

ANNUAL TOWN MEETING & ANNUAL BUDGET MEETING

Town of Bethany

May 20, 2024, at 7:00 P.M.

The meeting was called to order at 7:22 p.m. by First Selectwoman Paula Cofrancesco. There were approximately 200 people in attendance. Everyone then stood for the Pledge of Allegiance.

Paula Cofrancesco recognized elected officials who left office in December 2023. With the switch from May to November voting, the annual town meeting is no longer close to the election, and she already went to individual meetings to honor retiring board members. The following individuals were recognized for their service: Donald Shea, Elizabeth Appel, Steven Massey, Frances Doba, Kathleen Barone, John Ford IV, Christopher Pittenger, Lynette White, Namita Wijesekera, Kimberly Brinton, Melissa Lambrecht, Sarah Bacheheimer and Jennifer Turner.

Brian Eitzer, Chair of the Conservation Commission, presented Bart Piccirillo the 2024 Conservationist of the Year award. The commission acknowledged Piccirillo's extensive Land Trust volunteer efforts, including many hours of trail work, designing four bridges, and obtaining business donations for various projects, during his 10 years as a member of the Land Trust board.

Paula Cofrancesco presented the annual First Selectman's Youth Award. Any Bethany youth, 18 and under, who has helped improve Bethany or assist Bethany residents, is eligible for this award. Webster Bank donated a monetary gift. Michael Crisci was chosen as this year's recipient.

Paula Cofrancesco called for nominations from the floor for a moderator. Caroline Leary made a motion, seconded by Betsy Thornquist, to nominate Carol Goldberg. There were no further nominations. Carol Goldberg was elected moderator by a unanimous raise of hands.

Board of Finance Chair Sharon Huxley gave a brief presentation of the 2024-2025 Budget.

Following the presentation, the moderator went over the procedures for the meeting.

Kristine Sullivan made a motion, seconded by Amy Rushlow, to dispense reading of the call. There was no discussion. Unanimous approval by voice vote. **Passed.**

Item (1) on call – BE IT RESOLVED: To accept the 2022-2023 Annual Report.

Sally Huyser made a motion, seconded by Brian Eitzer, to consider the resolution. There was no discussion. Unanimous approval by voice vote. **Passed.**

Item (2) on call – BE IT RESOLVED: To Authorize and approve the Year 2 payment of a 12-yard Dump Truck with a Capital appropriation of \$112,284.00 and Unallocated Capital Reserve of \$83,064.00 for a cash purchase.

Elizabeth Thornquist made a motion, seconded by Brendan Rieger, to consider the resolution. There was no discussion. Unanimous approval by voice vote. **Passed.**

Item (3) on call – BE IT RESOLVED: To authorize the expenditure utilizing a portion of the Unallocated Capital Reserve to purchase a 72" Mower for Public Works in the amount of \$17,500.00.

James Pecca made a motion, seconded by Henry Voegeli, to consider the resolution.

Patricia Winer – Didn't we vote on this last year? Is this an installment payment?

Leslie Bacigalupi, Finance Director – It is not an installment. This is another mower.

There was no further discussion. Unanimous approval by voice vote. **Passed.**

Item (4) on call – BE IT RESOLVED: To authorize the expenditure utilizing a portion of the Unallocated Capital Reserve to purchase a Debris Blower for the Roadside Mower for Public Works in the amount of \$7,350.00.

Kristine Sullivan made a motion, seconded by Cynthia Pecca, to consider the resolution.

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Steven Darling – Is it a second blower or a new one?

Leslie Bacigalupi – This a second blower that attaches to an existing mower.

Marcia Cohen – Many towns are trying to get away from blowers. They are very noisy.

Tony Ciarleglio, Road Foreman – Need to blow wet leaves and sticks for safety. We also use it on bigger properties such as town hall. Blower runs off the tractor, which makes most of the noise.

Jean Pierre Fletcher – They blow all over my property and make a mess. Why have two?

There was no further discussion. Majority approval by voice vote. **Passed.**

Item (5) on call – BE IT RESOLVED: To authorize the expenditure utilizing a portion of the Unallocated Capital Reserve to purchase a Flat Bed Truck Body for Public Works in the amount of \$11,000.00.

Henry Voegeli made a motion, seconded by Michael Kaloyanides, to consider the resolution. There was no discussion. Unanimous approval by voice vote. **Passed.**

Item (6) on call – BE IT RESOLVED: To authorize the expenditure and approve a Capital appropriation for Road Paving in the amount of \$350,000.00.

James Pecca made a motion, seconded by Salvatore Ferrante, to consider the resolution.

Elizabeth Thornquist – This is an annual expense. Why is it capital and not operating budget?

Sharon Huxley – Each road is a capital item due to dollar amount and expected lifespan.

Patricia Winer – Does this exclude Round Hill Road?

Carol Goldberg – Yes.

There was no further discussion. Unanimous approval by voice vote. **Passed.**

Item (7) on call – BE IT RESOLVED: To authorize the expenditure utilizing a portion of the Unallocated Capital Reserve to purchase Thermal Imaging Cameras for the Fire Department in the amount of \$35,000.00.

Conor Leary-Watson made a motion, seconded by Karen Muller, to consider the resolution. There was no discussion. Unanimous approval by voice vote. **Passed.**

Item (8) on call – BE IT RESOLVED: To authorize the expenditure in the amount of \$500,000.00 and approve the purchase of a new Ambulance and Equipment with a Capital appropriation of \$125,000.00 in fiscal year 2024-2025.

Conor Leary-Watson made a motion, seconded by Kristine Sullivan, to consider the resolution.

James Stirling – The cost was originally \$400,000 for ambulance plus \$60,000 for equipment. Why did it go up \$40,000?

Sharon Huxley – We received new information. The price on the stretcher was guaranteed but the ambulance price was not.

Sally Mabry – Is this to replace one or additional? Are we trading in or selling the old one?

Leslie Bacigalupi – Yes, it is replacing one of the two town ambulances.

Steven Kirschbaum – The ambulance being retired is from 2011. The vehicle is owned by the Ambulance Corps, so they will take care of disposing of the old ambulance.

There was no further discussion. Unanimous approval by voice vote. **Passed.**

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Item (9) on call – BE IT RESOLVED: To authorize the expenditure utilizing a portion of the Unallocated Capital Reserve to purchase a New Phone System in the amount of \$15,000.00.

Donald Shea made a motion, seconded by Joseph Cafasso, to consider the resolution.

Steven Darling – I used to install phone systems. What do we have now that we're replacing?

Jennifer Cafasso – We currently use Mitel, but will switch to Zoom, which costs less per month.

Tracy Darling – Is it based on licensing?

Jennifer Cafasso – The Mitel contract is up in August.

There was no further discussion. Unanimous approval by voice vote. **Passed.**

Item (10) on call – BE IT RESOLVED: To authorize the expenditure and approve a Capital appropriation for a new Senior Bus in an amount not to exceed \$125,000.00.

Sally Huysen made a motion, seconded by Marabel Santagata, to consider the resolution.

Gary Cohen – What is wrong with the existing bus and how old is it?

Leslie Bacigalupi – The current bus is at Digennaro's on a weekly basis. It was purchased used, has over 115,000 miles and has broken down with seniors on it on the way to medical appointments.

Thomas Mabry – I am one of the drivers. We bring it to Digennaro's about once a week. It is an honor to serve senior residents.

There was no further discussion. Unanimous approval by voice vote. **Passed.**

Item (11) on call – BE IT RESOLVED: To authorize the expenditure of ARPA funds for the purchase of four (4) gas meters for the Fire Department in the amount of \$2,500.00.

James Pecca made a motion, seconded by Kristine Sullivan, to consider the resolution. There was no discussion. Unanimous approval by voice vote. **Passed.**

Item (12) on call – BE IT RESOLVED: To authorize the expenditure of ARPA funds for the purchase and installation of a generator and propane tanks at Center Station in an amount not to exceed \$20,000.00.

Stephen Sousa made a motion, seconded by Patricia Ryan, to consider the resolution.

Joseph Busko – What is Center Station?

Paula Cofrancesco – It is the old firehouse on Amity Road at the bottom of Peck. The community room was recently renovated and is very popular for groups and meetings.

Donald Shea – It is also the headquarters for police, constables, and CERT in emergencies.

Patricia Ryan – Do they pay rental fees for this building?

Jennifer Cafasso – There is no cost for non-profits, but private parties are charged a fee.

Rose Megyola – Can any non-profit use it or is only for town-related groups?

Jennifer Cafasso – Bethany non-profits are automatic but must ask Selectmen for other exceptions.

Calen Lang – Do we need a \$20,000 generator? Can't we get a smaller one?

Paula Cofrancesco – Cost also includes propane tank installation and electrical work.

Donald Shea – This would be a permanent Generac generator that would come on automatically and run the whole building.

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Lynne Hartley – We occasionally still lose power in Bethany. Some of population do not have generators. Is the town hall open as a shelter in emergencies? If not, can we use this building instead? This is a good use of grant funds.

Joseph Busko – We already spent a lot on the old firehouse, along with other projects. We are spending too much money.

Salvatore Ferrante – These are ARPA funds that we already have? We're just allocating them?

Carol Goldberg – Yes.

Emily Richards – The cost of supplies and labor have gone up a lot recently.

Kristine Sullivan – This is an option for an emergency shelter. It is a good use of ARPA funds.

Mike Katzmark, Emergency Management Director – We need the building operational for police and CERT as well as an alternate location for fire department and emergency communications center.

Joyce Clark – Is there a monthly or annual fee to maintain the generator?

Donald Shea – There is a contract to take care of all town generators.

There was no further discussion. Approved by a majority voice vote. **Passed.**

Item (13) on call – BE IT RESOLVED: To authorize the expenditure for the purchase of a police cruiser from MHQ to be funded from the Police Special Duty Fund in an amount not to exceed \$61,000.00.

Elizabeth Thornquist made a motion, seconded by Sally Huyser, to consider the resolution.

Patricia Winer – What is the police special duty fund?

Leslie Bacigalupi – This revenue comes from private duty road work. The town receives surplus money above what officers receive, for administrative costs. The funds accumulate over several years. This purchase would not involve any tax appropriation.

Constance Royster – Who are the people doing the road work? Do we have police, other than the constables?

Leslie Bacigalupi – It would be the constables in this town. Police is used interchangeably with constables.

Patricia Ryan – Are out-of-town officers using the cruiser or is it just town constables?

Leslie Bacigalupi – The cars are for the constables employed by the Town of Bethany. Sometimes they help out in other towns.

Amy Rushlow – Where is this fund listed in the budget?

Sharon Huxley – It is a completely separate fund that is used to support police functions in town. It is in the capital budget.

Amy Rushlow – How much is in the fund?

Leslie Bacigalupi – The fund is audited every year. It can be found on page 79 of the Annual Report. The balance was \$239,000 at the end of fiscal year 2023.

There was no further discussion. Unanimous approval by voice vote. **Passed.**

Item (14) on call – BE IT RESOLVED: To authorize the expenditure of ARPA funds for the purchase of Police body and dash cams from Telrepc in an amount not to exceed \$35,000.00.

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Irma Nesson made a motion, seconded by Stephen Sousa, to consider the resolution.

Elizabeth Thornquist – Why are we using ARPA and not the police fund?

Leslie Bacigalupi – This is 100% ARPA eligible due to police accountability law.

Constance Royster – What are the duties of our constables? Do they need dash cams?

David Merriam, Administrative Lieutenant – There is a state mandate for police accountability. Every cruiser must have a camera and every officer needs a body camera.

Constance Royster – Is Dave no longer our state trooper?

Paula Cofrancesco – Dave is the Administrative Lieutenant for Bethany and oversees the town constables. We share a Resident Trooper with Prospect.

Constance Royster – Do constables wear cameras?

David Merriam – Yes. All the constables are certified police officers.

There was no further discussion. Unanimous approval by voice vote. **Passed.**

Item (15) on call – BE IT RESOLVED: To authorize the expenditure and approve a transfer from the General Fund to the Land Acquisition Fund in the amount of \$100,000.00.

Brian Eitzer made a motion, seconded by Sally Huyser, to consider the resolution.

Bruce Loomis made a motion, seconded by Kimberly Brinton, to remove the phrase “the expenditure” from the resolution. Unanimous approval of amendment by voice vote. **Passed.**

There was no further discussion. Unanimous approval by voice vote. **Passed.**

Item (16) on call – BE IT RESOLVED: To authorize the repair and pavement of Round Hill Road with no appropriation – pending grant funding.

Salvatore Ferrante made a motion, seconded by Patricia Ryan, to consider the resolution.

Kerry Triffin – Not in favor of the expenditure, even if not in town budget. I question expanding width of road, moving telephone poles and walls.

There was no further discussion. The voice vote was inconclusive, so the moderator called for a division of the floor. Yes – 113, No – 48. **Passed.**

Item (17) on call – BE IT RESOLVED: To receive the report and recommendations of the Board of Finance upon the Budget of \$26,841,298.00 for the fiscal year beginning July 1, 2024, and to take necessary action thereon.

Donald Shea made a motion, seconded by Caroline Leary, to consider the resolution.

Gary Cohen – This budget includes solid waste and recycling. I am opposed to the change.

James Stirling made a motion, seconded by Katharine Weber, to amend the Solid Waste Curbside Pickup line item, by reduction, from \$531,427 to \$317,826 to continue pick up of garbage, but not curbside recycling.

Jeffrey Boyd – I came here to learn about solid waste and recycling center. Why approve the entire town budget and not discuss it separately? I don’t understand the issues enough to vote on it.

Carol Goldberg – Recycling was discussed at the budget hearing and a public meeting last week. The purpose of the meeting tonight is to vote items up or down. Comments on this subject may answer some of your questions.

James Pecca – We have three options, and the one chosen by the town is the least expensive to become compliant with the state.

Patricia Ryan – How does this budget affect the motor vehicle mill rate?

Leslie Bacigalupi – The state has a motor vehicle cap at 32.46 mills. The proposed mill rate is under that, so personal property, real estate and motor vehicles will all be taxed at 28.42 mills.

Gale Ridge – Single stream has problems. Glass contaminates curbside, while our center separates it. Wish recycling also contaminates loads. There is no town enforcement for violators and a lack of education. Curbside is difficult due to wildlife, no sidewalks, and bins too large for seniors. Many towns are eliminating curbside recycling. A committee should be formed to explore options.

Gary Cohen – I believe the intention of the amendment was to do away with the proposal for curbside recycling and leave the recycling center as is, but that was not included in what was read.

Carol Goldberg – I just read the amendment that was handed to me by the person who made it. We can make two amendments to the original item. Or you can ask the person who made the amendment to modify it.

Gary Cohen – Can I amend your amendment?

James Stirling – I suggest the amendment stand, since my secondary comments were explanatory, not amendatory.

Gary Cohen made a motion to amend the amendment, to keep recycling center open as it is now.

Vincent Marino, Town Attorney – The motion is out of order since we cannot add to the budget.

Carol Goldberg – The recycling center stays open in current budget with reduced hours and service. Nothing in the current budget to keep it open as is. Cannot add to the budget, only take away.

Sharon Huxley – Individual lines in the budget can be reduced but not increased. The Board of Finance took recycling out of the budget to comply with the law. If we pick up the trash, we must pick up the recycling. If we don't pick up recycling, we're not supposed to pick up the trash.

Carol Goldberg – The amendment to the amendment is out of order.

Gary Cohen withdrew his amendment to the amendment.

Brian Eitzer – If we reject the entire budget what happens?

Sharon Huxley – It would be very difficult. The mill rate would be set with our best estimate. The Board of Finance would meet in June and send recommendation to Selectmen for July.

Carol Goldberg – If the budget is not approved, we revert to the budget year we're in now.

Vincent Marino – The town meeting is the appropriating authority. If you reject the budget, you're not appropriating any funds. As of June 30, you will have no monies appropriated to spend in the coming fiscal year. July 1, 2024 the town will have no money appropriated if there is no budget in place approved by this body. You have already approved the Amity component of your budget. On the municipal and community school side, there will be no funds appropriated for those expenditures. If you fail to act, as of July 1 you have no money to spend.

Carol Goldberg – The Board of Finance will have to meet and come back to the town to appropriate money in the future. This may or may not happen by July 1.

Elizabeth Thornquist – None of us wants that to happen. We have been out of compliance for quite some time. What are the consequences? What has the state done in past cases like this? Has the town already decided to cease trash pickup if amendment passes?

Sharon Huxley – The last time we went into a contract with our trash hauler, we didn't know that we were out of compliance. Since then, it has been brought to our attention by DEEP. In terms of sanctions, we have no idea.

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Marygrace Crisci – There are two options. We keep garbage and do single stream as well to be compliant with the state. Or the Town of Bethany no longer provides garbage service. Correct?

Paula Cofrancesco – Everyone in the room has a different opinion about single stream. We didn't get buy-in on the food waste bag program. The state told us we were not in compliance. We are trying to get people to recycle one way or the other. People are throwing their recycling in with their garbage. We are trying to follow the law.

Nancy Spagnolo – I have two process questions. We got one bid for five years for \$2.7 million. Have we reached out to DEEP to get an extension or assistance to get us in compliance? If the budget is voted down, can we operate off contingency or rainy day?

Sharon Huxley – Five firms were interested but only one submitted a bid. The Board of Finance has no authority to spend more than \$20,000 without town meeting approval.

Nancy Monocchi – Can we take the next year and explore, do our homework and improve our recycling? Once the recycling center closes, we're not going to get it back.

Sharon Huxley – We already researched what would make us compliant.

Salvatore Ferrante – I would like to see recycling stay the way it is. If we approve the amendment, we'll have curbside pickup of garbage, but nothing in the budget for the recycling center.

Carol Goldberg – Yes, if amendment passes will have trash pickup but no recycling funds.

Erwin Steward – If the amendment is approved the budget will pass and the town will keep functioning. The town does not seem to be satisfied with the solution given tonight. This will put it back on the town to come up with a different plan.

Eric Frieden – I am co-chair of Sustainable Bethany and past member of solid waste committee. We have been out of compliance for many years, and no one did anything. Single stream recycling is old school and outdated. Market for low quality recycling is flat. Pay to throw is a better option. I support the amendment.

Marsha Sawdon – We can't add anything to the budget?

Carol Goldberg – State statute says we can't add to the budget at this meeting.

Amy Rushlow – If we approve this amendment, recycling closes except for 4 days a month. Could we then go back to the drawing board, have a town meeting in July then open the recycling center?

Carol Goldberg – Yes.

Joseph Ondriezek – To expedite this process, the person who made the amendment has a lot of answers to these questions.

Conor Leary-Watson made a motion to end the discussion and vote.

Carol Goldberg – That is out of order since there are still people trying to speak.

James Stirling – Paula and Sharon are right that the Board of Finance and Selectmen are responsible for complying with statutes. However, this is the legislative body, and we can decide how we want to do our trash. Statutes say that if a town picks up trash, it must also pick up recycling. However, the next section says this shall not apply to any municipalities that recycle in excess of the state recycling average. The state must prove the town recycles less than the state average. According to DEEP, the trash and recycling data is full of errors. The state stopped calculating the town level recycling rates years ago. No town has been penalized. 62 towns have not submitted annual reports. DEEP has no mechanism to penalize us. We can always start curbside recycling but would be difficult to re-open the recycling center.

Kathi Ellison – Should we amend to ask the town to go back to recycling?

Arnold Novenstein – If the budget is rejected, the Board of Finance can't appropriate more than \$20,000 without it being in the budget?

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Sharon Huxley – Someone asked about contingency funds and we can only use up to \$20,000 without town meeting approval. We only have the contingency line item if the budget passes.

Carol Goldberg – CT Section 7-344 covers the limitation on town meeting adding new funds.

Heather Brinton – We should have a plan in place if the budget is voted down. Would the funding in the budget for recycling get us through July, then we could come back and allocate the rest?

Sharon Huxley – That would depend on what the town meeting voted.

Deanna Pico – Can we just remove the line items for recyclables and vote on budget without it?

Sharon Huxley – Amendment is to reduce the cost of pickup. If we aren't picking up recyclables, would have to increase the line item to bring recycling center back to its previous level of service.

Katharine Weber – It doesn't feel there has been encouragement to recycle more. One thing to encourage people is don't close at 3:00. This has hurt people's plan to get to recycling. Why was the center just paved? How can we have single stream for people who want that and keep the recycling center open? How can we have both?

Sharon Huxley – We can't have both. Vote one way or the other and we'll deal with it.

Amy Gallagher-Conway – I thought this meeting was to learn about it and not to vote on it. What if we don't pass the budget? Does it have to be pushed that far back? Is there an emergency plan?

Carol Goldberg – Board of Finance will need to review and bring back to another town meeting.

Brendan Rieger – The amendment takes out single stream but does not bring back recycling center. We should come back in two weeks after the Board of Finance and Selectmen meet and vote again.

Leslie Bacigalupi – Town Counsel informed us that two weeks does not work. We have to start the whole process again. We would need a budget hearing and then a town meeting. State statute requires a certain number of days in between each of them, as does the Town Code. It would take more than two weeks.

Cynthia Megyola – What is our current recycling rate, how do we know what it is, and how will we know when it changes?

Jennifer Cafasso – DEEPs figures are a little different than ours. Our raw numbers are about 17%-18%. It's a little lower this year since we added single stream, so RWS didn't count in our numbers. The average in the State of Connecticut is 35%.

Keith Weindling – What happens if the amendment passes and the line item for recycling is exceeded because it stays open?

Vincent Marino – Elected officials are not allowed to incur expenses that exceed the appropriation. You can act on the amendment and address funds for the recycling center at a special town meeting.

John Garcia, Board of Education chair – To be clear, if the budget goes down, the community school runs out of money on July 1 and we shut down operations. Correct?

Leslie Bacigalupi – Yes. We can only pay Amity since that was approved by referendum. The community school and summer camp shuts down on June 30.

John Garcia, Board of Education chair – It appears the amendment in front of us is the only way out of this conundrum and will have to come back again and figure out the recycling center.

Monte Radler – To clarify, if we vote for the amendment, we still get trash pickup, and need another meeting to bring recycling center back?

Carol Goldberg – Yes.

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Monte Radler – I urge people unhappy with single stream to vote for the amendment and deal with the recycling center afterwards.

There was no further discussion. Carol Goldberg re-read the amendment, then called for a vote. The motion to reduce the solid waste line item was approved by a majority voice vote. **Passed.**

Carol Goldberg – Are there other budget questions on Item 17? Amended number is \$26,627,696.

There was no further discussion. Unanimous approval by voice vote. **Passed.**

Item (18) on call – BE IT RESOLVED: To approve the Code of Conduct for the Annual Town Meeting and any Special Town Meeting(s).

A motion was made by Joseph Ondriezek, seconded by Erwin Steward, to consider the resolution.

Paula Cofrancesco made a motion, seconded by Brian Eitzer, to amend the sentence below the heading How will the meeting be conducted to remove the phrase “current valid form of identification” and replace with “manner prescribed by state law.”

Kathryn Sylvester – This matter should be voted down or tabled. Already covered by state law.

Constance Royster – Point of order. Should not go to amendment before any discussion. This item should be tabled.

Constance Royster made a motion, seconded by Kathryn Sylvester, to table this item.

Carol Goldberg – Motion to table is not debatable. We are voting this up or down.

Vincent Marino – Motion to table would revert back to the primary. It’s a superior motion. If you vote in favor of tabling this then you are taking no action on the Code of Conduct until it comes back at a future point. If you vote against it, then you will address the amendment.

Carol Goldberg called for a vote. The motion to table passed by majority voice vote. **Passed.**

Item (19a) on call – BE IT RESOLVED: To set the term for the Town Treasurer to be four (4) years commencing with the 2025 Municipal Election, and such four-year term shall begin on the first Monday of January.

Amy Rushlow made a motion, seconded by Elizabeth Thornquist, to consider the resolution.

Elizabeth Thornquist – What is the reason for making this change?

Paula Cofrancesco – In March the Board of Selectmen appointed a seven-member Town Code Review Committee. The members are Brad Buchta (D), Ruth Beardsley (D), Rob White (R), Andy Gaw (R), Angela Mordecai (U), David Babbitz (U) and Helen Blatchley (U). They were charged with reviewing the town code and recommending any changes. One example is updating the code to reflect the move from May to November town elections. Another is that a Tax Collector takes three years to be certified for a two-year term, which doesn’t make much sense. A third is making Treasurer’s term start in January, the same as registrars and town clerk, so there is continuity and overlap with the Board of Selectmen. The committee came up with these recommendations.

There was no further discussion. Unanimous approval by voice vote. **Passed.**

Item (19b) on call – BE IT RESOLVED: To set the term for the Town Tax Collector to be four (4) years commencing with the 2025 Municipal Election.

Cynthia Pecca made a motion, seconded by James Pecca, to consider the resolution.

There was no discussion. Unanimous approval by voice vote. **Passed.**

Item (20) on call – BE IT RESOLVED: To approve the elimination of restricted voting for Bethany Board of Education candidates.

A motion was made by James Stirling, seconded by Naomi Rosenstein, to consider the resolution.

Deanna Pico – What is the restriction on the voting?

Town Clerk William Brinton briefly explained restricted voting for Board of Education and referenced the printed explanatory text on the subject.

Sheila Wade – Right now we have a nine-member board and minority representation dictates we have at least three? If this passes, will it limit minority representation?

William Brinton – No, it still works the same as any other board. For example, next year there are three Republicans and one Democrat up for election. With full voting, Republicans could run four, but only three could win. Can't go above six members of any party, for minority representation.

Vincent Marino – Restricted voting was put in place by the legislature before they adopted the minority representation statute. If you relieve restricted voting, it allows for the shifting of the board between parties on a quicker pace and be responsive to your will. It does not allow more members on the board than the minority representation statute allows.

James Stirling – I recommend voting yes. It is good for democracy and our elections.

There was no further discussion. Unanimous approval by voice vote. **Passed.**

Item (21) on call – BE IT RESOLVED: To approve any and all corrections to change all references to May elections and July 1 and June 30 term dates for elected officials.

Nancy Spagnolo made a motion, seconded by Michael Kaloyanides, to consider the resolution.

There was no discussion. Unanimous approval by voice vote. **Passed.**

Item (22) on call – BE IT RESOLVED: To approve the discontinuance of the two (2) paper roads on Glenwood Court identified on Map A-200.

Cynthia Pecca made a motion, seconded by Salvatore Ferrante, to consider the resolution.

Rose Megyola – What is a paper road?

Vincent Marino – It is a public right of way, in favor of the town, that has not been developed. It exists on paper, but not in reality. Based on the way the area has developed, these roads will never be built by the town. The proposal is to discontinue these areas for public purposes.

Salvatore Ferrante – Can a neighbor use it to access privately?

Vincent Marino – If approved, the adjoining owners on each side would get the property to the center line of the paper road. There is no public purpose to develop these roads.

Kristine Sullivan – When you abandon a paper road, does it go in fee simple to the abutting property owners or do they just get access across it?

Vincent Marino – By statute, abutters become owners to the center of the road. Adjoiners already own in fee simple, subject to the public easement. Anyone with the right to crossover a discontinued public right of way has a perpetual easement to continue access. You can't landlock someone, but that doesn't apply in this case.

There was no further discussion. Unanimous approval by voice vote. **Passed.**

Item (23) on call – BE IT RESOLVED: To approve the discontinuance of the two (2) paper roads on Rolling Green Road identified on Map A-209.

Adam Carbone made a motion, seconded Thaddeaus Kramarczuk, to consider the resolution.

There was no discussion. Unanimous approval by voice vote. **Passed.**

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Item (24) on call – BE IT RESOLVED: To approve the discontinuance of the unimproved portion of Miller Road as depicted on the survey map prepared by John Paul Garcia and Associates, P.C., dated April 16, 2024, entitled “Existing Conditions Plan.”

Adam Carbone made a motion, seconded by Caroline Leary, to consider the resolution.

Eric Frieden – Does this mean Chatfield Farms and others can never use this road?

Vincent Marino – Current emergency access will continue due to a previous lawsuit. Other developers would not be able to use this in the future. This will dead end the road in Bethany.

There was no further discussion. Unanimous approval by voice vote. **Passed.**

Item (25) on call – BE IT RESOLVED: To empower the Board of Selectmen to authorize the First Selectwoman to enter into any approved contracts or agreements on behalf of the Town.

James Stirling made a motion, seconded by Judy Wilkins, to consider the resolution.

Lynne Hartley – What does this mean?

Carol Goldberg – It gives the first selectman the authority to sign contracts.

Lynne Hartley – That have already been voted on and approved?

Vincent Marino – Those contracts still have to be approved by either the Board of Selectmen, Board of Finance or this body, depending on the amount. Once that approval is in place the first selectman does not need further authority to sign on behalf of the town. This is a standard action item of town meetings.

Patricia Ryan – If contracts are amended does she have to go back to the Selectmen?

Vincent Marino – No one body has the right to bind a municipality, except for the legislative authority. If a contract requires legislative body approval, the amount dictates whether it’s the Board of Selectmen or town meeting. The first selectwoman does not have any independent authority and a contract signed without approval would not be binding.

Joseph Ondriezek – What’s the purpose of this item?

Carol Goldberg – We do it every year. It is required.

Vincent Marino – It allows the first selectman to conduct town business. It is a pro forma action.

Marsha Sawdon – The first selectwoman cannot sign a contract on her own if she doesn’t agree with the recycling decision?

Vincent Marino – No, she can only act under town meeting authority.


Denise Manzari – Shouldn’t the language be amended?

Vincent Marino – The legislative body delegates some authority to the Board of Selectmen.

There was no further discussion. Unanimous approval by voice vote. **Passed.**

A motion was made by Sally Huyser, seconded by James Stirling, to adjourn the meeting. The motion was passed unanimously, and the meeting adjourned at 10:40 p.m.

Respectfully submitted,


William L. Brinton,
Bethany Town Clerk