MINUTES  
Board of Selectmen  
Tuesday, February 1, 2011 @ 7:30PM  
Norma Drummer Room/Seymour Town Hall

Others present: Ed Pollack, Walt Birdsell, James Garofolo, Philip Garofolo, Jay Hatfield, John Stelma, Joan Gee, Sam Mirlis, Sean Walsh, Stephen Marciniak, Howard Simpson, and Judy Simpson.

ITEM # 1 - Call meeting to order.
The meeting was called to order by the First Selectman at 7:30PM.

ITEM # 2 - Pledge of Allegiance.
Everyone saluted the Flag and stated the Pledge of Allegiance.

ITEM # 3 - Approve Minutes from Special Board of Selectmen meeting on 1/19/11.
Motion to approve minutes from Special Board of Selectmen meeting on 1/19/11.
Motion: Philip Wilhelmy  Second: Saundra Gesek
Vote: 5-Yes  0-No  0-Abstain  0-Disqualify

ITEM # 4 - First Selectman’s Report.
- Met with Boards and Commissions concerning budgets.
- Met with Karen Spargo, Director of Naugatuck Valley Health concerning grant money available for lead paint abatements for residents.
- Met with Bristol Resource Recovery and the tipping fees will be remaining at $64.50 per ton for the next year.
- Snow storms are hitting the budget hard and the Public Works Director will be requesting an emergency transfer this evening.
- An Emergency Management Meeting was held on Monday evening, run by Tom Eighmie. The discussions were about pending storms and the Seymour Middle School being an emergency shelter in case of power outages.
- The Town Buildings roofs are being looked at and the flat roof on the Ambulance Corp Building was uncovered today by DiGiorgi.

ITEM # 5 - Public Comment.
Walter Birdsell, 42 Jupiter Drive: Very upset that his road is only one lane and he has had to dig out into the street at least 4 feet to get to his driveway. He would like more done to clear the roads. He also has concerns about the sidewalks and road leading to Chatfield School and the children having to walk on the road.

James Garofolo, 163 Bungay Road: States that the Town is doing what they can with the resources that they are given. He has brought his son to the meeting to show him how the local government’s executive board runs the Town. He would also like them to consider giving more funding to the Board of Education in the next budget since the children are our future leaders and deserve the best education possible.

ITEM # 6 - Discussion with the Founder’s Day Committee.
Sam Mirlis, Founder's Day Committee: Founder's Day this year is on June 5, 2011 with a rain date of June 12, 2011. States that it will be bigger and better than last year. There will be approximately 250 vendors and a lot of activities including car shows. He would like anyone with questions, requests or concerns to go to the Town website, calendar of events page, or contact Joan Gee at 203-305-8455. The Founder's Day Committee is starting a website: www.seymourfoundersday.org, but it is not up and running yet. The Committee has decided that this year a portion of the proceeds will be donated to the Seymour/Oxford Food Bank and they will also be conducting a food drive at the event. They have also established a scholarship for a high school senior that lives in the Town of Seymour. They also have a suggestion that the EDC have a booth this year and have information on the Town. He is also asking the Town if the police presence for the event was put into the budget last year, since they were told that it would be. They have also received very positive corporate sponsorship. Volunteers are needed and welcome and the next meeting is on February 17, 2011 at Town Hall.

ITEM #7 - Request from the Culture & Arts Commission.
The Seymour Culture & Arts Commission, in an effort to raise funds for needed restoration at the Strand Movie Theater, is working with a local downtown merchant planning a weekend of entertainment at the theater the weekend of June 24, 25 & 26, 2011. Ms. Megan Tarby, owner of the Mad Hatter, is planning to present a Burlesque Show on the three dates listed. This event will be the first live entertainment show presented at the Theater in many years. Ms. Tarby has graciously agreed to donate all proceeds from the performances to the Culture & Arts Commission. These funds will be added to the fund already established for the theater's future renovations. Ms. Tarby is planning to have the event catered by her father, Mr. Tom Tarby, of Colonial Tavern in Oxford, CT. During the event, she would like to offer mixed drinks, wine and beer on the premises for those who are in attendance along with the hors d'oeuvres. Mr. Tarby already holds a permit for liquor sales and would be the permittee for the weekend's event. The Commission would like to request special permission to have liquor on the premises during this June event.

Motion to approve the request from the Culture & Arts Commission to allow liquor on the premises at the event at the Strand Theater in June 2011.
Motion: Philip Wilhelmy Second: W. Kurt Miller
Vote: 6-Yes 0-No 0-Abstain 0-Disqualify

ITEM #8 - Discussion with Board of Education concerning the final report on the oil spill at Bungay School.
The Board of Education members were unable to attend tonight's meeting. They sent along the final report on the oil spill at Bungay School. Members of the Board of Selectmen are happy with the report. Their only concerns are any liability for the future and would like the Board of Education to come to one of their upcoming meetings to discuss this matter.

ITEM #9 - Discussion of 25 Walnut Street.
A letter from Town Counsel, Colleen Fries had been read into the record: "I have reviewed the various documents which were provided to me relative to the issues at 25 Walnut Street and have discussed this matter with representatives from VCOG and have researched State Statutes. I do not find any valid evidence that
anything the town did created the alleged conditions. In my opinion, the Town is not liable for the problems that are alleged to be occurring on the above property and, therefore, the Town should not assume responsibility for performing remedial work on private property.”

Mr. Pollack, 25 Walnut Street: Is clearly unhappy with these findings and would like the Town to at least take responsibility for clearing the pipe under the street since that is owned by the Town. He is also requesting a letter from the Town of Seymour stating that they will clean the pipe that runs under the street.

ITEM # 10 – Discussion of Audit.
The First Selectman states that any questions or concerns will be sent to the Finance Department.

John Conroy: States that the revenues were down last year, but most departments came in under budget. He would like the revenue projections for the next budget year given to the Board at their next meeting.

ITEM # 11 – Discussion and possible action concerning Valley Community Foundation/AT&T Funds.
A draft agreement between the Town of Seymour and the Valley Community Foundation has been presented relative to the $10,000 that was donated to the Town by AT&T for the easement at Chatfield School. It states that these funds, which will be handled by the Valley Community Foundation, will be designated to the Chatfield LoPresti PTA when it is formed to be used for the students in that school.
Motion to approve the contract with the Valley Community Foundation to oversee the $10,000 donation from AT&T for the easement at Chatfield School, to be used by the future Chatfield LoPresti PTA at the school being built at 51 Skokorat Street and that the funds will be distributed for the purpose of the benefit of the children who will attend that school.
Motion: W. Kurt Miller  Second: Philip Wilhelmy
Vote: 6-Yes 0-No 0-Abstain 0-Disqualify

ITEM # 12 – Approve Resolutions for STEAP Grants.
Motion to approve the following resolution for a STEAP GRANT for Police Department Roof Repairs for $45,000.
Whereas, pursuant to CGS 4-66g, the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and Whereas, it is desirable and in the public interest that the Town of Seymour make an application to the State for $45,000 in order to undertake the Town of Seymour Police Department Roof Repairs and to execute an Assistance Agreement. Now therefore, be it resolved by the Board of Selectmen,
1. That it is cognizant of the conditions and prerequisites for the State Assistance imposed by CGS 4-66g,
2. That the filing of an application for State financial assistance by the Town of Seymour in an amount not to exceed $45,000 is hereby approved and that Paul Roy, First Selectman is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the Town of Seymour.
Motion: Philip Wilhelmy  Second: W. Kurt Miller
Motion to approve the following resolution for a STEAP Grant for Town of Seymour Industrial Park Signage Program for $37,000.
Whereas, pursuant to CGS 4-66g, the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and Whereas, it is desirable and in the public interest that the Town of Seymour make an application to the State for $37,000 in order to undertake the Town of Seymour Industrial Park Signage Program and to execute an Assistance Agreement. Now therefore, be it resolved by the Board of Selectmen, 1. That it is cognizant of the conditions and prerequisites for the State Assistance imposed by CGS 4-66g, 2. That the filing of an application for State financial assistance by the Town of Seymour in an amount not to exceed $37,000 is hereby approved and that Paul Roy, First Selectman is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the Town of Seymour.

Motion: Philip Wilhelmy  Second: W. Kurt Miller
Vote: 6-Yes 0-No 0-Abstain 0-Disqualify

ITEM # 13 - Discussion and possible action on Charter Revision Draft Report.
Motion pursuant to Section 7-191 of the Connecticut General Statutes that the Board accepts and approves the Draft Report submitted to it by the Charter Revision Commission attached hereto without change. The Board expresses its intent not to make any changes to the Draft Report and declares the report of the Commission to be final pursuant to Section 7-191(c) of the Connecticut General Statutes.

Motion: Philip Wilhelmy  Second: Saundra Gesek
Vote: 6-Yes 0-No 0-Abstain 0-Disqualify

Motion pursuant to Section 7-191(e) of the Connecticut General Statutes the Board of Selectmen determines that the proposed Charter amendments shall be submitted to the electors for approval or rejection at a Special Election to be held on February 22, 2011 at the Seymour Community Center, 20 Pine Street, Seymour, CT.

Motion: Philip Wilhelmy  Second: Saundra Gesek
Vote: 3-Yes (Paul Roy, Philip Wilhelmy, Saundra Gesek) 3-No (John Conroy, Annmarie Drugonis, W. Kurt Miller) 0-Abstain 0-Disqualify
Motion Failed

Motion pursuant to Section 7-190(c) of the Connecticut General Statutes, the Charter Revision Commission shall terminate upon acceptance of the Charter Revision Final Report by the Board of Selectmen.

Motion: Philip Wilhelmy  Second: John Conroy
Vote: 6-Yes 0-No 0-Abstain 0-Disqualify

ITEM # 14 - Rescind Resolution approved on December 22, 2010 for costs related to improvements to various Town Buildings.
Motion to rescind the following resolution:
RESOLVED, that the Board of Selectmen recommends that the Town of Seymour appropriate $357,000 for costs related to improvements to various Town buildings, including (a) replacement of the roof on the Seymour Public Works Department Garage on Derby Avenue, and related work and improvements (estimated cost $50,000), (b) installation of a new boiler and heating system at the Seymour Community Center at 20 Pine Street, and related work and improvements (estimated cost $150,000), (c) implementation of the Energy Committee’s plans to convert Town buildings into energy and cost-efficient structures (estimated cost $150,000); and (d) costs related to the financing thereof (estimated at $7,000); and that the Town issue bonds or notes and temporary notes in an amount not to exceed $357,000 to finance the appropriation. The Board of Selectmen shall be authorized to determine the scope and particulars of the projects and to reduce or modify the projects, and the entire appropriation may be expended on the projects as so reduced or modified.

FURTHER RESOLVED, that the projects be referred to the Planning and Zoning Commission for a report pursuant of Section 8-24 of the General Statutes of Connecticut Revision of 1958, as amended.

Rescind Motion: Philip Wilhelmy  Rescind Second: W. Kurt Miller
Vote: 6-Yes 0-No 0-Abstain 0-Disqualify

ITEM # 15 - Approve Revised Resolution for costs related to improvements to various Town Buildings.
Motion to approve the following bonding resolution for costs related to improvements to various Town Buildings:

RESOLVED, that, notwithstanding its actions respect thereto taken by the Board of Selectmen at its meeting held December 22, 2010, the Board of Selectmen recommends that the Town of Seymour appropriate $407,000 for costs related to improvements to various Town buildings, including (a) replacement of the roof on the Seymour Public Works Department Garage on Derby Avenue, and related work and improvements (estimated cost $100,000), (b) installation of a new boiler and heating system at the Seymour Community Center at 20 Pine Street, and related work and improvements (estimated cost $150,000), (c) implementation of the Energy Committee’s plans to convert Town buildings into energy and cost-efficient structures (estimated cost $150,000); and (d) costs related to the financing thereof (estimated at $7,000); and that the Town issue bonds or notes and temporary notes in an amount not to exceed $407,000 to finance the appropriation. The Board of Selectmen shall be authorized to determine the scope and particulars of the projects and to reduce or modify the projects, and the entire appropriation may be expended on the projects as so reduced or modified.

FURTHER RESOLVED, that the above recommendation be referred to the Board of Finance for its consideration.

Motion: Philip Wilhelmy  Second: W. Kurt Miller
Vote: 6-Yes 0-No 0-Abstain 0-Disqualify

ITEM # 16 - Approve Resolution setting Special Town Meeting for February 15, 2011 and Special Referendum for February 22, 2011.
Motion to approve the following resolution setting a Special Town Meeting for February 15, 2011 and a Special Referendum for February 22, 2011:

RESOLVED, that resolutions with respect to the appropriations and borrowing authorizations for various emergency services equipment acquisitions and improvements, and for Seymour High School field bleachers replacement, as recommended by the Board of Selectmen at its meeting held December 22, 2010 under agenda item 8, be submitted to a Special Town Meeting to be held on Tuesday, February 15, 2011 at 7:00 p.m. in the Norma Drummer Room at the Seymour Town Hall, 1 First Street in Seymour.

FURTHER RESOLVED, that the Board of Selectmen hereby designates said resolutions for submission to the voters at referendum in the manner provided by Section 7-7 of the General Statutes of Connecticut, Revision of 1958, as amended, to be held on Tuesday, February 22, 2011, between the hours of 6:00 a.m. and 8:00 p.m. Electors and persons qualified to vote in town meetings who are not electors shall vote at the Seymour Community Center, 20 Pine Street in Seymour. The Town Clerk shall incorporate notice of such referendum into the notice of Special Town Meeting. The aforesaid resolutions will be submitted to referendum vote under the following headings, respectively:

"SHALL THE TOWN OF SEYMOUR APPROPRIATE $1,366,000 FOR VARIOUS EMERGENCY SERVICES EQUIPMENT ACQUISITIONS AND IMPROVEMENTS AND AUTHORIZE THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION?"

"SHALL THE TOWN OF SEYMOUR APPROPRIATE $428,000 FOR REPLACEMENT OF THE SEYMOUR HIGH SCHOOL FIELD BLEACHERS AND RELATED IMPROVEMENTS AND EQUIPMENT AND AUTHORIZE THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION?"

Voters approving a resolution will vote “Yes” and those opposing said resolution shall vote “No”. Absentee ballots will be available from the Town Clerk’s office.

[OPTIONAL -- FOR USE IF EXPLANATORY MATERIALS ARE TO BE AUTHORIZED:

FURTHER RESOLVED, That the Town Clerk is hereby authorized and directed to prepare and to cause to be printed and distributed in accordance with the provisions of Section 9-369b(a) of the General Statutes of Connecticut, Revision of 1958, as amended, an explanatory text with respect to the questions to be submitted to the voters for the approval or disapproval of the foregoing resolutions with respect to appropriations and borrowing authorizations for various projects; and the Town Clerk is further authorized, in her discretion, to prepare and distribute such additional explanatory materials with respect to such question as are permitted in accordance with said Section 9-369b.]

Motion: Philip Wilhelmy  Second: Saundra Gesek
ITEM # 17 - Approve invoices for the Public Works Department. Several invoices are presented to the Board because the purchase orders were taken out after the service. This is a policy of the Board of Finance to have these approved by the Board of Selectmen. Dennis Rozum, Public Works Director states reasons for the purchase orders being taken out late due to Town Hall being closed on Fridays and they were taken out on Monday and that blanket purchase orders were closed.

Motion to approve all invoices presented for the Public Works Department.
Motion: Philip Wilhelmy Second: John Conroy
Vote: 6-Yes 0-No 0-Abstain 0-Disqualify

Motion to go back to item # 15.
Motion: Annmarie Drugonis Second: Saundra Gesek
Vote: 6-Yes 0-No 0-Abstain 0-Disqualify

Motion to rescind motion made on item # 15 concerning Motion to approve the following bonding resolution for costs related to improvements to various Town Buildings:
RESOLVED, that, notwithstanding its actions respect thereto taken by the Board of Selectmen at its meeting held December 22, 2010, the Board of Selectmen recommends that the Town of Seymour appropriate $407,000 for costs related to improvements to various Town buildings, including (a) replacement of the roof on the Seymour Public Works Department Garage on Derby Avenue, and related work and improvements (estimated cost $100,000), (b) installation of a new boiler and heating system at the Seymour Community Center at 20 Pine Street, and related work and improvements (estimated cost $150,000), (c) implementation of the Energy Committee's plans to convert Town buildings into energy and cost-efficient structures (estimated cost $150,000); and (d) costs related to the financing thereof (estimated at $7,000); and that the Town issue bonds or notes and temporary notes in an amount not to exceed $407,000 to finance the appropriation. The Board of Selectmen shall be authorized to determine the scope and particulars of the projects and to reduce or modify the projects, and the entire appropriation may be expended on the projects as so reduced or modified.

FURTHER RESOLVED, that the above recommendation be referred to the Board of Finance for its consideration.

Motion: Philip Wilhelmy Second: W. Kurt Miller
Vote: 6-Yes 0-No 0-Abstain 0-Disqualify
Rescind Motion: Philip Wilhelmy Rescind Second: W. Kurt Miller
Vote: 6-Yes 0-No 0-Abstain 0-Disqualify
improvements to various Town buildings, including (a) replacement of the roof on the Seymour Public Works Department Garage on Derby Avenue, and related work and improvements (estimated cost $100,000), (b) installation of a new boiler and heating system at the Seymour Community Center at 20 Pine Street, and related work and improvements (estimated cost $150,000), (c) implementation of the Energy Committee’s plans to convert Town buildings into energy and cost-efficient structures (estimated cost $150,000); and (d) costs related to the financing thereof (estimated at $7,000); and that the Town issue bonds or notes and temporary notes in an amount not to exceed $407,000 to finance the appropriation. The Board of Selectmen shall be authorized to determine the scope and particulars of the projects and to reduce or modify the projects, and the entire appropriation may be expended on the projects as so reduced or modified.

FURTHER RESOLVED, that the above recommendation be referred to the Board of Finance for its consideration.

FURTHER RESOLVED, that a resolution with respect to an appropriation and borrowing authorization for improvements to various Town buildings, as recommended above, be submitted, if recommended by the Board of Finance, to a Special Town Meeting to be held on Tuesday, February 15, 2011 at 7:00 p.m. in the Norma Drummer Room at the Seymour Town Hall, 1 First Street in Seymour.

FURTHER RESOLVED, that the Board of Selectmen hereby designates said resolution for submission to the voters at referendum in the manner provided by Section 7-7 of the General Statutes of Connecticut, Revision of 1958, as amended, to be held on Tuesday, February 22, 2011, between the hours of 6:00 a.m. and 8:00 p.m. Electors and persons qualified to vote in town meetings who are not electors shall vote at the Seymour Community Center, 20 Pine Street in Seymour. The Town Clerk shall incorporate notice of such referendum into the notice of Special Town Meeting. The aforesaid resolution will be submitted to referendum vote under the following headings, respectively:

“SHALL THE TOWN OF SEYMOUR APPROPRIATE $407,000 FOR IMPROVEMENTS TO VARIOUS TOWN BUILDINGS AND AUTHORIZE THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION?”

Voters approving the resolution will vote “Yes” and those opposing said resolution shall vote “No”. Absentee ballots will be available from the Town Clerk’s office.

[OPTIONAL -- FOR USE IF EXPLANATORY MATERIALS ARE TO BE AUTHORIZED:

FURTHER RESOLVED, That the Town Clerk is hereby authorized and directed to prepare and to cause to be printed and distributed in accordance with the provisions of Section 9-369b(a) of the General Statutes of Connecticut, Revision of 1958, as amended, an explanatory text with respect to the questions to be submitted to the voters for the approval or disapproval of the foregoing resolutions with respect to appropriations and borrowing authorizations for various projects;
and the Town Clerk is further authorized, in her discretion, to prepare and
distribute such additional explanatory materials with respect to such question as are
permitted in accordance with said Section 9-369b.]

Motion: Philip Wilhelmy            Second: John Conroy
Vote: 6-Yes            0-No            0-Abstain            0-Disqualify

• Town Counsel Colleen Fries left the meeting at 8:36PM.

ITEM # 18 – Appointments.
None.

ITEM # 19 – Tax Refunds/Abatements.
Motion to approve tax refunds in the amount of $16,908.61.
Motion: Philip Wilhelmy            Second: Saundra Gesek
Vote: 6-Yes            0-No            0-Abstain            0-Disqualify

ITEM # 20 – Transfers.
Motion to approve an Emergency Transfer, pursuant to Section 12.4(d) of the Town of
Seymour Charter, for $20,000 for the Public Works Department from the Contingency
Account # 1-001-410-1940-1950-530-872 into Snow Plowing Materials Account #
1-001-430-3110-570-422 for anticipation of additional snow and ice storms.
Motion: Philip Wilhelmy            Second: Saundra Gesek
Vote: 6-Yes            0-No            0-Abstain            0-Disqualify

ITEM # 21 – Correspondence.
- Check Registers.
- Board of Finance Budget Workshop Schedules.
- Letter from Al Bruno, Resident in support of the Economic Development
  Director position.
- Letter to DiGiorgi accepting the quote for PD roof repairs.
- Letter from Historical Society Thanking Board for use of the Strand for a
  fundraising event.
- Letter from the Aging Commission requesting that they be on the next Board of
  Selectmen meeting agenda on 2/15/11.

ITEM # 22 – Other Business.
None.

ITEM # 23 – Public Comment.
Walter Birdsell, 42 Jupiter Drive: Would like to know why the snow/ice sidewalk
ordinance is not being enforced. Would like the streets and sidewalks leading to
Chatfield School on Skokorat Street cleaned immediately.

Ed Pollack, 25 Walnut Street: Would like a letter from the Town and Board of
Selectmen stating that the Town will be responsible for cleaning the pipe that runs
under his street.
Frank Loda, 27 Osprey Drive: States that all budgets came in under budget except the Finance Department. The issues are addressed in the audit and he has concerns about that department going over budget.

ITEM # 24 – Selectmen’s Public Comments.
Philip Wilhelmy: Wants to know why the Charter Revisions did not pass to the Special Referendum, when we are having one. Thought that cost was an issue.

John Conroy: States that sidewalks are covered in snow and ice and would like the sidewalk ordinance to be enforced. Citations need to be given out to anyone not taking care of their sidewalks and throwing snow in the roads. Also states that he feels that the Charter Revisions would have a better chance of passing at the budget referendum since there is more of a voter turnout.

W. Kurt Miller: Is disappointed that we are having a Special Referendum in February and spending the money instead of having the Bonding Resolutions at the Budget Referendum.

ITEM # 25 – Executive Session (Contract Negotiations, Pending Litigation, Personnel).
None.

ITEM # 26 – Adjournment.
Motion to adjourn at 8:51PM.
Motion: Philip Wilhelmy 
Second: Annmarie Drugonis
Vote: 6-Yes 0-No 0-Abstain 0-Disqualify

Respectfully submitted by,
Deirdre Caruso,
Recording Secretary

Reviewed by,
Paul Roy,
First Selectman