



BEACON FALLS BOARD OF SELECTMEN
Regular Monthly Meeting
March 12, 2012
MINUTES
(Draft Copy-Subject to Revision)

G. Smith called the regular monthly meeting to order at 7:30 P.M. with the Pledge of Allegiance.

Present: First Selectman G. Smith, Selectmen C. Bielik and D. D'Amico

Also present: approximately 50 town residents and representatives for MJ & J properties.

G. Smith deferred the 2nd item on the agenda (special recognition) until after Public Comment.

PUBLIC COMMENT:

S. Cable, Blackberry Hill, commented noting that there is now only one Public Comment section and explained that she used to hold a Public Comment session at the end of each meeting in case anyone needed clarification of what was said in the meeting also noting that it is of course up to this new board as to whether or not they have a Public Comment at the end of the meeting.

S. Cable noted that she was interested in an update on the cell tower and noted that she was glad to see it on the agenda.

S. Cable expressed her disappointment in the disbanding of the Wolfe Ave. Committee. She suggested that they hold another informational town meeting in order to see what the people want to do and to then go forth in the right direction. S. Cable noted that she realizes in these tough economic times it would be too expensive to go to a referendum.

S. Cable brought up Toby's Park noting that she sees R. Minnick volunteering down there but she noted that similar to Mathies Park, it gets expensive to keep things up and beautiful. She said that she hopes that the new Board of Selectmen is having conversations with Haynes Brothers and noted that she would be more than happy to help them with this. Her hope is that these conversations would result in keeping the properties in their current state in the tough economic times.

S. Cable also mentioned the Street Scape project noting that she's aware of all the drama that is going on regarding it and noted that she is also happy to help in speaking with the engineers and all that are involved as she knows there is a lot of game playing going on regarding this project (noting that it's not on the Board of Selectmen but the people involved with completing the project).

S. Cable also noted that she has been away and when she returned was disappointed in the articles she saw in the newspapers. She noted that it seems the Board is getting very partisan and it concerns her – most of all the 3 selectmen noting that they were elected by the people to serve the people. She noted it disheartens her to see on either side, name calling and criticizing each other. She suggested that they hold an executive meeting to clear the air and to get on to business and working together as a team. She suggested that games not be played in the newspapers especially during these tough economic times. She noted that it's just not good to have one selectman criticize another especially in that criticism is going to come no matter what they do. Her wish was that this board would work together as a team and respect each other's opinions and decisions and keep it professional in public forums. She suggested again that they use executive sessions to hash out their differences noting that otherwise they will go backwards and no one wants to do that.

C. Feducia, Bonna Street, noted that it has been very frustrating for the past few months explaining that she is a member of the Board of Education but she is a Beacon Falls tax payer first. She noted that she thought it was a great start to communications when the BOE was invited to the first meeting but then it fell apart. She noted that there are big BOE projects coming up and that she has asked the BOS to come to the meetings but there really isn't any transparency. It bothers her that we are starting with issues right from the beginning. She noted that she is very upset that it was mentioned at a meeting that she works for the town of Prospect. C. Feducia noted that she does not work for the town of Prospect; she is a volunteer and works as a volunteer for the best interest of the children.

C. Feducia again noted that they are not starting out on a good foot noting that they have another couple of years to work together. She explained that miscommunication has been happening all the time and asked that the BOS come to some BOE meetings and ask questions especially since we are coming into budget season. C. Feducia noted that when all was said and done, the school budget had a little over a 2% increase.

C. Feducia also noted that the editorials have to stop noting that they just make everyone more upset. She noted that Beacon Falls is a small town and she is a volunteer and just does not like when people say things about her when she is not present. She also explained that being a volunteer requires hours and hours of time that she has committed to and what she personally doesn't like is when people accuse her of working for the town of Prospect noting that it is so not true. She is a volunteer for the BOE of the Town of Beacon Falls. She suggested that if anyone has any questions, please come and ask but don't say something about her when she is not present. She addressed the board individually noting that she would not talk about them if they were not present.

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C. Feducia commented that “enough with the back and forth” and that they must all move forward.

Thomas Bratt, 125 Bethany Road, Congratulated all three of the Selectmen noting that theirs is not an easy task and that the “name game” goes on in life. He noted that he believes the board is trying to do the best for the town no matter what a politician or political party may think.

Thomas Bratt asked about snow removal surrounding the barrels downtown near the post office noting that since there was not any snow this year, he could not bring pictures. He noted that the street department doesn’t seem to want to plow up to the curb yet it always seemed to be plowed right up to the curb at the Post Office and wonders if it’s because there’s a specific resident near by explaining that every street should be provided the same.

Thomas Bratt also spoke about the Street Scape noting that he refers to it as the “Susan A. Cable walk to nowhere”. He said that some people try to walk on the narrow part and someone is going to get hurt and it will be a liability to the town and he noted that he thinks the walkway is an embarrassment to the town.

Thomas Bratt noted that no one should sign any contracts unless we know we have appropriate funds and the Selectmen should look into this. He noted that this was not the case with the Street Scape. He suggested that maybe tax payers should put up a charter that says the Selectman cannot sign any contracts until they know they have appropriate funds. He noted that it should be up to the Selectmen to look out for the tax payers dollar.

Richard Cherhoniak, Wolfe Ave., explained that the Street Scape was not a decision by only the previous administration and that he was present at the meeting when it was approved. He noted that there were multiple town meetings and wanted to make it clear that the Street Scape is only a portion of the completed project. He noted that it is a long project explaining that the beginning of this project was Volunteer Park. He also noted that he does not think it is an eye sore or a disgrace. Once we get past these tough economic times, the entire project will get better and will overall result in the betterment of the Town of Beacon Falls. It will also be a value to the town and all the downtown businesses.

William Carls, Johnson Street, explained that he was at this meeting because of the clear cutting that took place on the property in front of him. He noted that there are still demarcations from surveying their street and that he wanted to know if the builder was going to make any repairs before he started to build explaining that he thinks the builder should at least pay for new trees. He noted that the soil is washing away and he believes this property was clear cut without the approval of P & Z.

Janet Gabriel, Johnson Street, noted that there is an old pipe that was supposed to be replaced by the builder but never was. She noted that P & Z never gave him permission to cut the trees – she said that she heard it was zoned after the trees were clear cut. She explained that the bank is caving in. She noted that the builder put in wood chips and plastic but they are all falling down and soon the road will be caving in. She also noted that Johnson Street has not been paved in years and the entire area is messed up.

Ed Groth, Laurel Ridge, noted that in his opinion transparency has improved. With respect to the Street Scape and the gentleman that just spoke he would like to remind him that the vote was 60-2 in favor and that as far as he can tell, the notice only went in the paper 24 hours before the vote. He suggested that maybe only people who would vote in favor were told about the meeting and the people who would have voted no didn't have a chance to know about the meeting.

E. Groth said with respect to Ms. Feducia, he said that obviously people don't think that she literally works for the town of Prospect but in that the people of Beacon Falls voted 2 – 1 against the school project and they're for people from Beacon Falls did not think the Beacon Falls members of the BOE did enough to protect the town from a spending bill that is so lopsided. He thinks that it's horrible that this spending bill is so lopsided and in favor of Prospect.

E. Groth again mentioned to C. Feducia that they do not really think she literally works for Prospect and he doesn't think just C. Feducia personally but the entire BOE.

G. Smith interrupted and asked that E. Groth direct his comments to the BOS.

E. Groth apologized and noted that was good to know.

S. Cable, Blackberry Hill, explained that the Street Scape project began with Mahalchik years ago. She noted that this is a long range plan that is nationally recognized.

S. Cable also addressed E. Groth's comment about the vote only being placed 24 hours in advance of the meeting. She noted that would not be possible for a town meeting as it would have had to been posted according to the legal guidelines which is at least 5 days before the meeting.

S. Cable also commented on transparency and noted that she always had an open door policy and that was very well known. She also thinks there is enough of the rhetoric and game playing and time to move forward.

With no further public comment, the meeting moved on to the next item on the agenda.

Special Recognition

G. Smith congratulated H. Mis for her 45 years of service as the Republican registrar of voters. He read her recognition to her noting that she is the longest serving elected official and the paper was incorrect because in fact, the longest serving is H. Mis with uninterrupted service.

G. Smith also commented on Johnson Street informing those who showed up at the meeting for discussion on Johnson Street that it is not on the agenda. He said he will look into the public comments that were made and also suggested that those interested check with P & Z as that is where he is going to check himself.

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G. Smith noted that he will look into the clear cutting of the trees and the erosion and noted that this is the first he has heard of it.

Approval of Minutes

February 13, 2012

D. D'Amico motioned to accept the minutes. C. Bielik 2nd the motion. All voted aye.

February 29, 2012

D. D'Amico motioned to accept the minutes. C. Bielik 2nd the motion. All voted aye.

Resident Trooper Report

None. G. Smith noted that they did not receive this report 2 months in a row.

Wastewater Treatment

A discussion took place regarding 3 upgrades. G. Smith noted that the 3rd project was to put the back flow prevention in and when they started it, they realized they needed something further. They are currently waiting on a price to do the third part of this project.

D. D'Amico motioned to accept the wastewater treatment report. C. Bielik 2nd the motion. All voted aye.

Fire Marshall Report

G. Smith noted that there was an issue with Dambrusco Construction pre-blasting notice and they are expanding the surveys in that they received a lot of calls regarding it today.

D. D'Amico motioned to accept the Fire Marshal's report. C. Bielik 2nd the motion. All voted aye.

Finance Manager's Report

G. Smith noted that they can discuss this at Tuesday's meeting with the BOF.

D. D'Amico motioned to accept the report. C. Bielik 2nd the motion. All voted aye.

Tax Collectors Report

D. D'Amico motioned to accept the report. C. Bielik 2nd the motion. All voted aye.

Town Treasurers Report

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M. Krenesky noted that there was a correction to this report and the date should be listed as 3/11/12 and not February in that the report was run on 3/11.

M. Krenesky also noted that the general ledger is off by almost 2 million in that Prospect had never come to pick up their region 16 checks.

A lengthy discussion continued with M. Krenesky explaining again that this is just a snapshot and there is about 1.5 million sitting downstairs in the town hall because Prospect hasn't picked up the check. He noted that he does not know how they are notified that the check is ready.

C. Bielik asked if there are any ramifications of this. M. Krenesky noted that there were not. M. Krenesky noted that he thinks it's a phone call notifying them but he's not sure.

G. Smith noted that there is a better way to notify them than a phone call.

C. Bielik asked if the \$6,000 negative balance in capital projects is correct. M. Krenesky noted that it is correct and he has not yet had a chance to ask M. Gomes what this is related to. C. Bielik asked what the ramifications to a negative balance were such as fees. M. Krenesky responded that there were none.

G. Smith thought this may be related to the man hole cover project but he noted that he doesn't know.

C. Bielik motioned that the report with the recommended corrections be approved and forwarded to the BOF for resolution. D. D'Amico 2nd the motion. All voted aye.

Library Report

It was noted that this is January's Report.

D. D'Amico motioned to accept the report. C. Bielik 2nd the motion. All voted aye.

Custodian

G. Smith noted that he asked the custodian why he does not receive a report from him. He was told that the custodian only gives a report if he does something other than normal routine. G. Smith asked that he submit a report that says he did his routine cleaning. He noted that they should receive a report next month.

Fire Department

A lengthy discussion with M. Pratt took place with M. Pratt explaining two mutual aid calls with the ladder truck.

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C. Bielick asked how many mutual aid calls took place last year as he is looking to see a trend. M. Pratt did not have that information but C. Bielick seemed to remember it being something like 13.

D. D'Amico motioned to accept the report. C. Bielick 2nd the motion. All voted aye.

CORRESPONDENCE

1. G. Smith explained that he just received the final designs for Laurel Ledge. He asked that the other selectmen take a look at it when they get a chance.
2. G. Smith received a request from D. Bousquet to have badges made for zoning board of appeals members so that they can identify themselves when entering a house. G. Smith thought it was a good idea. The discussion continued.

C. Bielick motioned that badges be made for officials they may need to enter homes. D. D'Amico 2nd the motion. All voted aye.

3. A letter was received from M. Pratt regarding E. Groth's request for information on the whereabouts of the tires and Jaws of Life. G. Smith read the letter and it was noted that the Jaws of Life be deferred to the BOF.
4. A letter from the Fire Department was received requesting that they use Fire Police to direct traffic at the carnival and only 1 police officer for near the alcohol. G. Smith noted that he will discuss this with E. Rodriguez.

A discussion continued with M. Pratt noting that several other towns have offered to provide fire police so the department can raise more funds by saving money on police.

5. G. Smith noted that he stopped allowing those under 62 to use the senior citizen bus (regarding our grant).
6. A letter from the library requesting use of the assembly room for their book sale was received. G. Smith noted that he doesn't see a problem with them using the room he will just make sure it is available on that date.
7. A letter from CRRA regarding tipping fees was received. G. Smith noted that he has not yet made a decision on renewing this contract – it will be discussed after review of the contract and they will probably end up signing it.
8. A memo from E. Bea noting that it costs the town \$5,390 for every bulky waste date. G. Smith would like to see the bulky waste station open in April.

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9. A notice re J. Trzaski declining the appointment to P & Z. J. Trzaski recommended that J. Fitzpatrick take his place

10. A notice of overpaid taxes in the amount of \$7,499 was received.

C. Bielik motioned to refund the real estate portion of overpaid taxes in the amount of \$7,499. D. D'Amico 2nd the motion. All voted aye.

D. D'Amico motioned to refund \$252.50 in overpaid taxes. C. Bielik 2nd the motion. All voted aye.

Old Business

M. J and J Properties.

Christopher Smith of Shipman and Goodham gave a lengthy presentation regarding the contract between the town of Beacon Falls and M.J. & J. regarding a property swap that was approved at a town meeting.

He then explained how a contract works and what is protected by contracts and what is not. He explained that M.J. & J. is allowed to request 3 6 month extensions and he also explained the reason they are requesting them. Monty Blakeman who was the M. in M.J. & J. became ill in 2010 spending a lot of time going around the country to find a treatment for his colon cancer. During that time, he did not focus on the property swap. After a period of time, Monty Blakeman lost his battle to cancer and passed away. His son Jim Blakemen and Jim Martin will continue going forward with the land swap however, Monty's estate was and is very complicated and the process of probate court has not yet been complete.

C. Smith continued his presentation eventually introducing Steve Bellus who was not only a good friend of Monty's but he is also an attorney. S. Bellus explained that Monty's interest in this LLC will not be passed on until probate court is complete. It will eventually be passed on to Monty's son Jim. He explained that the estate is liquid and can pay its debts noting that nothing has to be liquidated to do so. He explained that they feel this is a reasonable cause to request a continuance.

C. Bielik asked that if the 6 months is granted, will they asked for another extension. That question could not be answered as they are unsure as to how long it will take probate court.

C. Bielik asked about the disparity of the property swap. It was explained that while it may look that way, the property that M.J. & J plans to build will bring in tax dollars to the town and that there is also an addition of \$250,000 that will be paid to the town.

The fact that M.J. & J is behind on paying taxes to Beacon Falls was discussed.

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G. Smith noted that they have until April 1st to either grant the extension or not and he would like to have the town's legal counsel present. The meeting was scheduled for Monday March 19, 2012 at 6:00 P.M.

G. Smith also asked why no work was done immediately following the contract signing in April of 2010.

Jim Martin, 9 Haley Road also spoke answering G. Smith question noting that there have been many things done behind the scenes. He explained that all the underlying work has been completed noting COG, the Route 8 corridor, phase I environmental, selective tree cutting, wetlands had to be located, and flagged, soil testing, contours re steepness of hill, conservations commission – all this has been looked in to. He noted that it is not the case that nothing has been done.

Jim Blakeman also spoke noting that he feels that the three gentlemen that just spoke covered everything and he would appreciate it if the town would consider extending their request.

J. Martin noted that \$10,000 of the taxes was paid today and the outstanding tax bill is now \$50,000.

Cell Tower

G. Smith explained that the cell tower is in limbo right now but will be re-bid. He is hoping that there will be bids on the table by next BOS meeting.

Library Vacancy's

G. Smith recommended that they move forward noting that the Assistant Librarian position is vacant right now. The position will be assigned to S. Dowdell who can start tomorrow part time. S. Dowdell will start full time after Easter.

Sherry will start as the Program Librarian with two weeks of training with Meg.

C. Bielik motioned to hire S. Dowdell for the vacant position of Assistant Librarian. D. D'Amico 2nd the motion. All voted aye.

C. Bielik motioned to hire Sherry Garcia as Program Librarian with a 3/19 start date. D. D'Amico 2nd the motion. All voted aye.

Cell Phones

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G. Smith wanted to know why everyone had cell phones explaining that Verizon has a deal. It will cost \$50 per month with a free smart phone for unlimited text messages and data and 400 minutes. He explained that the current phones cost upwards of \$100 per month. Again, G. Smith asked why people had cell phones.

Budget Transfer Request

G. Smith explained that the town won the case where the girl was hit by the baseball at the rec however they are appealing it. The town would be liable should something happen again therefore Parks and Rec are looking for a transfer to cover the costs of new netting.

C. Bielik motioned that they forward this request to the BOF. D. D'Amico 2nd the motion. All voted aye.

D. D'Amico motioned to adjourn the meeting at 9:15 P.M. C. Bielik 2nd the motion. All voted aye.

Respectfully Submitted,

Lauren Classey

Clerk for the Board of Selectmen

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