

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



**BEACON FALLS BOARD OF SELECTMEN  
Monthly Meeting  
November 9, 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:** 14 members of the public

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

Motion made to approve Minutes from BOS Monthly Meeting held on 10.5.2020, MK/CB, all ayes

Motion made to approve the minutes from BOS Public Hearing held on 10.6.2020 and the Town Meeting held on 10.6.2020, MK/GS, CB Abstained.

**3. Comments from the Public**

Kevin & Dawn Dolka, 12 Timber Ridge Ln., We're writing as a comment from the public questioning City Hall on why between 2015 and 2017 a zone change in the neighborhood of Oakwood Drive was approved without any residents knowing about this or voting on. We realize it was during a time of different members in town office, but some are still on the boards. An investigation should be formed to better understand how such was approved.

**4. Resident Trooper/Police Report**

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

GS – we had Bert run speed surveys on Burton Road and there were a number of travelers in the 40's with the average speed at 36 mph. We are a part of the Resident State Trooper program so that allows us access to certain programs like the Speed Enforcement Program and traffic studies. We are going to be seeing more Troopers in town. The Road Enforcement Speed team will be randomly setting up radar not only on Burton Rd. but also Rimmon Hill, Beacon Valley, Skokorat, and other trouble spots in town. The public did not feel that we were doing enough to slow speeders, the bad news is now if you get pulled over it will be a Trooper and not a local police officer, whom a resident may know. We need to slow travelers down. We have discussed speed humps but after much discussion with EMS and Public Works, we agreed to do stepped up enforcement for now. CB – no one has been in favor of speed humps. I also want to make sure that Blackberry Hill and West Road are also monitored. GS – you will see a big increase in police activity regarding speeding around town.

**5. Wastewater Treatment Plant Report**

**Motion to approve Wastewater Treatment Plant report as presented – MK/CB, all ayes CB – for discussion** – regarding the meeting with the COG about Regionalization, what came

out of that? GS – they came up with two options, and we had to elect if we wanted to opt into a Regional Wastewater Plant (turn our plant over to one Regional Plant) or if we would be doing a partial Regional (where we would maintain our plant and be more of a passthrough). When I met with Jeff and Tom, we agreed that becoming part of a Regional Plant and handing ours over made no sense. We answered that if we participated further, we would only do a partial, pass through type system. The studies are continuing and will probably hear more in about 6 months. Our updates for the electric and the generator are moving forward. COVID-19 caused delays, but they are working diligently. **All ayes**

**6. Report of Public Works**

**Motion to approve Public Works report as presented – MK, for discussion/CB**

MK – the work done on Jane, Stoddard, Lady Slipper, Columbine, Public Works mentioned if we are not going to be able to pave it will be because of timing. They would need to go back to those streets to fix the storm drains prior to winter. GS – Rob has that scheduled after Cocchiola finishes the Binder courses and curbing. We are going to finish Wilson, Randall, Hillside, and Snyder completed and when asphalt plants open in the spring, Lady Slipper etc. will be finished. CB – I was speaking with one of the BOF members and he mentioned we may want to consider a discussion if it is worth borrowing money that we cannot use for 4 months. We may want to consider funding what we can do out of pocket now and do the Bonding in the Spring. I think it is worth discussing. GS – yes, Larry sent that out. I am not sure why the BOF and the Finance Manager were not included but it will be discussed tomorrow at the BOF meeting. **All ayes.**

**7. Report of the Fire Marshal**

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

**8. Report of the Finance Manager**

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

**9. Report of the Tax Collector**

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

**10. Report of the Town Treasurer**

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

**11. Report of the Town Clerk**

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

**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.**

**14. Report of the Fire Department**

**Motion to approve the September and October report as presented, CB/MK, all ayes.**

CB – a lot of mutual aid to Naugatuck. GS – I spoke with the Chief and EMD and they did say that it is not causing a strain, but something that we will continue to monitor and review. The mutual aid calls are a revenue generator and when we have an EMT, Naugatuck sends theirs to Beacon Falls.

**15. Any other reports**

**a. Report of the Custodian** – GS – he has been busy sanitizing etc. We are back to Phase 2.1 which is why we are on Zoom. I did like having in person meetings but to keep everyone safe this is best for right now.

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

**b. Report of the Town Nurse – (Quarterly)**

**c. Report of the Animal Control Officer - Motion to approve the report as presented – MK/CB, all ayes**

**d. Park Trails Report**

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

MK – at the bottom it mentions Lantern Ridge. Clarification, is our Park Ranger maintaining any kind of observance in this open space land that is not really a park? Do we need to have him there doing work? GS – if AI wants to patrol it, he could but the parks that are maintained by Park & Rec and finance to maintain are priority. I think this note on his report is just to discuss the preventative maintenance schedule. I have been trying to connect with the Conservation Commission on clarification. Park Ranger AI has taken ownership because Lantern Ridge has been more of an annex due to the trails up there. If Conservation wants to take on Lantern Ridge as a project to maintain, I do not see the town getting any more involved.

GS – we have been discussing a Resident Sticker. Matthies is residents only, but you cannot determine who is or is not a resident. My thought was that we must have a sticker and if you look at some of our neighboring towns there is a charge to residents to obtain a parks sticker. We are looking to implement something like this for Matthies & Toby's and the transfer station. Then once you get to the transfer station there would be no additional fees for items being dumped. The sticker would be tied to your license plate. CB – it has always been about enforcement. There are not enough police officers on duty to monitor those areas for abuse. How much compliance would we have? There is not easy solution. GS – I just thought having the parks & transfer station sticker would be easier. Trumbull mails it at the beginning of the year to any resident that has a car registered in the town. We have been having more issues with graffiti etc. and this may be a way to diminish the activity. MK – is Toby's resident only? GS – I want to propose that we make it residents only. This discussion will be ongoing, but I wanted to at least start the conversation. MK – I have no issues with Toby's being resident only but then we may have to be financially responsible for stocking fish. I agree with the single sticker, whether its annual or bi-annual. Also, who will manage that? Park Ranger AI noted that there would be several issues that need to be addressed prior to implementing. I want to make sure we are enforcing park rules especially for Matthies Park. GS- since this is the first time we are discussing this topic, let's review the materials provided and keep this on the agenda for next month. We are going into the winter and this is a good time to further the discussion and process.

- e. **BOE Report – motion made to accept report as made available online MK/CB, all ayes.**
  - FEMA Eligibility Review – GS FEMA told Region that they will not be reimbursing them for any COVID-19 expenses. There has been dialogue back and forth to determine next steps. This will be discussed further at BOF.

#### **16. Reading of Correspondence & Payment of Invoices**

- a. Resignation letter of Kevin McDuffie, Chairman of Planning & Zoning & as a member of Planning & Zoning, effective immediately. **Motion made to accept resignation with regret, CB/MK, all ayes**
- b. Resignation letter of Lisa Daigle from the Planning & Zoning Commission, **Motion made to accept resignation with regret, CB/MK, all ayes.** GS – noted that Lisa felt she would be more of an asset as the Clerk of both Land Use Board (Inland Wetlands & P&Z). I would like to thank Kerry. She was clerking those two boards and did a great job.
- c. GS read letter from Gary Komarowsky stating he will serve the remainder of his term.
- d. GS read letter from resident of 74 Fieldstone Lane regarding Board of Assessment Appeal process complaint.
- e. GS read letter from James Woodward regarding the purchase of Wolfe Avenue property. The house is not listed for sale and there was no number provided in his previous offer of purchase. James Woodward provided grant information

regarding restoring historical properties. GS will forward to Natasha, who completes our grants.

- f. Memo from Larry on BOF suggesting we put off refinancing at a lower rate and use cash on hand for paving. Good thoughts that will be discussed at the BOF meeting tomorrow night in detail.
- g. Kevin & Dawn Dolka, 12 Timber Ridge Ln., We're writing as a comment from the public questioning City Hall on why between 2015 and 2017 a zone change in the neighborhood of Oakwood Drive was approved without any residents knowing about this or voting on. We realize it was during a time of different members in town office, but some are still on the boards. An investigation should be formed to better understand how such was approved.

**Motion made to add to New Business 18G 2020 STEAP Grant Discussion & Action – CB/MK, all ayes**

#### **17. Old Business**

- a. **Town Sesquicentennial Celebration – Update.** MK – we will be scheduling a meeting with the Committee to bring forward a couple of ideas brough forward by residents. We do not know where COVID will bring us. With that said, a couple of ideas to have the event in a COVID world will be discussed at that meeting. On a side note, the historical society will be moving forward with fundraising efforts. The Historical Society will be selling Brother of the Brush pins at the Beacon Hose Holiday Bazaar coming up. We have also re-established Sesquicentennial coin. We will only have 500. Any profits from these sales will go to the event. All the coins are serialized with the intent that the 150<sup>th</sup> coin will be at town hall. We may take serial numbered coins 1-10 and raffling them off. CB – what if we auction them? MK – both a raffle and auction are on the agenda for discussion. GS – I like the raffle/auction idea. MK - Lisa Daigle has worked on a marketing flyer which we will pass out to businesses for additional fundraising. **Motion to accept update CB/MK, all ayes**
- b. **Wolfe Avenue House Update** – GS – there is no update, we have not moved on that at all.
- c. **Ordinance Committee** – GS – working diligently and looking at various ordinances. We have signed up with General Code through the Town Clerks office. With that it will convert our ordinances from PDF to Word documents. The Ordinance Committee members have been going through training with General Code.
- d. **COVID-19** – GS – biggest update is that we rolled back to Phase 2.1 and staff that can work remote are. Key personnel are working on a rotating basis and we are still allowing public in by appointment only. Boards/Commission will only be meeting on Zoom.

#### **18. New Business**

##### **a. Appointments & Reappointments**

- **Parks & Recreation** – received a letter from Jake Fernandes to be appointed. **Motion to appoint Jake Fernandes to Park & Rec Commission CB/MK, all ayes.**
- **Planning & Zoning** – We had one vacancy and I have two letters. I am only prepared tonight to appoint the one, as the second was only made available tonight. First letter of interest is from Michael Pratt and second is from James Martin. **Motion to appoint Michael Pratt to the Planning & Zoning Commission vacancy of Lisa Daigle, MK/CB, all ayes.**
- **Brownfields Commission** – Rich Cherhoniak no longer lives in town and cannot sit on this Commission. There is a vacancy now open. This Commission meets as needed.
- **NVHD** – Letter of interest from Barb Dlugos. **Motion made to appoint Barbara Dlugos to the NVHD, MK/CB, all ayes.**

- b. **Tax Refunds** – GS – entertain a motion to approve refunds in the amount of \$4,301.40 CB/MK, all ayes.
  - c. **Land Purchase Request – Pent Road** – GS – this is before us tonight from Land Kolga, LLC, Lee Nemeth. There is a piece of property that is a mountain and runs from the end of Pent Road behind the industrial park. It is the ridge that runs to the top. Kolga owns the lots adjacent to it on Lancaster. The land was given to the Town as open space. They are not looking for an ayes or nay. Kolga would like to know before they spend money on Engineers and Attorneys would we just say no, or would the Town entertain this sale? GS – this would only benefit us on a tax basis. On its merit, how it is presented to us, I encourage them to bring us more information on the use, value, and complete package of plans for the property. Motion made to say that yes, we will consider and please bring us more information of the sale of Town property to Kolga. MK/CB for discussion – the way that the maps are written there is not a lot of detail, but I recall the Town owns an easement that runs through the Kolga property, through the Town property and then another piece on Pent Road. It is an emergency access connection between Lancaster and Pent Road. I just want to make sure this is not overlooked. GS – the Town easement is on the east side and the purchase request is on the west side. **All ayes**
  - d. **FY21 Private Duty Rate Setting** – GS – we never set the private duty rates and it needs to be part of the Public Police Unions Contract. There is a scheduled (attached). **Motion made to approve the Private Duty Rates as presented, CB/MK, all ayes**
  - e. **Homeland Security 2020 MOU** – GS – **Motion made to accept the Resolution/MOU for the 2020 Homeland Security, CB/MK, all ayes.**
  - f. **FY 2021 Meeting Dates** – **Motion made to accept the 20201 meeting dates, MK/CB, all ayes.**
  - g. **2020 STEAP Grant Discussion** – **Motion made to accept the STEAP Grant for 2020 in the amount of \$128,205.00 for draining on Cook Lane, MK/CB, all ayes.**
- CB – made a motion to add Hopp Brook under new business item 18h, CB/MK, all ayes.**
- h. **Hopp Brook Development** – CB – had a discussion with Kevin McDuffie who had some follow up discussions with our municipal attorney regarding some FOI complaints that have been sitting for a while. While discussing those, he had asked if he had any prior review of the letter that went out clarifying the Hopp Brook Development. To Kevin's surprise, the attorney was not consulted. CB – my concern about the letter being up the way that it is and not being staffed by the town attorney, MK – can I add a Point of Order – you just put Hopp Brook Development on the agenda, but yet your talking about the letter the First Selectman put out. CB – a letter about Hopp Brook so let me get to it. The problem that I see, without having a legal review prior to the letter going up is, anytime there is a development in town that has not gone through P&Z before, if there is any potential to have a developer challenge a later ruling because of the BOS weighing in ahead of time is a concern. My suggestion is, given the nature of the development, given what was put out in that letter, which has a lot of factual inaccuracies, we would be better served by have a meeting with the BOS and our key players involved and if our desire is to explain to the public about what is going on is by having an official meeting, not putting something out there that opens the town to vulnerability. GS – I am so glad you brought this up, but you are so far off base. Kevin spoke with Al Bruno who is not the Land Use attorney, he is strictly our attorney for FOI complaints, and this is the problem with our P&Z department and the way it operates. That Board would do things and then ask you to speak about things you do not know about at the BOS level. Al Bruno only represents the town in FOI complaints. The letter I wrote as the First Selectman, because the First Selectman and this Administration were being accused of doing things improperly. I did not have to

have it reviewed by the attorney, but you know who did send it to and who state thanks but you did not have to send it because there is no problem, was Vin Marino, our Land Use attorney. Vin Marino read the letter and said it has no bearing on the future of the Hopp Brook Development, but if you would like to clarify and speak with Vin Marino about what our position should be going forward, feel free. The letter is 100% factual, go to the land records and read the minutes as they are presented. CB – I would be happy to clarify the points that I know are inaccurate.

**19. Budget Transfer Requests –** accidentally omitted will be addressed at BOF meeting.

**20. Executive Session –** none

**21. Adjournment**

**Motion to adjourn at 8:15 P.M. MK/CB, all ayes**

Respectfully submitted,

*Kerry McAndrew*

First Selectman's Office Administrator/Clerk