



Beacon Falls Board of Selectmen
C/O Town Clerk
10 Maple Avenue
Beacon Falls, CT 06403
Special Meeting Minutes
June 27 2022
(Subject to Revision)

Members Present:

P. Betkoski (**PB**) and M. Krenesky (**MK**)

Members Absent:

G. Smith (**GS**)

Others Present:

None

1. Call to Order/Pledge of Allegiance:
MK called the meeting to order at 9:05 AM
2. 8-24 Discussion and Action:
Motion to approve the move of the 8-24 Land Swap to town meeting made by **PB**, seconded by **MK**. All ayes. See Exhibit A. for details on Land swap.
3. Town Meeting Discussion and Action:
Motion to set the town meeting date to July 6, 2022, at 6 PM in the Assembly Room at the Beacon Falls Town Hall, 10 Maple Ave. Beacon Falls, CT 06403 made by **PB**, seconded by **MK**. All Ayes
4. Adjournment:
Motion made to adjourn at 9:10 AM by **PB**, seconded by **MK**. All ayes.

Respectfully submitted,

Lauren A. Fennell
Clerk, Board of Selectmen



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Exhibit A:



MEMORANDUM

To: Michael A. Krensky,
Selectman

From: Vincent M. Marino, Esq.
Special Town Counsel

Re: Proposed Land Swap with Estate of Charles Edwards

Date: June 17, 2022

On June 6, 2022, you asked me to provide guidance on the next steps concerning the proposed land swap transaction between the Estate of Charles Edwards (the "Estate") and the Town of Beacon Falls (the "Town").

The Estate is seeking to acquire from the Town a portion of 21 Lorraine Drive totaling about 6,367 sq. ft (0.146 acre). See *April 19, 2022 Letter from J. Williams*. In exchange, the Estate proposes to convey to the Town an area of open space on 30 Lorraine Drive a parcel of land that is above the 10 percent required by the subdivision regulations, and which provides a valuable public purpose.

According to the summary of the 8-24 referral for the Zoning Commission, the Town acquired 21 Lorraine Drive through a foreclosure action. Generally, the legislative body of a municipality is required to hold a public hearing on the sale, lease or transfer of real property owned by the municipality prior to final approval of such sale, lease or transfer. Conn. Gen. Stat. §7-163e (a). However, the provisions of Conn. Gen. Stat. §7-163e (a) are not applicable to the sale, lease or transfer of real property acquired by the municipality by foreclosure. See Conn. Gen. Stat. §7-163e (b)(3). Accordingly, since the property was obtained through foreclosure, there is no requirement that a public hearing be held.

The transfer municipal property requires Town Meeting approval. Before it is referred to the Town Meeting, the Board of Selectmen should take an affirmative action to recommend that the Town Meeting approve the transaction, and then refer the matter to the Town Meeting on a scheduled date.

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