

TOWN OF BEACON FALLS BOARD OF SELECTMEN
C/O TOWN HALL 10 MAPLE AVENUE
BEACON FALLS, CT 06403
October 02, 2017
Minutes (Subject to approval)

C. Bielik, M. Krenesky, P. Betkoski

Other Officials: Kevin McDuffie Planning and Zoning Chairman, Joe Roderigo, Board of Finance Chairman
Members of the Public: 12

AGENDA

1. **Call to Order/Pledge to the Flag**- Time 7:34PM/ moment of silence for the tragedy in Las Vegas and the passing of former police officer Gerry Hickman.

2. **Comments from the Public-**

Richard Minnick 147 Cedar Ln, Have we received the information yet from the Superior court on Item 16B?

C. Bielik, No we haven't.

Robert Speer 14 Lakeview Rise, Would like to have cleared the underbrush from the walk way so you can see the river.
called 3 times.

C. Bielik, motion to move old business item 16A, to new agenda item 3. P. Betkoski/M.

Krenesky.: no discussion: All ayes. Also move New Business 17D to new agenda item 4. P. Betkoski/M. Krenesky: no discussion: all ayes.

3. **Waterbury Opioid suit, Discussion and Possible Action:** Attorney Fred Stanek has given papers to the selectmen. Also sent slides of a presentation at the CCM meeting to the Board of Selectmen. . It is your decision as Board of Selectmen on behalf of the Beacon Falls if you wish to join in on the suit. It a young action that city of Waterbury has stated against pharmaceutical companies. Attorney Stanick stated that Woodbury and Naugatuck has joined the suit and other community's are considering joining.

C. Bielik, questions what would be the negative impact. Attorney Stanek, the downside, I've discussed this with Attorney Hartley Law Firm in Waterbury, could possible be a lawsuit that is not viable, the plaintiff could be sued by the defendant. Attorney Hartley thinks that no highly likely, but that is the downside to litigation. No questions from the other Board of Selectmen.

Attorney Fred Stanek stated the basic for this liability are on false advertisement ,violation of Social law, we might be able to get award monitory damages.

If you decided to join this actions as for any retainer agreement, the town would not be charge any money unless money is recovered. If we collect nothing we don't pay anything, if we are award monies, 1/3 goes to the law firms., plus out of pocket cost. This is the industry standards.

C..Bielik, reading the draft motion on this subject: The Town of Beacon Falls join in the action with the The City of Waterbury vs Purdue Pharma L.P. dba Purdue Pharma (Delaware) Limited Partnership,et al, Docket No. UWY-CV17-6036251-S, pending in the Superior Court for the Judicial District of Waterbury.heading into Superior court of Waterbury as an additional plaintiff. Further moves that the Town of Beacon Falls render a retainer with the Law Firm; Drubner, Hartley & Hellman, LLC (DHH). To represent the Town of Beacon Falls.

C. Bielik do I have a motion to accept the draft, as presented. P.Betkoski/ M.Krenesky; Discussion, M.Krenesky, we need to join in for the principal, but it's not for the money. If we think we would be getting a major settlement. C.Bielik: the considerations of this motion is no way to receive any monetary windfall, the fact we have experience this first hand, it has been used by the first responder and they have saved some and had some fatality due to the Opioid issue. It's a solidarity stand point for the towns in the valley, Mayor Chatfield is looking to move with it jointly, Prospect will also consider taking similar action at their next town meeting. The intention is to take part in this to solve a problem instead of any potential monetary gain. All ayes.

4. **Replacement Fire Engine RFP Results-Discussion and Possible Action -**

Engineer Brennan, and Assistant Chief Leeper are present from Beacon Hose Co #1 truck committee. C. Bielik thanks you for all of your time and efforts. Over a year ago, we authorized at a town meeting letting out bonds for \$850,000.00, in order to purchase a replace truck for engine #1 which is about 27 years old and well past it useful life. Recommendation quint vehicle which would cover a truck for Engine #1 but also cover the need for a ladder truck, which we haven't have in 25 years or so. Put out a RFP, open the bids in July 20, 2016 we have been reviewing those bids and they need to meet specifications, after a thorough review by the committee it was determined all three (3) of the responses failed to meet all the requirement of the RFP, the recommendation from the review committee to the Board of Selectmen that we as a board declined to accept any of the three (3) response we received. Attorney Stanek made a draft motion: C. Bielik is reading: the Board of Selectmen reject all three (3) bids for the fire truck apparatus known as 75 foot quint as which the bids are unacceptable to the Fire Chief and for the Beacon Hose CO#1 truck committee. M Krenesky, suggest that we add to the motion, a 75 foot quints and the bids are unacceptable to the fire Chief and the committee, and immediately go out for new bids ASAP. C.Bielik, asked Attorney Stanek is it okay to put into one motions? Attorney Stanek replied it's up to your discretion to put into one motion. **M. Krenesky/P. Betkoski**; discussion; Attorney Stanek can the committee be ready to put back out to bid in a week? Engineer Brennan, yes we've made drastic changes and we feel we should have a better shot and everyone should come under bid. All ayes, Attorney Stanek, just make it clear the same bidding process should be used.

5. **Road Construction Projects - Update**

Jim Galligan Town Engineer Nafis & Young: an updated spread sheet. Summary where the bond project is 2.1 million, cost \$1,915,000.00, roughly \$184,000.00 under budget. Lower Highland still needs the bills to come in. Should be about \$5,000.00-\$7,000.00 dollars. Highland Ave is complete and so is Burton Rd. The road contractor will take out the "birdbath" at his own expense. Couple of driveway issues. But other then that the projects are wrapped up.

C. Bielik: you've meet with everyone directly and making sure all the problems are button up? Jim Galligan, yes, the re-seeding was going to be in September, no rain in September maybe early October or in the spring. C. Bielik, the crab grass, Jim Galligan said yes it will all be taken care of by October or by spring. C. Bielik: were confidant that all the bills have been received? Jim Galligan, yes all bills are in, only a few punch list item which would be on the contractor. C. Bielik, retaining wall issue at 85 Highland Ave. Groth? Jim Galligan, homeowner will give him the cost this week. C. Bielik, not happy with the repair work to the road done when the issue with sprinkler system and we are dissatisfied with them. Jim Galligan, already said Aquarian will fix the patches and put the correct patches class 2 in. C. Bielik, will they put a time when it will be done. Jim Galligan, all with in the next 2-3 weeks.

Motion to move Agenda Item 17. B on New Business to Agenda Item # 6

M.Krenesky/P. Betkoski; no discussion; all ayes

6. **Sidewalk Maintenance Discussion -**

C. Bielik, Issue that came up the maintenance of the sidewalks, not during the winter time, we have a snow removal ordinance that address the snow. The sidewalks themselves. C. Bielik has been told that sidewalks maintenance is the responsibly of the homeowner. But has been passed along, and determined why that is the case. J.Galligan; Tell you that assuming replacement or repair? There are several thoughts through the state. Some towns say homeowner pays 1/3 town pays 2/3,some cities use 50/50 and some take on the full responsibility. J. Galligan said we should put it in a report as to who should be responsible for it. C. Bielik, we ran into this situation on Highland Ave, when we were doing the work, there was a homeowner had a sidewalk in front of his house which was in disrepair, he paid for a new sidewalk and then as part of the road widening, the town was responsible for replacing it with a new sidewalk. Kevin McDuffie, P&Z, each town is different. Town of Beacon Falls should adopt an ordnance as to how to handle this. K. McDuffie can't find anything that says what should be done. Did find out we do our research it's the town engineering with the specs. C.Bielik if we have been

operating that we have been operating some how, and we don't have that but heading to a place to get one. P&Z review and submit something by November BOS meeting. New ordinance with specific sidewalks. Need a presentation/given to attorney/ then given to the town meeting if we will adopt it. K.McDuffie, put the two together with the road ordinance. Agenda for the November BOS item change with the road ordinance, adopting the sidewalks with the ordinance. M. Krenesky, rebuild other roads, need to be careful how it is worded. Discussion continued about the sidewalk ordinance.

7. **Read and Approve Minutes from Previous Meetings-** special meeting 08/31/2017 and 09/11/2017 regular meeting- P. Betkoski/**M. Krenesky**; no discussion; all ayes.
8. **Resident Trooper/Police Report** – not available, next meeting.
9. **Wastewater Treatment Plant Report-** M. Krenesky/P. Betkoski; reminder that we have a in house application to replace Walter. Possible interview on Thursday of this week. 10/05/2017 5:00pm. WPCA, Jeff Smith can join us that night. All ayes.
10. **Report of Public Works-** M Krenesky how is our funding holding up with the bulky waist? C. Bielik no bills in yet. M.Krenesky was the broken window on the carriage house, Wolf Ave who will fix it? C.Bielik, Doug Bousquet can repair the window or board it up. P.Betkoski/**M. Krenesky**; all ayes

11. Report of the Fire Marshal - No Report.

12. **Report of the Finance Manager** – M. Krenesky/P. Betkoski: has not had a chance to read it. Motion to send to BOF for their review, BOF meeting will be 10/10/2017. C. Bielik: On Item B on the report, Time clocks have been installed and checked, in the Town Hall only. Approximately 4 weeks the system should be up and running. All ayes.
13. **Report of the Tax Collector-** no report
14. **Report of the Town Treasurer** – no report
15. **Report of the Town Clerk** – M. Krenesky/P. Betkoski; send to BOF for their review. All ayes.
16. **Report of the Library-** no report, next month M. Krenesky/P. Betkoski; all ayes.
17. **Report of the Fire Department-** no report, getting one in November.
18. **Any other Reports**
 - a. **Report of the Custodian** – M. Krenesky/P. Betkoski; all ayes.
 - b. **Report of the Town Nurse** – M. Krenesky/P. Betkoski; all ayes.
 - c. **Report of the Animal Control Officer** – P. Betkoski/M.Krenesky; discussion;
 - d. P. Betkoski what are his hours? C. Bielik, as required. All ayes.
 - e. **Community Media Center Building Committee** – M. Krenesky, we discussed at the meeting, Mr. Speer, where we are going and finally make a presentation to give to the community with a survey. Mr. Speer gave some information on how to use the current house now. Our library is very full. The committee is meeting Oct. 14, 2017 going to Shelton recreation Multi use. Media center is defined it's the community center that we need to get ahead of. Many place we want to go see. C. Bielik, are there any municipalities that have a standing structure have what we are discussing? P. Betkoski, we voted to take it down. And now were back to square one. M. Krenesky just on

the property about a structure on it not about taking the building down. We are looking to use the land. But if we can find a way to use some of the house if we can. Discussion continued about how to use parts of the building itself or the land. Not ready for any other actions. P.Betkoski/C. Bielik; all ayes.

- 19 Reading of Correspondence** - Action: Semi monthly report from the Tax collector: 14 individuals for tax refunds \$1,436.15. motion to approve for payment from the tax collector: M. Krenesky/P. Betkoski; all ayes.

E-mail from Lorrie Moraniec, secretary to Region 16 Superintendent on Thursday 10/12/2017 Region 16 district office the renewal of the administrators union contact with Region 16, both Mayor Chatfield and C. Bielik have been notified of this and asked to send a representative. Anyone that can go from the BOS, that can go? M. Krenesky can't make it, P. Betkoski not sure he can make it. M. Krenesky said we should ask with the BOF who can attend? J. Roderigo Chairmen of BOF, will discuss it at the BOF meeting on 10/10/2017.

Thank you note from the Brian Blakemen family for the flowers and fruit basket.

Board of selectmen clerk, invoice needs to be approved. 08/31/2017 M. Scripo \$38.35, M.Krenesky/P. Betkoski; discussion; P. Betkoski did we give her a gift? C. Bielik, a combined gift from the BOS & BOF and giving it to her on 10/10/2017 BOF meeting. All ayes.

Email from the clerk EDC, regarding an item we will be discussion later tonight, monthly September meeting review session from CREC, after discussion and question and answer, the recommendation from EDC to move ahead with the CREC proposal to establish the ground work to use a EDC in the future.

Email through the library chair, from Darlene Raggozine, 09/13/2017, tendering her resignation to the Board.

Library director email from a Merissa Coria, her volunteer to fill a vacant on the Library board of trustees. Work at many local Library's. Won an award from the Ct Library association.

Letter from Library Directory 09/28/2017 seeking authorizing for a grant of \$900.00, need authorization from the BOS. It's under new business.

Letter received by Shawn Scirop to fill the Inland wet lands position in BF.

20. Old Business

a. Town Ordinance Relating to Heavy Truck Traffic and Processing of Materials - Discussion-

Research we have been putting out and the meeting is still in work, hopefully will meet this week. As soon as we get any word we will advise the BOS to move. M. Krenesky, the primary closure documents and we need to authorize someone, to go to the Milford superior court and get the information. Process is on going, but it's taking some time. K.McDuffie. P&Z Chairmen, as of early last week, did talk with Ken Ferone, O&G put four people on it. We need documentation on what we are asking for or we have no other choice.

- b. **Regional Water Authority Representative - Discussion and Possible Action** – M. Krenesky, Back in May we were approached by selectmen Betkoski, saying we should replace our current Representative on the Regional Water Authority Board. For several reason, the over all issue lack of attendance to the water authority, we made a discussion to put P. Betkoski on the board to replace Ms. Budeior,, Since then that information we were give about her attendance, was sorely misrepresent. That she actually had 80 plus% attendance record, 9 years, has exemplary attendance. We as the board has done an injustice to not reappointing her. We should correct this, that having P. Betkoski step down so we can appoint Ms. Budeior. And we also now found out since this happen that it's a paid position. P. Betkoski didn't know that it was a paid position. P. Betkoski refuses to resign from the position. P. Betkoski, she has never come to the board with any reports in 9 years. I am not going to be picking on her and I am going to reclude the rest of this. M.Krenesky I think it doesn't seem good with any BOS. To have himself pointed to a paid position, looks like you have taken advantage of the community. C. Bielik, I would like to stop you right there Mike. Discussion continue, M. Krenesky has nothing left to add. C. Bielik, stop being so political, this issue is closed and moving on to the next agenda item.
- c. **HR Firm Status – Update** – C. Bielik,in September to took on Chris McGinnis to take a look HR situation. Taken on board all the descriptions and made recommendations. Review every personal record. ItemS to purge from the files, did an audit on the 19 in the Fiance department to make some corrections. Doing a through job and helping us with going forward. C. Bielik, meeting with them 10/05/2017 for recommendations. Respond time has been excellent and very through. All Good things with them. P. Betkoski, Thank you Chairmen Rodorigo for doing this. C. Bielik thinks our return of investment will come back. M. Krenesky, Just the initial information we've gotten they have a lot of work.
- d. **Police Scheduling/Manning - Update** - C. Bielik, challenge with the police manning schedule. Some of them are contract issues. Substitutes as the resident trooper, we are revisiting the contract to try and expand the flexibility in the contract and help us scheduling in the day time. And not rely on the RT 8 state trooper. The primary part time officer we had for the over night shift, Tobey Geiger, he was a fantastic, until his own business took off. We now have sufficient funding in our budget to pay a higher rate for a part time positions, but we can't pay them higher then our full time officer, problem with the unions. We have a new officer, officer Motel, will be sworn in on Wednesday with the primary duty to be the midnight shift. Meeting with the labor board and the union and hopefully in a couple of weeks. M. Krenesky; end of the day can we fill our shift? C. Bielik, yes that is our ultimatum goal. M. Krenesky; we need something in this contract, that extra duty is secondary to regular shift. C. Bielik; please send that to me in an email so I can forward it to the labor lawyers.

21. **New Business**

a. **Appointments**

1. **Land Use/Open Space - Joseph Fitzpatrick - Term Expired 11/08/16** – Any names yet? No one yet.

2. **Inland Wetlands - to replace Jamie Lillis** – Shawn Scirop, has shown an interest with the Inland wetlands board. C. Bielik; please write us a letter for your intentions. Table it for now. M.Krenesky/P.Betkoski; all ayes. Shaun you need to come back to town hall with all your contact information with the Town Clerks office and then they can swear you in. Welcome aboard.

3. **Library Board of Trustees** – Marissa Correia to replace Darlene Raggozine, to the library board. - motion to accept Darlene resignation, M. Krenesky/P. Betkoski:

discussion; M. Krenesky not sure if she is still interested with the building committee, C. Bielik will check. all ayes

motion to appoint Marissa Correia: M. Krenesky/ P. Betkoski; discussion; M. Krenesky, do we know what her party affiliation is? C. Bielik, you only need one member from each party. No balance need for party. All ayes. Welcome aboard Marissa.

- b. **Economic Development Commission Consulting Firm - Discussion and Possible Action** – we all review cert qualification, EDC gave their final blessing, motion to accept CERC proposal. P. Betkoski/M. Krenesky; discussion; M. Krenesky, over all the presentation was extremely comprehensive, before we dive deep into giving the title CERC coordinator; All ayes.
- c. **CCF Library Grant Submission Authorization - Discussion and Action** - motion to authorize the library directory and program Librarian to submit an application for the CT Committee Organization Pathway Older Adult Way grant. M. Krenesky/P. Betkoski; all ayes.
- d. **Upcoming Tax Auction – discussion** - C.Bielik motion to add as 21D, as a discussion: M.Krenesky/P.Betkoski: all ayes

M. Krenesky has an item to add to the agenda: Up coming Tax auction, several pieces on the tax auction that we should acquire as a town, would love to find a way to help the River Restaurant. The problem is we don't know who would take over, Rau property and the Hubble Ave. adjacent to River Front Park we have today. May have future value to the town of Beacon falls. By having some control over all these properties on Main St all goes hand in hand with the redevelopment of Main St.

C. Bielik, Rau property if it ever came up has been a target for potential acquisition, talked with Attorney Steve Bellis, obtained several pieces of land on Nancy Ave.. help us. It Double River bend park . Bellis is well acquainted with the process, he hasn't respond yet. One action limited up to 19,999.00 some of those properties exceed that amount some are under in back taxes owed. The question becomes does the town of BF have the first of right refusal to any tax that becomes delinquent and letting us have it first, or are required to put these properties on the market. As soon as Attorney Bellis gets back to me to answer these questions we will know.

M.Krenesky if we can take the property and not get into a bidding war. C.Bielik, We are waiting on the Attorney Bellis to get back to us. C.Bielik: If you obtain the property due to tax acquisition, the party has 6 months to get back their property by paying the back taxes.

- 22. **Budget Transfer Requests** – request from BHCO#1 transfer \$1,614.00 from contingency budget to alarm 10.90.83.1170 to alarm system monitoring 10,90,03,1600. When we set the budget we neglected to include the money for the monitoring system in the budget. M.Krenesky/P.Betkoski: and send to BOF all ayes

Request from fiance to transfer \$358.00 from medical insurance line 10.90.13.1245, and transfer it to our insurance property 10.90.37.1410 request when we quoted out insurance policy we didn't include a rider for crime insurance endorsement. M.Krenesky/P.Betkoski to send to BOF, all ayes

Request to transfer from four separate accounts. Transfer from Utilities-Heat, water, electric, 10.30.03.1120 \$12,000.00 to Energy-Solar Generation 10.90.03.1121. Electricity 10.90.44.1121 to Energy -Solar Generation 10.90.03.1121, \$10,000.00, Electricity 10.90.61.1121 to Energy – Solar Generation 10.90.03.1121, \$3,800.00, Electricity, 10.90.67.1121 to Energy – Solar Generation, 10.90.03.1121 \$19,990.00. One account where all it is coming from easier on an accounting point to keep track of. P.Betkoski/M.Krenesky: to send to BOF, all ayes.

23. **Comments from the Public-**

Shawn Scirop 71Lasky Rd. As a residence to of Beacon Falls , I think the board stop the conversation early on the Water Region Authority representative, would like the board to open it back up to make sure the town is not being taken advantage of, as a tax payer, I find it hard that Mr. Betkoski owes a lot in back taxes and keeps taking town paid positions. If your taking a position you would research and know it was a paid position.

C. Bielik I would ask you to refrain from making acquisition that have no basis in facts. We are not engage in conversation at this time.

Ken George 33 Railroad ave BF, The police schedule isn't just night, it's days also, due to police taking private duty jobs, please look at the schedule and look at the coverage. C.Bielik we are not engage in discussion with this now but if you go back and look at the earlier discussion part of the discussion is the day shift schedule.

Kevin McDuffie 2 Hailey Ridge Rd, Discussion about the Regional Water Authority, I did do my homework and I spoken to a couple people on that board and the board is comprised of professional town people in that region, I did my homework and spoke to a couple of the members and right now they are proud to have P. Betkoski on the board. It is really an extensive information for the region, we are lucky to have a representative on the town as Mr.Betkoski. Please do your home work before you start.

Any comments from the public three times:

24 **Executive Session** (if needed) – none needed

25. **Adjournment** – P. Betkoski/M. Krenesky; 9:40pm

Respectively submitted,
Joann Smith Overby
BOS Clerk