

Beacon Falls Board of Selectmen
10 Maple Avenue
Beacon Falls, CT 06403



**BEACON FALLS BOARD OF SELECTMEN
Monthly Meeting
July 11, 2016
MINUTES
(Subject to Revision)**

1. Call to Order/Pledge to the Flag

First Selectman Chris Bielik called the meeting to order at 7:35 P.M.

Members Present: First Selectman Chris Bielik, Selectman Peter Betkoski, and Selectman Mike Krenesky

Others present: Sue Dowdell, Library Director, Atty. Fred Stanek, Kevin McDuffie, Chairman of Planning & Zoning; Luke Marshall, Citizens News; and 4 members of the public.

2. Comments from the Public

C. Bielik asked three times and there were no further comments from the public at this time.

3. Read and Approve Minutes from Previous Meeting

The three members reviewed the five meeting minutes – regular meeting on June 13, 2016; and special meetings on June 24, 2016; July 7, 2016, and July 8, 2016; and the revised town meeting on June 8, 2016.

C. Bielik indicated that the minutes from the special meeting on July 7, 2016 left out the reason for entering into Executive Session. The minutes should be corrected to reflect that the Board of Selectmen entered into Executive Session during the July 7, 2016 special meeting to conduct a personnel interview and the Selectmen invited Rob Pruzinsky to join them and participate in Executive Session.

Motion to accept the minutes from the five meetings as noted above and the correction to the July 7, 2016 special meeting as noted above:
Betkoski/Krenesky; no discussion; all ayes.

4. Resident Trooper/Police Report

Motion to accept the report as submitted by the Resident Trooper/State Police for tonight's meeting: **Krenesky/Betkoski; no discussion; all ayes.**

5. Wastewater Treatment Plant Report

There was no report from the Wastewater Treatment Plant received for tonight's meeting.

6. Report of Public Works

Motion to accept the report as submitted by Public Works for tonight's meeting:
Betkoski/Krenesky; no further discussion; all ayes.

7. Report of the Fire Marshal

Motion to accept the report as submitted by the Fire Marshall for tonight's meeting:
Krenesky/Betkoski; no further discussion; all ayes.

8. Report of the Finance Manager

The Finance Manager was not present at tonight's meeting.

Motion to accept the report as submitted by the Finance Manager for tonight's meeting and forward to the Board of Finance for their next scheduled meeting:
Krenesky/Betkoski; no discussion; all ayes.

9. Report of the Tax Collector

Motion to accept the report as submitted by the Tax Collector for tonight's meeting and forward to the Board of Finance for their next scheduled meeting:
Betkoski/Krenesky; no discussion; all ayes.

10. Report of the Town Treasurer

The Town Treasurer was not present at tonight's meeting.

Motions to accept the monthly report as submitted by the Town Treasurer for tonight's meeting and forward to the Board of Finance for their next scheduled meeting: **Krenesky/Betkoski; no discussion; all ayes.**

11. Report of the Town Clerk

Motions to accept the monthly report as submitted by the Town Clerk for tonight's meeting and forward to the Board of Finance for their next scheduled meeting: **Betkoski/Krenesky; no discussion; all ayes.**

12. Report of the Library

The Library Director was present at tonight's meeting.

S. Dowdell indicated that they were having some computer issues and the laptop has been fixed. The log-in is working now as well. The temperature was 85° today upstairs. C. Bielik indicated that he hasn't heard anything as of today and the PO was cut last week.

Motion to accept the report as submitted by the Library for tonight's meeting: **Betkoski/Krenesky; no discussion; all ayes.**

13. Report of the Fire Department

Chief Jim Trzaski was not present at tonight's meeting.

Motion to accept the report as submitted by the Fire Department for tonight's meeting: **Krenesky/Betkoski; discussion was by C. Bielik noting that the final tally from the Carnival has not been reported as of yet and thanked the Firemen for the Lobster Dinner fundraiser; all ayes.**

14. Any Other Reports

a. Report of the Custodian

Motions to accept the report as submitted by the Custodian for tonight's meeting: **Krenesky/Betkoski; no discussion; all ayes.**

b. Report of the Town Nurse

Motions to accept the report as submitted by the Town Nurse for tonight's meeting: **Krenesky/Betkoski; no discussion; all ayes.**

c. Report of the Animal Control Officer

Motions to accept the reports from May 2016 and June 2016 as submitted by the Animal Control Officer for tonight's meeting: **Betkoski/Krenesky; discussion was C. Bielik noting that the Town Treasurer had questions on the details and he sent a request to the Animal Control Officer. Now, both the Animal Control Officer and the Town Treasurer are in contact with one another; all ayes.**

15. Correspondence

1. There was one invoice from the clerk submitted dated June 13, 2016 for \$110.00.

Motion to approve and pay the one invoice from the clerk for the amount of \$110.00: **Betkoski/Krenesky; no discussion; all ayes.**

2. A letter from the Chairman of the Library Board of Trustees was received. The letter is requesting the Selectmen review and address the information gather by their intern in regards to non-compliance issues in town hall according to ADA.
3. A copy of a letter dated 06/23/2016 from Mike Horbal to Dominick Sorrentino was received regarding the work being done at the Riverbend Park. M. Horbal indicated that, until the State of CT DOT deeds the property to the town of Beacon Falls, work on the parcel should not be allowed.
4. A letter from the Town Clerk was received indicating that the probation period for Beth Nelson has been completed and recommends her to regular employment status.

C. Bielik indicated that he would entertain a motion to change Agenda Item 16a. Study Committee – Wolfe Avenue – Multi-Use Community Center – Discussion under Old Business to Agenda Item 16d; and the rest of Agenda Items 16b. through 16d. under Old Business would move up one letter.

Motion to change Agenda Item 16a. under Old Business to Agenda 16d. under Old Business, and to move the rest of Agenda Items 16b. through 16d. under Old Business up one letter: **Krenesky/Betkoski; no discussion; all ayes.**

16. Old Business

a. Review of Proposed Change to Ordinance Relating to Taxes/Issuance of Permits

C. Bielik introduced the town attorney, Atty. Fred Stanek, to discuss the proposed change to the ordinance. Atty. Stanek reviewed the language and legality of the ordinance. Atty. Stanek indicated that his opinion is that Sub-Section B is not allowed by the State Statutes of this proposed ordinance.

C. Bielik read Sub-Section B and asked Atty. Stanek to explain his findings. Atty. Stanek indicated that he would have no issue to the revised ordinance without Sub-Section B included. Atty. Stanek indicated that there is a State Statute – CT General State Statute Section 7-148w – has several sections under Sub-Section C and there is no mention in that statute or another statute that would allow the town to pass Sub-Section B of the proposed ordinance.

C. Bielik asked if the Selectmen had any questions for Atty. Stanek and they did not at this time. C. Bielik indicated that they will take back the ordinance based on the information that Atty. Stanek has provided and reword it so it doesn't violate the provisions of the State Statutes.

b. Review of Proposed Corrected New Ordinance Relating to the Composition of Elected or Appointed Officials to Boards, Commissions, or Committees

No action is being taken on this agenda item since the wording was incorrectly stated on the agenda.

C. Bielik indicated that he would entertain a motion to add a new Agenda Item 16c. Review of Proposed Corrected New Ordinance Relating to the Compensation of Elected or Appointed Officials to Boards, Commissions, or Committees and move the other agenda items down one letter.

Motion to add a new Agenda Item 16c. Review of Proposed Corrected New Ordinance Relating to the Compensation of Elected or Appointed Officials to Boards, Commissions, or Committees and move the other agenda items down one letter: **Betkoski/Krenesky; no discussion; all ayes.**

c. Review of Proposed Corrected New Ordinance Relating to the Compensation of Elected or Appointed Officials to Boards, Commissions, or Committees

Atty. Stanek wanted to confirm his understanding of the proposed new ordinance is calling for any elected or appointed official to a board or commission not to be paid his/her compensation/stipend if he/she owes taxes. C. Bielik indicated that that is correct.

Atty. Stanek indicated that his opinion is that the town cannot refuse to pay compensation to an elected or appointed official who is performing his/her duties because he/she owes back taxes. C. Bielik asked if there is anything in State Statutes or is this Atty. Stanek's opinion. Atty. Stanek indicated that he is willing to write a memorandum stating that it is his opinion that an individual is performing his/her duties, then they are entitled to be paid.

After a brief discussion, M. Krenesky will like to pull back the proposed new ordinance to review further by himself.

d. Sale of Community School – Final Update

C. Bielik indicated that the real estate closing for Community School was held on Friday, 07/08/2016, at 10:00 AM. C. Bielik indicated that he had questioned when the town would be receiving our share of the sale of the school. It was noted that the credit will be on the July bill. A letter was given to C. Bielik noting that Beacon Falls' share of the proceeds of the sale of Community School was \$342,530. July's bill was for \$541,647 minus the credit for a total of \$199,117 due for July 2016.

e. Study Committee – Wolfe Avenue – Multi-Use Community Center - Discussion

C. Bielik indicated that the list of names from the former members was reviewed and he reached out to the members to see if they were still interested. Doug Bousquet, Ed Groth, and Steve Ruhl are interested. Sue Dowdell can only be an Ex Officio member. Bob Spear indicated that he would not be interested.

After a brief discussion, C. Bielik indicated that the Selectmen need to have names of interested people for the next scheduled monthly meeting and address at that meeting for discussion. C. Bielik noted that he would think that an odd number of members would be a good idea, perhaps 7 members.

17. New Business

a. Close Out All ION Bank Accounts

C. Bielik indicated that the Selectmen can go to any branch to sign the paperwork in regards to closing the ION Bank accounts.

b. Establish a New Liberty Savings Account and a New Flag Fund Account with Liberty Bank

c. Vote of Resolution to Open the Two (2) New Liberty Bank Accounts

A copy of the Resolutions is attached to the minutes.

Motion to approve the Resolutions as presented: **Krenesky/Betkoski;** *discussion was by M. Krenesky noted he does not remember closing the Flag Fund account at what was known as Naugatuck Valley. After reviewing the Treasurer's Report, it was confirmed that the Flag Fund accounts were not on the report; all ayes.*

M. Krenesky indicated that he would like to add new Agenda Item 17d. under New Business as Compensation of the Registrars of Voters/Deputy Registrars of Voters.

Motion to add new Agenda Item 17d. under New Business as Compensation of the Registrars of Voters/Deputy Registrars of Voters: **Krenesky/Betkoski;** no discussion; **all ayes.**

d. Compensation of the Registrars of Voters/Deputy Registrars of Voters

C. Bielik indicated that the Democratic Registrar of Voters has been laid up with a serious leg injury and basically prohibited by doctor's order to unnecessary excess travels. It is basically impossible for the work of the office to be brought home. The Deputy Registrar of Voters has been filling in and doing everything for the Registrar of Voters. C. Bielik noted that there has been a question on the compensation. The question was sent to Atty. Stanek for his legal opinion. Atty. Stanek provided a letter dated 06/30/2016 with his legal opinion. The letter indicated that Atty. Stanek did not find in any of aforesaid statutes (CT General Statutes Sections 9-6, 9-55a, 9-194, 9-195, and 9-441) a requirement that a registrar of voters who is unable to perform his or her duties due to illness or other disability is required to pay to a deputy or assistant registrar of voters compensation from his or her wages or salary.

Atty. Stanek also indicated that he is unaware of any ordinance or employment policy of the Town of Beacon Falls which includes such a requirement.

C. Bielik indicated that based on legal opinion and review with the Finance Manager, a payment was made to the Deputy of Registrar of Voters for her efforts.

After a brief discussion, C. Bielik asked to have this agenda item kept under Old Business for the next schedule monthly meeting. The Selectmen will review with the town attorney and research what other town have as policy.

18. Appointments

There were no appointments made at tonight's meeting.

C. Bielik asked Luke Marshall if Citizens News could post a notice that the town is looking for volunteers for the following Boards and Commissions: Library Board of Trustees, Parks & Rec, and Inland Wetlands and Watercourses.

19. Budget Transfer Requests

There was one budget transfer request to be voted on and brought to the Board of Finance's next monthly meeting.

Motion to approve the budget transfer request from the Library Board of Trustees as follows and pass it along to the Board of Finance:

1. From Library, Wages, Clerk – Line Item 10.90.69.1040 in the amount of \$1,000.00 – to Community Media Center, Wages, Clerk – Line Item 10.90.74.1040 – in the amount of \$1,000.00

Betkoski/Krenesky; no discussion; all ayes.

20. Comments from the Public

Joe Pavlik, 21 Fieldstone Lane, indicated that he had a comment in regards to the back tax issue. J. Pavlik voiced his opinions on the issue of elected/appointed officials paying back taxes owed, noting that he and his wife have written several letters to the Citizens News. J. Pavlik also noted that the Tax Collector is doing a great job in collecting back taxes but needs help.

Ed Groth, 13 Laurel Ridge, indicated that he had some questions on procedures. He noted that he was bothered that M. Krenesky had requested a copy of the delinquent tax report from the Tax Collector and was refused. M. Krenesky noted that he sent a request to the Tax Collector and did not receive a respond. Within the week, C. Bielik had a copy of the report at the June meeting. E. Groth noted that there seems to be a lack of transparency in the Tax Office. E. Groth wanted to know if someone requests a copy of the delinquent tax report, they should be handed a copy immediately. C. Bielik indicated that the report is many, many pages and do not keep copies on hand. A request to receive a copy could be made by completing a form. C. Bielik mentioned that the report is continuing changes with payments being made throughout the day.

E. Groth asked if the payment plans for the back taxes customized and C. Bielik indicated that the payment plans are customized.

21. Executive Session

The Board of Selectmen did not enter into Executive Session at tonight's meeting.

22. Adjournment

With no further business to discuss, C. Bielik asked for a motion to adjourn tonight's meeting.

Motion to adjourn tonight's Board of Selectmen meeting at 9:06 P.M.:
Betkoski/Krenesky; no discussion; all ayes.

Respectfully submitted,

Marla Scirpo
Clerk, Board of Selectmen

AUTHORIZING RESOLUTION OF THE

TOWN OF BEACON FALLS- BOARD OF SELECTMEN

CERTIFICATION:

I, Leonard C. Greene, the Town Clerk of the Town of Beacon Falls do hereby certify that the following is a true and correct copy of a resolution adopted by the Board of Selectmen at its duly called and held Monthly Meeting on Monday, July 11, 2016 at which a quorum was present and acting throughout, and that the resolution has not been modified, rescinded, or revoked and is at present in full force and effect:

RESOLVED, that Christopher J. Bielik, First Selectman of the Town of Beacon Falls is authorized and directed to execute and deliver any and all documents on behalf of the Town of Beacon Falls and to do and perform all acts and things which he/she deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

The undersigned further certifies that Leonard C. Greene now holds the office of Town Clerk that he/she has held that office since March 27, 2012.

IN WITNESS WHEREOF: The undersigned has executed this certificate this 12th day of July 2016.

Leonard C. Greene

Town Clerk

CERTIFIED RESOLUTION

I, **LEONARD C. GREENE, TOWN CLERK** do hereby certify that the following is a true and correct copy of a Resolution duly adopted at the Regular Monthly Meeting of the Board of Selectmen of the **TOWN OF BEACON FALLS** duly held on **July 11, 2016** at which a constituted quorum of the Board of Selectmen was present and acting throughout, and that such Resolution has not been modified, rescinded, or revoked and is at present in full force and effect.

CITY/TOWN OF BEACON FALLS

RESOLUTION

RESOLUTION TO APPROVE THE OPENING OF TWO (2) NEW LIBERTY BANK ACCOUNTS – SAVINGS ACCOUNT AND A NEW FLAG FUND ACCOUNT.

NOW, THEREFORE, BE IT RESOLVED:

(a) that we, the Town of Beacon Falls, Board of Selectmen, constituting the legislative body of the Town of Beacon Falls, hereby approves the Resolution to open two (2) new Liberty Bank Accounts.

(b) that First Selectman Christopher J. Bielik is hereby authorized and directed, on behalf of the Town, to execute this Resolution, for the purposes provided therein.

IN WITNESS WHEREOF: The undersigned has affixed his signature and the Corporate Seal of the Town of Beacon Falls this _____

Signature

Leonard C. Greene, Town Clerk