

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



BEACON FALLS BOARD OF SELECTMEN
Monthly Meeting
September 14, 2020
MINUTES
(Subject to Revision)

1. **Call to Order / Pledge of Allegiance**

Selectman Gerard Smith called the meeting to order at 7:00 P.M.

Members Present: Gerard Smith (GS), Mike Krenesky (MK), Chris Bielik (CB)

Others Present: 4 members of the public

GS – Made motion to amend the agenda to add an item under New Business, 18e. S. Styfco follow up letter regarding P&Z FOIA Complaint, seconded by MK, all ayes.

2. **Read & Approval Minutes from Previous Meetings**

Minutes from BOS Monthly Meeting held on 8.10.2020

Minutes from BOS Special Meeting held on 8.12.2020

Minutes from BOS Special Meeting held on 9.01.2020

Motion made to approve the minutes as presented – CB/MK, all ayes

GS – noted that the meeting minutes from the Town Meeting needed to be revised to incorporate the full resolutions. When the meeting minutes were filed, the partial resolutions were inadvertently filed. The meeting minutes noted that the full resolutions were filed.

Motion made to revise the minutes to incorporate the full resolution to the minutes – MK/CB, all ayes

3. **Comments from the Public**

None

4. **Resident Trooper/Police Report**

Motion to approve Resident Trooper Report as presented – MK/CB, all ayes

5. **Wastewater Treatment Plant Report**

Motion to approve Wastewater Treatment Plant report as presented – CB/MK, all ayes

GS – just an FYI we have had an ongoing issue on Hockanum Glen, there is a liter pipe that was creating a smell. The smell was coming from two lids. We replaced the two lids and it took care of the smell at the source where the town was responsible. We did a smoke test because there was an odor still lingering and they found out a couple of houses in the subdivision did not have traps. This was putting the smell back into the air. Traps are the

homeowner's responsibility. That was a group effort by Rob Pruzinsky, Tom Carey and Jeff Smith.

6. Report of Public Works

Motion to approve Public Works report as presented – MK/CB, all ayes

GS – they have been cleaning out catch basins in preparation for paving.

7. Report of the Fire Marshal

Motion to approve the report for the Fire Marshall as presented – CB/MK, all ayes

MK – states pre inspection for Beacon Beer and Barber shop. Those are existing businesses. Just a question as to why it would “pre”.

8. Report of the Finance Manager

Motion to approve and forward to BOF for discussion at monthly meeting – MK/CB, all ayes

9. Report of the Tax Collector

Motion to approve and forward to BOF for discussion at monthly meeting – CB/MK, all ayes

GS – demand letters were mailed out as reminders, which I thought was ok. Some people called and thanked them for the reminder however, there were some people who thought it was aggressive of us to be mailing them so soon. I thought it was a good practice to send out. CB – maybe we could tone down the language and making it softer.

10. Report of the Town Treasurer

No report. New email system installation difficulties.

11. Report of the Town Clerk

Motion to approve and forward to BOF for discussion at monthly meeting – MK/CB, all ayes

MK – any specific reason why the convenience was so high? GS – I did not talk to him yet but the real estate market was hot.

12. Report from Economic Development

No report provided.

13. Report of the Library

Motion to approve and forward to BOF for discussion at monthly meeting – MK/CB, all ayes

GS – I received a call from Renee from Friends of the Beacon Falls Library saying she is extremely appreciative of Liz. Liz goes above and beyond; makes home deliveries and she thinks that Beacon Falls needs an employee of the month and that it should be Liz. I wholeheartedly agree that Liz is an exemplary employee and she does go above and beyond. CB – couldn't agree more.

14. Report of the Fire Department

Motion to approve and accept the report as presented – MK/CB, all ayes

MK – what is going on in Naugatuck. CB – yes, that is a lot of mutual aid. MK – do we know what is going on with BH6? GS – I am not sure what is going on with that but BH7 was fixed. Carl looked at it and there was nothing wrong with it. Over time, suspension settles. It has an adjustable spring suspension, so he turned the springs up, leveled the ride height back off which took it off springs and back on the bags.

15. Any other reports

a. Report of the Custodian

GS – I have had him doing some outside work around the buildings as well.

Motion to approve the report as presented – CB/MK, all ayes

b. Report of the Town Nurse – (Quarterly) - none

c. Report of the Animal Control Officer

GS – we did not get the original form. That form needs to be submitted to the Treasurer. Clerk confirmed that form not submitted for Treasurer. GS – if he wants to

do a monthly report it needs to be in addition to that State required form. CB – without the formal report form this is incomplete.

Motion to not approve the incomplete report. Report must be submitted with the proper form and with the information provided with the form or filled out on the proper form – MK/CB, all ayes

- d. **Community Media Center Building Committee (Previous Meeting Minutes) – NONE**
- e. **Park Trails Report**

Motion to approve both reports as presented – MK/CB, all ayes

MK – I have no problems with the report, but my only question is the park rules for water activities. For years, we have said no inflatables on town waters. I think we need a clearer definition of inflatables. There are several high-quality inflatable kayaks today. GS – I think the intent was no pool tubes, etc, but to your point, inflatables are inflatables. MK – I would like to get a better definition. Park Ranger noted that when we say inflatables, it is all inflatables. I presented this to the Park & Rec Commission and the decision was to not allow any inflatables in park areas. I am not sure how we would define types of inflatables that would be appropriate. CB- I agree, when you start making exceptions, it becomes harder to enforce. GS – update agenda to say Park Ranger/Public Works Parks together to include Steve Moffat's report.

GS – they did remove the playscape and Bob will talk with Park & Rec about looking into getting a new playscape. They did get some pricing and to replace it with something comparable and it would be around \$55,000. There was a full article in the newspaper how the old playscape was out of compliance.

- f. **BOE Report - none**

16. Reading of Correspondence & Payment of Invoices

- a. Thank you letter from the Markette family for flowers they received.
- b. Letter from Town of Beacon Falls Senior Center requesting approval to hold monthly business meetings at the Senior Center, noting that COVID-19 precautions would be enforced. GS – the Senior Center is closed because they are the at-risk category and to hold these meetings would put them at higher risk. My recommendation is that we do not allow them to meet as the Senior Center is still closed. CB – they talk about the monthly business meeting. Is that a small group? MK – its my understanding they normally hold a luncheon with it to get people to show up. GS – yes, essentially opening the Senior Center. **GS – entertained a motion to not allow the Senior Center to hold business meetings or operate in a Senior Center capacity until the Senior Center reopens. MK/CB** – CB for discussion, it would be good to clarify that what we are saying is that town functions can use municipal buildings but for now functions like that are beyond what we should be considering. GS – agreed and if the Seniors are meeting, they are meeting to discuss what they will be doing and functions etc. **GS – move the question to vote, all ayes.** MK – point of order, this is signed Beacon Falls Senior Center President. I believe she is the president of a 3rd party organization called Beacon Falls Seniors. There is no President of the Beacon Falls Senior Center, it is a municipal building.
- c. GS read email received from Mary Ellen Fernandes, 5 Sharon Drive. (attached)
- d. GS read memo from Planning & Zoning Commission who requested that laptop and printer be returned to former clerk. GS noted that this request was received because we did allow one of the clerks to keep her laptop because she spend money for software on it. The laptop was antiquated and worthless to the town. This laptop is a different story. This is a newer functioning laptop. Both the laptop and the printer have been put back in service and are being used by town staff. I do not know why we would give an independent contractor or employee a piece of town equipment. CB – maybe a misunderstanding on this commissions part regarding the decision which was allowed for the other clerk to keep her laptop,

but it is not necessarily a straight line. One alternative is if the clerk in question had been using it and would like to compensate the town for fair market value of the equipment, maybe that is something we can review. GS – that laptop is being used by another clerk for the town.

17. Old Business

- a. **Town Sesquicentennial Celebration – Update;** MK-we were trying to get a meeting put together for this week, hopefully Wednesday night. Lisa is working on a program brochure that we may be using to send out to local businesses for donation.
- b. **Wolfe Avenue House – Update** GS- We need to leave this on the agenda and the bids have come back. The one bid we have was drastically off the mark of the others. I am concerned there would be drastic change orders halfway through. I still think we need to evaluate the fate of the property and let it ride for another month while we figure out the next steps for the best interest of the town and the property.
- c. **Ordinance Requests –** GS – four ordinances before us.
 - Back in February we received a request from Mr. Styfco that would enact an ordinance that would disqualify any individual from seeking either elected or appointed positions within the Town of Beacon Falls if they were delinquent on taxes. The answer was clear that we cannot prohibit someone for delinquent taxes.
 - GS – next one we received was to adopt an ordinance regarding racism. GS read attorney response in its entirety (attached). GS legally we are being told it would not be in our best interest for a variety of reasons. I have lived her for 35 years and I am a man of color and I think that this is something that should be kept at the State level and few this as a close, personal subject and I do not feel that the town should not adopt anything. I think we should recognize racism for what it is and there is nothing we can do on this level that will change it. Beacon Falls has been inclusive and remains inclusive. I agree that we should do nothing and will leave it up to the other Board members about adopting a resolution, but for me as a black American, I stand opposed to it. GS – MK? MK – I agree with you. I have had numerous conversations with family and neighbors, and they have all fallen into the same question, “what level of racism have we seen in town”. While I think we all have some biases regardless of who you are, but for us to move forward with this does not make sense to me. As the town Historian I have never seen anything that resembles racist comments or actions. GS – one thing I will say is that racism is alive and well and I have dealt with it and I will continue to, but this will not change the level of racism in Beacon Falls or anywhere else. This plays to the national narrative of being divisive. CB – as an ordinance this missed the mark by a long way, but this coming in as a resolution, would be more applicable. I would agree that of the four of us, the First Selectman is the most likely one to have had any kind of absolute object personal experience with anything. Doing what you do in this country is hard to look at the national narrative and turn a blind eye. It is impossible to disagree with the notion of systemic racism throughout the country. I do not know that adopting a resolution would feed into a narrative of divisiveness, I do not agree with that, but if the majority of the Board believes that adopting this as a resolution the way that the legal council proposed to us, is not something that the town wants to do it is not a hill I plan to die on. I would be fine, but to make a statement from the official government of this town, I would be comfortable adopting the resolution that was proposed. If that is not the mood of the BOS, then so be it. I do not feel it is a bad thing to do. **GS – entertain a motion should the**

Town of Beacon Falls adopt the proposed resolution presented by the town attorney in place of the Ordinance that they recommend we not adopt. CB/GS – GS discussion – motion is to adopt resolution as presented by town attorney in place of ordinance they are telling us not to do. GS/CB, ayes, MK, nay.

- Service Award Committee – GS – we finally finished ordinance review and now we need to set a date for Public Hearing and Town Meeting. Board set Public Hearing and date for Tuesday, October 6, 2020 at 7pm and the Town Meeting to immediately follow.

18. New Business

a. Appointments & Reappointments –

- **CT Water** – Lou Santoro appointed.

b. Tax Refunds – GS – entertain a motion to approve refunds in the amount of \$6,665.41 MK/CB, all ayes.

c. Refunding Bond Authorization: To consider and act upon a resolution to authorize the issuance of bonds to refund in whole or in part the Town's outstanding \$5,865,000 General Obligation Bonds, Issue of 2014.

GS – our 2014 bond is eligible to be refinanced in mid- December of this year and doing so at these rock bottom interest rates will save us approximately \$300,000 (after counsel and advisor fees). We are coupling this with our new debt issue (\$4M BAN) to keep fees to a minimum and to have these savings available to us, which we can spread out over the next few years for all debt to soften the blow when the first principal payments become due for that BAN. GS read full resolution (attached) into the meeting minutes.

CB made motion to adopt resolution as presented, MK second, all ayes.

d. Ordinance Committee – GS – before COVID hit we were looking at our fees and reviewing ordinance for contradictions. We need to review them all. GS - entertain a motion to put together an Ordinance Committee comprised of Richard Minnick, Donald Molleur, Thomas Pratt and Kyle Brennan to work on and present to BOS for presentation on updating town ordinances, MK/CB, all ayes.

e. S. Styfco follow up letter regarding P&Z FOIA Complaint – GS noted S. Styfco withdrew complain against former clerk but did file a complaint for P&Z training documents, which I believe they are working on providing to him. GS – to BOS, you have read the letter with the issues presented, do you have any comments? CB – these are not the first FOIA requests made by this individual. I think it is the towns obligation that if information that is held by the town can be readily provided in response, then it is provided. The whole section that deals with real estate license perception is not an FOIA complaint, it's a personal vendetta that has been carried on by this individual going back years and I do not think any other comment or action on the town is necessary. Our obligation starts and finishes with a legitimate FOIA request being put in and us providing information in response to that. In addition, the cost in gathering and time it takes to provide information should be borne to the person submitting FOIA request. MK – as I look at this letter, there are several statements and perceptions provided. The current request is just for training certificates. Our only conversation should be regarding the current complaint. CB – my understanding is that P&Z members will go to training either on their own or for consistency have completed group trainings with the town engineer. MK –_Where are the certificates to fulfill this request? GS – the ordinance says it is the individuals and they are not looking for a group certificate. The Chair should reach out to his commissioners to get as much information available to satisfy request and to treat the balance of the letter as correspondence received into the record. MK – I agree but as one final point, regardless of group training or individual, they should

have all been issued a certificate. CB – one of the things FOIA is clear about is that we can only provide documentation that exists.

GS – motion to recess meeting for 5 minutes at 8:22 CB/MK, all ayes. GS – Board reconvened at 8:27PM.

19. **Executive Session** – none

20. **Adjournment**

Motion to adjourn at 8:28 P.M. CB/MK, all ayes

Respectfully submitted,

Kerry McAndrew

First Selectman's Office Administrator/Clerk