESS

A. MJ&J Properties – Attorney Chris Smith of Shippan & Goodwin appeared before the Board of Selectmen concerning the land swap contract which is in place between the Town of Beacon Falls and MJ&J Properties, LLC. The contract allows for a mixed commercial and residential development on Route 42. Mr. Blakeman, one of the principles of the company, took ill and passed away. His interest in the company is now part of his estate. Due to his lengthy illness the contract has not moved forward and the two year time period expires this April. Section 5 of the contract allows for MJ&J to come back to the town for 3 separate 6 month extensions. Attorney Smith is present tonight to request the first 6 month extension under the land exchange agreement. He provided copies of the proposal to the Board of Selectmen. G. Smith has some questions for the Town Attorney and he would like to postpone a decision until the next Board of Selectmen's meeting.

C. Bielik asked about the time frame of the proposal. MJ&J entered into an agreement with town in April, 2010 after a Town Meeting occurred at the Firehouse and the vote was in favor to authorize the town to move forward. Attorney Smith pointed out the conceptual plan for the project in the proposal, showing the existing property, the proposed swap, and the resulting 200 acres to be owned

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by MJ&J with 52 acres to be owned by the town. These 200 acres would accommodate the proposed development of a mixed use development, including shops and residential properties. With Mr. Blakeman's estate being settled, as MJ&J intends to move forward, Attorney Smith expects it will take a year to get necessary approvals, followed by cite work to complete the land swap.

C. Bielik asked if MJ&J expects to request all 3 extensions. Attorney Smith explained that once the approvals are received, the land exchange would occur. Attorney Smith noted MJ&J expects the process for approvals would take 12-18 months, but it is possible in 12 months.

C. Bielik made a motion to postpone taking action on this issue under the Regular Board of Selectmen's meeting on Monday, March 12, 2012. Attorney Smith noted questions on the proposal can be directed to his office. **D. D'Amico seconded the motion. All ayes.**

- B. Region 16** – Hugh Potter, Region 16 Business Manager, presented the Board of Selectmen with photos of damage and a list of vandalism which has occurred at Laurel Ledge School. The school has experienced regular vandalism, with substantial damage and activity in the woods behind the school. D. D'Amico is a neighbor the school property and noted that vandalism has been an ongoing problem. G. Smith asked about lighting and Region 6 is working with CL&P to install two poles in order to light the area.

This weekend there were shingles on the ground from someone climbing on the roof of the buildings. This activity represents a real danger for the kids and a liability for the school district and the town. With the renovations scheduled to Laurel Ledge, there will be millions of dollars of equipment and materials at Laurel Ledge, so this is a major concern. Region 16 has met with police in the Selectman's Office and they have increased patrols around the school. Hugh Potter wants to continue to engage the Selectmen and the police to try and curb this activity as much as possible. This is a concern for both the taxpayers and the school district.

G. Smith asked about moving dumpsters away from the building, chaining the gate, and installing cameras. Dumpsters were moved, the gate is chained, and the Region is looking into cameras. G. Smith said the police are patrolling the school grounds regularly. Hugh Potter wanted to express his concerns and ask for the Selectmen's assistance moving forward.

READ AND APPROVE MINUTES FROM PREVIOUS MEETINGS

1. January 9, 2012 – Special Meeting Minutes - Johnson Street

D. D'Amico made a motion to accept the 1/9/12 Special Meeting Minutes, as presented. C. Bielik seconded the motion. All ayes.

2. January 9, 2012 – Regular Meeting Minutes.

C. Bielik made a motion to accept the minutes of the Regular January 9, 2012 Meeting, as presented. D. D'Amico seconded the motion. All ayes.

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3. January 19, 2012 – Special Meeting Minutes with Beacon Hose Co. #1

D. D’Amico made a motion to accept the 1/19/12 Special Meeting Minutes, as presented. C. Bielik seconded the motion. All ayes.

4. January 19, 2012 – Special Meeting Streetscape/Depot Street Bridge

C. Bielik noted one typo on Page 1. There is a 9 in the word inspection which should be deleted.

C. Bielik made a motion to accept the minutes of the 1/19/12 Special Meeting, with this correction. D. D’Amico seconded the motion. All ayes.

5. January 23, 2012 – Johnson Street Public Hearing

C. Bielik made a motion to accept the minutes from the 1/23/12 Public Hearing as presented. D. D’Amico seconded the motion. C. Bielik and D. D’Amico voted aye. G. Smith abstained.

6. February 2, 2012 – Special Meeting Streetscape

G. Smith noted a typo in the third paragraph, where there should be a space in the line “the contractor accepts the”. **D. D’Amico made a motion to accept the minutes of the 2/2/12 Special Meeting with the noted correction. C. Bielik seconded the motion. All ayes.**

7. February 10, 2012 – Special Meeting - Resolution to open bank account

C. Bielik made a motion to accept the 2/10/12 Special Meeting Minutes as presented. D. D’Amico seconded the motion. All ayes.

RESIDENT TROOPER/POLICE REPORT

No report at this time.

ROAD FOREMAN’S REPORT

The Selectmen receive a bi-weekly update and assignment sheet from the Road Foreman, which includes Public Works and Parks. Reports are received by default twice a month. **D. D’Amico made a motion to accept the Road Foreman’s Report and C. Bielik seconded the motion. All ayes.**

WASTEWATER TREATMENT PLANT REPORT

The wastewater treatment plant received estimates to put a backload check valve in the plant, to seal manhole covers on Railroad Avenue, and to fix a pipe which needs to be replaced at the West Road pump house. The estimate totals \$11,500 and this will be addressed under Budget Transfers. There is no maintenance line item for the WWTP and so this transfer will fall under Special Projects.

C. Bielik made a motion to accept the Wastewater Treatment Plant’s Report and D. D’Amico seconded the motion. All ayes.

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FIRE MARSHALL'S REPORT

G. Smith confirmed that C. Bielik is receiving text messages of incoming radio calls. **D. D'Amico made a motion to accept the Fire Marshall's Report and C. Bielik seconded the motion. All ayes.**

FINANCIAL MANAGER'S REPORT

C. Bielik made a motion to send the Financial Manager's report to the Board of Finance for review and approval. D. D'Amico seconded the motion. All ayes.

TAX COLLECTOR'S REPORT

No report at this time.

TOWN TREASURER'S REPORT

C. Bielik asked if the report was still in the old format. The Treasurer is working on converting it to the new format.

C. Bielik made a motion to forward the Town Treasurer's Report to the Board of Finance for review. D. D'Amico seconded the motion. All ayes.

LIBRARY REPORT

C. Bielik made a motion to accept the Library Report. D. D'Amico seconded the report. All ayes.

There is no Report from the Custodian at this time.

FIRE DEPARTMENT'S REPORT

D. D'Amico made a motion to accept the Fire Department's Report. C. Bielik seconded the motion. All ayes.

CORRESPONDENCE

1. G. Smith read a letter dated 1/20/12 from the Patricia Hinman, 387 Burton Road, who has served as a Planning & Zoning Commissioner requesting an explanation as to why Kevin McDuffie was not reassigned as Chairman of the Planning & Zoning Commission.
2. Resignation letter from Lou DiPiro resigning from the Board of Finance. **C. Bielik made a motion to accept Lou DiPiro's resignation letter with regret. D. D'Amico seconded the motion. All ayes.**
3. G. Smith read a letter from Bruce Angeloszek, 16 Pamanata Meadows, requesting to be considered for the open position on the Board of Finance and outlining his qualifications as a business owner and employer.

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4. G. Smith read a letter from Jack Levine requesting to be considered for the open position on the Board of Finance, an unaffiliated voter, outlining his credentials as a prior board member and school finance manager.
5. Letter from Domenic Setaro asking to be considered for the open position on the Planning & Zoning Commission.
6. Letter from Diane Betkoski of the Conservation Commission, recommending Noralie D'Amico to fill the Conservation Commission's open position on the Land Use/Open Space Committee.
7. CCM, an organization for municipalities similar to the COG, has offered the Town of Beacon Falls an 18 month membership for the price of 12 months. G. Smith has put the membership in the budget. C. Bielik asked about the annual cost and G. Smith responded the cost is \$3,611 while the COG's membership is \$2,800. These organizations offer training which is very valuable. C. Bielik attended one of CCM's programs recently and they are a very professional organization and C. Bielik and G. Smith agreed it is worthwhile for the town to be a member and to take advantage of what they offer.
8. Letter from the Zoning Enforcement Officer concerning the property at 7 Secola Drive, which has been resolved.
9. Letter from the State of Connecticut stating that Region 16 is compliant with Constitutional standards as of today.
- 10. Letter from the Lions' Club requesting permission to use the Beacon Hose Co. #1 lot during Easter week for their Easter flower fundraiser. D. D'Amico made a motion to allow the Lions' Club to use Beacon Hose Co. #1 lot for their Easter flower sale. C. Bielik seconded the motion. All ayes.**
11. Letter from the Community Media Center Committee seeking reconfirmation and clarification of their mission. This will be addressed under Appointments.
12. James McCoy of Beacon Street wrote a letter concerning a branch which fell on his car which was resolved as an insurance matter.
13. Letter from Steven Byrne, Town Attorney, regarding citations and pending matters concerning Blight Enforcement. Since receipt of the letter, some of the issues have been resolved. The Blight Enforcement Office and the Town Attorney will review the properties in question.
14. Jack Betkoski sent an email concerning the fire school. This year the state budgeted \$7M for the school, but it was not funded. The state considers the school a high priority because of its location. The fire school was a controversial issue in town, and now that the school may be fast-tracked, G. Smith would like the town to "make lemonade out of lemons" and work with the state on this issue. The new facility is said to be state of the art.

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15. Library Board of Trustees would like to apply for a \$12,000 grant from Praxair Foundation. G. Smith confirmed that the grant was a 100% grant, rather than a matching grant. **C. Bielik made a motion to allow the Library Board to proceed with the Praxair Foundation grant application. D. D'Amico seconded the motion. All ayes.**
16. O&G has requested permission to wash their trucks and allow the water run off to go into the waste water treatment plant. The capacity of the water is exceeding what was approved on Railroad Avenue. The town proposed that O&G pay the Town Engineer to review the issue and design a solution and O&G was agreeable to this. This Wednesday, there will be a demonstration at O&G.
17. Letter from Carter & Civitella concerning the Region 16 Bond issue asking if the town is in litigation for amounts over \$10,000. The only case the town is currently involved in at that level is Town of Beacon Falls vs. Officer Dudac.
18. One of the town's residents raised a question regarding funding for the Blackberry Hill Building Project, asking if there were monies from Oakwood Estates which were meant for that roadway. The amount totaled \$54,593 which the town received in 2009 and 2010. These monies were deposited and the Financial Manager is tracking where these deposits were utilized.
19. G. Smith read the section on Permanent Earned Lifetime Relief which was adopted by the Board of Finance for individuals who have completed over 20 years of service to Beacon Hose Co. #1 that allows for permanent earned tax abatement for surviving spouses. The Connecticut document states that towns can abate all or a portion of property taxes of a surviving spouse of the firefighter who has died in the line of duty. Doug Bousquet provided this information from the state, which he obtained online. Sandra Swan has received the maximum benefit currently available from the town and the Board of Selectmen can look at waiving a percentage of her property taxes.
- C. Bielik thanked D. Bousquet for his research and asked that the Tax Assessor confirm this benefit with the State of Connecticut. Pending this confirmation, he was willing to discuss numbers. C. Bielik stated he would support anything from 25-50%. G. Smith was thinking 25%. D. D'Amico was thinking 75%.
- C. Bielik made a motion, pending verification from the Tax Assessor's office, to approve 50% tax abatement for Sandra Swan on her primary residence, including all other options. D. D'Amico seconded the motion. All ayes.**

APPOINTMENTS

1. Board of Finance –There is one elected position to fill Louis DiPiro's seat on the Board of Finance. There are two letters from candidates requesting appointment.
C. Bielik made a motion to appoint Bruce Angeloszek to the position, seeing that the open position is to replace a board member who ran on the Democratic ticket. Bruce

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Angeloszek is an unaffiliated voter and he is the Democratic Town Committee's choice for the position. He absolutely, unequivocally nominates Bruce Angeloset to fill the open position. There was no second to the motion.

D. D'Amico made a motion to appoint Jack Levine to Board of Finance. G. Smith seconded the motion.

Under Discussion, C. Bielik stated that he was extremely disappointed with the Board of Selectmen for turning something that is supposed to be unpartisan, as a former chair of the Board of Finance, and the First Selectman as former chair of the Board of Finance, knows how important it is to have bipartisan representation on the Board of Finance. Whether a candidate is party officiated or undeclared, there are still leanings that go along with each individual appointed to any board. There is no more important board, which affects every taxpayer in this town than the Board of Finance. To skew the constitution of the board, by appointing someone who was originally a member of the election ticket of the opposing party. Lou DiPiro was elected to fill that spot on the Democratic ticket and picked by the Democratic Town Committee. Bruce Angeloszek's name was put forth by the Democratic Town Committee to fill that spot. The other candidate's credentials are not in question, however he was briefly a partisan member on the opposition's ticket, and this skews the constitution of the Board of Finance and goes against every precedent for appointment in the history of this town. He strongly objected in unequivocal terms to politicizing the Board of Finance in such a blatant manner. No further discussion. **D. D'Amico and G. Smith voted aye. C. Bielik voted nay.**

2. Code of Ethics Commission – Kenneth Egan did not seek reappointment. Lars Edgren is interested in the position for a 3 year term. **D. D'Amico made a motion to appoint Lars Edgren to the Code of Ethics Board. C. Bielik seconded the motion. All ayes.**
3. Regarding the Community Media Center Committee, which was formed out of the Library Building Committee, G. Smith proposed that until there is clear direction, he would like to suspend the CMC Committee. The CMC's \$32,000 budget request remains as a line item in the budget. **D. D'Amico made a motion to suspend the CMC committee. G. Smith seconded the motion.**

Under discussion, C. Bielik asked for opinions of the members of the public who are associated with the committee. Sue Dowdell stated that Ed Corazon has proposed an alternate location and there are other plans out there, and without clear direction the CMC Committee cannot go forward, with all the different talk going on. G. Smith reiterated that he has kept the line item in the budget for the future. Regarding the timeline for giving the CMC Committee direction, G. Smith hopes for sooner rather than later. **All ayes.**

4. Economic Development Commission – G. Smith is recommending Democrat Domenic Sorrentino to fill the vacant position on the EDC. **D. D'Amico made a motion to appoint Domenic Sorrentino. G. Smith seconded the motion.**

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C. Bielik asked if other candidates were considered and what is the makeup of the board. There were no other candidates and the EDC would be made up of 4 Democrats and 2 Republicans with this change. C. Bielik noted that the position on the EDC is not exchangeable for a position on the Board of Finance. They are mutually exclusive and appointing one does not mitigate the action taken on the other. **All ayes.**

5. Open Space/Land Use Committee – This committee is made up of different members from different boards. Noralie D’Amico is recommended to replace Diane Betkoski from the Conservation Commission. **C. Bielik made a motion to approve Noralie D’Amico for this position. G. Smith seconded the motion. C. Bielik and G. Smith voted aye. D. D’Amico abstained from the vote.**

Steven Knapik is an alternate to the Land Use Commission. **C. Bielik made a motion to reappoint Steve Knapik to the Land Use Commission. D. D’Amico seconded the motion. All ayes.**

C. Bielik made a motion to reappoint Jim Trzaski to the Land Use Commission, as a representative from the Planning & Zoning Commission. D. D’Amico seconded the motion. All ayes.

6. Planning & Zoning Commission - The Board of Selectmen received one letter for a new appointment to the Planning & Zoning Commission. C. Bielik asked if any other letters were received. G. Smith stated the only other letter was from an existing commissioner, stating she wished the board would reappoint the existing chair. **D. D’Amico made a motion to appoint Domenic Setaro to the Planning & Zoning Commission. C. Bielik seconded the motion.**

Under discussion, C. Bielik requested that the Board of Selectmen join him in a round of thanks and appreciation to Kevin McDuffie for the two terms he served as Chair of the Planning and Zoning Commission and the level of commitment and dedication he has shown to the town. The Board of Selectmen and public present unanimously applauded Mr. McDuffie. **All ayes.**

7. Last appointments are for the entire board for Volunteer Fire/Ambulance Service Awards, which is made up of firemen, Selectmen, residents, and Board of Finance members for 2 year terms.

D. D’Amico made a motion to reappoint George Shea. C. Bielik seconded the motion. All ayes.

C. Bielik made a motion to reappoint Michael Brennan. D. D’Amico seconded the motion. All ayes.

D. D’Amico made a motion to appoint Doug Crossley. C. Bielik seconded the motion. All ayes.

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C. Bielik made a motion to appoint Ed Grace. D. D'Amico seconded the motion. All ayes.

D. D'Amico made a motion to appoint Ed Groth. G. Smith seconded the motion. All ayes.

C. Bielik made a motion for Joe Dowdell to replace Lou Krepenevich's position on the board. D. D'Amico seconded the motion. All ayes.

D. D'Amico made a motion for Chris Bielik to replace Domenic Sorrentino's position on the board. G. Smith seconded the motion. D. D'Amico and G. Smith voted aye. C. Bielik abstained.

BUDGET TRANSFERS

C. Bielik made a motion to recommend to the Board of Finance to transfer \$11,500 from line item 10-07-1010 Tax Collector's Salary to the Special Projects line item for the Wastewater Treatment Plant. D. D'Amico seconded the motion. All ayes.

No need for Executive Session at this time.

ADJOURNMENT

C. Bielik made a motion to adjourn the meeting at 8:58 PM. D. D'Amico seconded the motion. All ayes.

Respectfully submitted,

Erin A. Schwarz