

**Public Hearing
Town of Beacon Falls
Monday, July 9, 2018
Draft- Minutes (subject to revision)**

The Beacon Falls Board of Selectmen will hold a **Public Hearing of the Electors and Citizens** of the town of Beacon Falls, on **Monday, July 9, 2018**, beginning at **6:00pm** at **Laurel Ledge Auditorium**, 30 Highland Ave, Beacon Falls, CT for the following:

1. Call to order/Pledge of Allegiance

meeting called to order by Christopher Bielik at 6:04pm

Present: First Selectman Christopher Bielik, Selectman Peter Betkoski

Absent: Selectman Michael Krenesky

Others Present: 49 Members of the public

2. Discussion of Proposed Tornado Cleanup- Action

C. Bielik: I apologize for no microphone. We have been looking for someone who could get us one, asked for one when we requested the room but as you see we do not have one. For anyone who is planning on speaking for public comment, there is a signup list while I am giving the background. We are dealing with the May 15th tornado. To give you an idea as to why is it taking a while to get clean up done, there were requirements that we had to meet with this type of cleanup, and the FEMA requirements and if we qualify for reimbursement, an arduous process. By the 30th of May we had to compile best guess estimate of trees, brush, leaning and hanging trees on municipal property, and damage to municipal buildings and send it to the state of CT where they were compiling information to send to FEMA so they could get an initial scope of damage statewide. Once FEMA got that info they had to send people down here to see that the estimates lined up with the visual reality. They came out in the middle of June and they validated all of the information that we had sent up. If we were going to be pursuing reimbursement from FEMA there were certain requirements that we put in RFP that we put out and which got responses from all over the country, some local, wide group of firms that were bidding on the initial job and when we received the initial bids, the numbers that we got were \$500k to \$750k. We needed to take those 7 to 8 bids and make sure that this was an apples to apples comparison since there was not a complete agreement among all the bidders on what the scope of work was, as in how many trees, how much brush. Some bid on more in case we had missed some. We needed to normalize, make them all similar in scope and nature so that they were a fair comparison pricewise. Once we looked at all of the numbers, the next step had to come into play, if we bid this out according to FEMA standards, we are on the hook for paying

the whole bill upfront, and hopefully get reimbursed by FEMA after the fact. Could take a year or two. What we don't know today is whether or not the federal gov will declare CT a federal disaster area in order for us to qualify for assistance. So until then we are operating on faith. We may be left holding that bag entirely because if feds don't declare it a federal disaster it will leave us on our own. I can't say for sure that will happen, but I can't discount it either because look at where we are, it hasn't happened yet. So we had a joint BOS and BOF meeting where we reviewed the bids, FEMA requirements, what the funding requirement would be for us. We don't have \$600k we can just write a check for without dipping below the General Fund balance we are require ourselves to maintain. It's not something that we treat lightly. Nobody on BOS or BOF thought that was a good idea. So we revisited the requirements to see what could be lessened, to put out an RFP for a more local bid that might be able hand the cleanup quicker, and more locally, operating under less than the FEMA requirements but that would leave us vulnerable to getting not much of any reimbursement from FEMA if and when they ever declare that natural disaster. Accept bids, and then probably in order to pay upfront, if we are hiring someone under the FEMA standards, have to go out for short term financing. We'd have to take out a short term loan and then roll it into a bigger long term bond when a bigger project came along in the future. We would have to do a bond, a bond anticipatory note, usually short term notes, interest only payments done at a pretty low interest rate, but still there is an origination fee that goes into starting that, and then interest payments that go onto the money that you borrow. This is if we pursued the bids based on the fema requirements, even with a best case where you get 75% to 80% reimbursement, and then looked at what we might be able to get if we do it locally and paid out of pocket, and the BOS unanimously voted to reject the out of state bids from the RFP for the FEMA standard bids. Between the BOS and BOF we all unanimously agreed to go with a new RFP, based on lesser standards, funded from our cash reserves, we estimate a cost of \$300k but could come in less. If we had taken the FEMA standard bids on the original RFP, we would have been on the hook for about 20% of the estimate, plus whatever the bond fees and financing fees were. Now we're getting up to a pretty high number, similar to what we are talking about tonight, with no guarantee that the feds will ever declare it a federal disaster. We, the BOS and BOF, unanimously decided that this was the path that we are going to down. Putting out a new RFP, done to lesser standards, that would still clean up all of the damage around town. That RFP was done last Friday, opening date for bids 16th of July. We have the money to start that work hopefully immediately and have it done in 2-3 weeks after signing the contract. This is the background that is going to bring us to the vote, that we will do immediately after the conclusion of this public hearing. Selectman Krenesky apologizes, he is caught in traffic. I will turn it over to Selectman Betkowski for a few words at this point.

P. Betkoski: Chris explained everything very well. I've been pounding on doors, making phone calls. I was born and raised in this town, I know people are not happy with the way things were handled at the beginning but he was trying to save the town money. After meeting with the BOF, and all of you reaching out to us, we do see the hazards. You've got fire hazards out there. It's our town to clean up and I hope you all support this.

CB: Thank you. One person signed up to speak.

Raymond Binkowski, 52 Cedar Lane: One of the articles said that any of the work that has already has been done by public works, if it meets FEMA guidelines, will be eligible for reimbursement if the disaster is declared and funds are made available. I want to know who stopped the work to begin with? Because it's been weeks...

CB: I'm sorry but that doesn't have to do with what is being talked about tonight.

RB: Oh, yes it does.

CB: we are talking about the funding..

RB: We are talking about the funding and that we could have saved 50k to 100k if the work wasn't stopped. And I want that in the minutes and I want to know are you the one that stopped this while you tried to figure out what was going on with FEMA. This was all put on hold. This thing was not filed on time, by the way.

CB: I'm sorry. That is not true, Ray. We met every deadline that was required of us. It absolutely was, filed before the May 30th deadline.

RB: Then why stop the work when you have a place to dump it. We can fit ten times the amount of brush that is down there. So you could have made this a 200k cost from a 300k cost out of our general fund. This whole thing revolves around those solar panels.

CB: No, does it it not.

RB: Yes, it does. You would not have a meeting or call me to talk about it, going back, and I never got a phone call back. Then talked to Peter, he never called me back. I have the floor. This whole thing revolves around the solar panels, and there was never a vote on it. There was a plan to get a quote from the companies. Went to the zoning board in between.

CB: Three minutes. That is not up to the crowd to decide to give more time.

RB: Three more minutes

CB: The moderator runs the meeting, not the crowd. Please sit down. Is there anyone else in the crowd who has more comments. We have other people on the list. We have other people to talk. Ed, you are up

Ed: It is my understanding that the town is going to be picking up the debris at the curbside of every property, if that was FEMA paying for it I'd have no problem with it. I don't want to pay my taxes to clean up other peoples' debris. I have had it happen on my property, gone to insurance companies and had no luck. I had to pay out of pocket, and expect each homeowner to be responsible for their own cleanup. I don't think the taxpayers should have to pay for that.

Bob Spear, 14 Lakeview Rise: Money spent by the town for cleanup to date, where has that money come from? Is it from the estimated 300k?

CB: From the operational budget for public works, for the time they put in, regular time, overtime. Some of that money, if a declaration is ever made by FEMA, is subject for reimbursement already. Finance has all of the data that we've already compiled. Public Works has been careful about logging all of the work that has been done. All the effort that has been done to date that would qualify for FEMA reimbursement, has been logged. \$19,422.

BS: What is the status of revised RFP? Any bidders? Is that gonna be by tonnage on the trucks or number of yards.

CB: Based on cubic yards

BS: Packing the trucks, will there be supervision?

CB: Yes

BS: From the department of highways?

CB: Yes

Shawn Styfco, 71 Lasky Road: The town owns a 38k wood chipper. From my understanding, and at the joint BOS/BOF meeting you stated that the town doesn't have time to work on this due to vacations.

CB: No. That was only part of what I said.

SS: You are not letting our town crew do their job. Desperate times call for desperate measures. I understand someone wanting a vacation but here you are wanting to transfer 300k. Other towns are mostly cleaned up, and you are not letting our town crew do their job. Who care how long it takes for them to mow the lawns. After all of the damage from peoples' trees sitting at the end of their driveway they are going to have to replant grass. The other thing is, you had suggested at the last meeting that we were going to get rid of the RFP for the others because you specifically suggested that Jimmy Weid would get the bid, because you knew his prices. That is bid rigging.

CB: That is not true. We have no idea of what his bid is.

SS: I have an audio file.

CB: Nothing that you said there has anything to do with the actual truth.

SS: But when this gets approved and you go out and do the bid again, you know what Jimmy Weid is going to come in.

CB: You are misrepresenting what you think you heard.

SS: You said that the town crew would be picking up all of the brush at the end of their driveways, and its still sitting there. I'd like to suggest everybody to vote no this evening.

CB: That is not what I said. What I said was that the town would be responsible for picking things up. That doesn't mean that the town crew was necessarily going to be the ones tasked with that function. It meant that they town was going to take care of it for every homeowner that has that situation.

P. Betkoski: And just for the record, Ray, you never reached out to me on the solar panels.

R. Binkowski: Yes, I did.

PB: No, you didn't. You never set up a meeting to talk about the brush, or the solar panels, or anything.

R.B.: I've been asking about the solar panels for the last six months.

CB: Order. Ray you are out of order

John Dalby, 194 West Rd: More of a clarification of anything else. We had a tree on the town's ten foot right of way, down in our yard, so we were responsible and we paid. So it is my understanding that it is the town's responsibility to take stump, roots, fill in the hole.

PB: Yes.

CB: Yes, part of the bids on the list, we have a list of all of the trees and stumps and hanging branches. Public Works has that list.

PB: Yes. If they know, it will be taken care of.

JD: No I've heard, and this is only hearsay, that a standing tree, if its determined by FEMA 75%

destroyed, it comes down. We have a tree, again in the 10 foot right of way, it's the next door neighbors, which if my understanding is correct that they will come around, look and say its 75% destroyed, and say that it has to come down, you would get funded for taking the tree down.

CB: It was part of the evaluation done by the FEMA team when they were out here. I'm not an expert on this so I can't attest to 75% true or not, but if it's on the list it will be taken care of. Anyone else who hasn't had a chance to speak yet?

Bill Giglio, 274 Bethany Rd : If I understand it correctly, is town is going to pay for this, or is it going to FEMA...is that what this whole thing comes down to?

CB: Originally we put out a bid spec based on FEMA standards hoping a federal disaster is going to be declared, with hope of reimbursement for it, if and when declaration was made. Still hasn't happened yet. When BOS and BOF met two weeks ago, BOS unanimously did not want to wait and roll the dice based on a declaration that has not happened yet, and rejected the bids based on the standards of FEMA, did the RFP over with a lower standard, and less cumbersome reporting requirements. That RFP is out on the street right now, bids open on 16th of July, and we have done a best guess ballpark on how much we expect that to cost. One way or another we were going to ask the public to fund something, the question was at what level we were going to ask for that funding at.

Bill: Just an observation, as we drive around what were branches, are nice dry piles of brush, all we need is one cigarette butt... so time is of the essence

Dino Verelli, 33 Kalea's Way: Why was there then brush brought down to the rec?

CB: When the initial disaster occurred we had crews from all over the country, trees down blocking roads, taking down wires, causing impediments to being able to operate normally. When that effort was down, we needed a place to put it, so we put it there, a place we have used in the past based on the amount of debris we expected to see. In the past, hurricanes, we have done the same as we have done this time. This exceeded the scope of what we have used in the past.

DV: Where do we put brush then?

CB: These questions have nothing to do with what we say tonight.

DV: But if we don't have a place to put brush, then we have to have it paid to have it removed.

CB: It has to be disposed of one way or another.

DV: But if we had a place, we would have someone bring it down. What other times have we used the REC for disasters in the past?

CB: It has not occurred during my administration, but I was informed that we had used it in such a way before.

DV: So it's not a fact.

CB: Yes it was used in the past going back 7 years.

DV: So we have no place to put brush.

CB: Do you have anything else to ask tonight?

DV: So we are playing to have brush removed because we have no place to put it.

Susan McDuffie, 2 Haley Ridge: So if at this time, we have a chipper and we do it ourselves, at the expense of the town, would FEMA reimburse if it was a town expense versus an expense

of an outside vendor?

CB: Partially yes, some of that would potentially be reimbursable.

Thomas Thompson: Not all costs would be approved, each site would have to be monitored, lots of doctorializing.

SD: So it's harder to monitor if something was done townwide. Is that what you are saying?

TT: If you don't want to have a subcontractor, it's my understanding that...

SD: Like FEMA reimburses, some things are reimbursable, some things aren't reimbursable. An outside vendor would be reimbursable.

TT: Not necessarily all.

SD: So its equal, they are both reimbursable to some extent.

TT: But it hasn't been a disaster declaration.

CB: Right now FEMA reimbursing is a pie in the sky idea, and it may never happen so we have to be prepared because we may be paying the whole bill.

R. Binkowski: Three minutes. This goes back to end of last year, when the solar panels appear with no vote, no referendum. So when the dump finally opened, after meeting I did have with Chris, he promised it will open by end of April, and I said I am not talking about dumpsters. And Chris says..

CB: Are you staying on topic?

RB: I have floor.

CB: Not if you will be off topic

RB: so that would not...

CB: You will not have the floor if you are off topic. We are not here for solar panels.

CB: Please address all comments to the chair.

PB: I urge for everyone to calm down. This is all political, and this is not the venue to approach this. They want to hear answers, they can call the secretary and make an appointment.

RB: Its a state law that the town has a place to dump

CB: A very small amount of what you are saying is true

RB: I will be at the selectmen meeting

CB: Any other public comment? Any other comments by someone has not spoken yet?

Shawn Styfco, 71 Lasky: So it would be cheaper to have public works department clean up the mess, then pay all this money for a contractor to do it, and I suggest that we vote no this evening. Thank you.

PB: Our town crew has been doing the best they could. We have videos because I was told to video their work. They don't do it 24 seven. Last night they had two guys in and they did some brush but then patch potholes, then they have clogged sewer lines to also deal with. If you want to look at this brush for the next couple of years then vote no. I urge you to vote yes.

SS: Then get volunteers, I would help out.

PB: You don't have the manpower to deal with this stuff. It's some big stuff, have you seen it?

Bill Giglio : Everyone can beat this thing to death but the fact of the matter is decisions need to be made during fog of war. I don't want to hear about what happened during Hurricane Sandy. Sandy doesn't hold a candle to what happened in this town. So give them a break, and let's get

this thing done and stop the bickering. There is only one way through this- pay for the damn thing, and if we get the money from FEMA then great, if we don't, so be it. That's it.

John Dalby, 194 West Rd: How many employees are in the public works department?

CB: 6 in street/parks. Public Works has wastewater treatment, so 9 including them, but those three run the treatment plant. So only 6 who work for streets/parks.

Dalby: So we're going to have 6 people to go around whole town of Beacon Falls.

CB: And do nothing else but that.

Bob Spear, 14 Lakeview Rise: Clarification on existing RFP. Is dump site still Pent Road or do they have to find their own site?

CB: It would be a collection site, then processed and removed and find their own dump.

C. Bielick made three calls for additional public comment.

3. Adjournment

Motion to adjourn the hearing and begin the Town Meeting: **Betkoski/Bielick; no discussion; all aye.**

Meeting adjourned at 6:35pm.