MINUTES
Board of Selectmen
Tuesday December 7, 2010 @ 7:30PM
Norma Drummer Room / Seymour Town Hall


ITEM # 1 – Call meeting to order.
The First Selectman calls the meeting to order at 7:32PM.

ITEM # 2 – Pledge of Allegiance.
Everyone salutes the flag and states the Pledge of Allegiance.
At this time the First Selectman asked for a moment of silence in remembrance of the Anniversary of the Attack on Pearl Harbor.

ITEM # 3 – Approve minutes from Board of Selectmen Meeting on 11/16/10.
Motion to approve minutes from Board of Selectmen Meeting on 11/16/10.
Motion: Phil Wilhelmy Second: John Conroy
Vote- 6 – Yes (Paul Roy, Karl Trybus, Annmarie Drugonis, John Conroy, Phil Wilhelmy, Saundra Gesek) 0-No 1-Abstain (W. Kurt Miller)

ITEM #4- First Selectman’s Report.
Attended a seminar at Murtha Cullina in Hartford on energy savings and financing for businesses and municipalities

Attended a presentation by Derby Historical Society on the development of the bicycle in Ansonia

Christmas Parade was held on Saturday November 27. Parade was well attended as there was a large crowd along Main St. and many people said it was one of the best ever.

Attended a ribbon cutting ceremony at All State Cremation and Funeral Service a new business associated with Chepulis Funeral Home on Washington Ave

Met with Superintendent of Schools MaryAnne Mascolo and Assistant Rick Belden to discuss moving Board of Education Offices to the High School.

Attended the Pop Warner Football Banquet held on Sunday at Villa Bianca. All players and cheerleaders and their families attended.
Seymour Land Trust will be holding its annual “Santa’s Visit to Legion Pool” which will feature Santa Claus and fireworks. It is scheduled for Saturday Dec. 11 at 6:30 pm at the Land Trust on Chatfield Street.
ITEM # 5- Public Comment.
Ed Pollack, Walnut St: Questioning status of his complaint about ongoing water problem on his property, handed out folders containing information he found in the Town Clerks office from as far back as 1982 about Steele Brook. He said he would like to know what is being done about his flooding problem.

Karen Rickel, 13 Edgehill Terrace: Brought in bamboo samples to show how her property has been invaded by bamboo shoots and rhizomes from neighboring bamboo plants. Handed out folders to Selectmen of information she has compiled. Bill Paecht has been out to investigate the problem, checking storm drains and said that plant is not invading them at this time. He also mentioned that the Bamboo tree is not on Connecticut’s list of invasive plants.

ITEM # 6- Recommendations from the Fire Department on Rescue Truck Bid. (Take possible Action)
Gene Atkas, Chairman Fire Commission: Received only one bid, and is recommending that the BOS accept it. He had with him information for financing. Recommendation is 2.66% on 5 years.

Kurt would like Board of Finance to provide an analysis of how this is going to work coming from our debt service. Al Rochelle will get a four week extension from the truck manufacturer (Yankee Fire and Rescue) to be able to review Board of Finance analysis.

Motion to table recommendations from the Fire Department on Rescue Truck Bid until December 22, 2010, Town Meeting after reviewing Board of Finance analysis.
Motion: Philip Wilhelmy Second: John Conroy
Vote: 7-Yes 0-No 0-Abstain 0-Disqualify

ITEM # 7 - Acceptance of Jennifer Lane, Nickelmine Brook Estates Sub-Division. (Take Action)
Motion to Accept Jennifer Lane, Nickelmine Brook Estates Sub-Division, acceptance to be conditioned on provision of a maintenance bond in an amount of ten percent of the estimated cost of construction of Jennifer Lane to be in effect for one year following the date of acceptance.
Motion: Philip Wilhelmy Second: W. Kurt Miller
Vote: 7-Yes 0-No 0-Abstain 0-Disqualify

ITEM # 8- F.O.I. Response Policy. (Take possible action)
FREEDOM OF INFORMATION RESPONSE POLICY
Effective October 7, 2010 the following policy is to be followed by all employees, board and commission members within the Town of Seymour without exception.
Anyone who receives a request under the Freedom of Information Act should forward a copy of said request to Deirdre Caruso, First Selectman Assistant in the First Selectman’s Office within 24 hours of receipt. Deirdre will then acknowledge receipt of the request within the statutory four day period. However, it is still the responsibility of the person receiving the request to compile the information and advise Deirdre thereafter when the request has been complied with. The Freedom of Information Act requires prompt response and anyone who does not properly comply with the request is subject to a $1,000 fine.
If anyone has any questions, please do not hesitate to contact me.
Paul created this policy to make sure correct steps are taken when any employee, board and commission member receive a F.O.I. request. 

John Conroy stated two things were not addressed: 
1). Whoever receives the request should make sure all appropriate Board members are aware of request.
2.) Any town employee assists Board members with documents or any other research material they may need in addressing this request.

Paul explained as F.O.I. requests come into First Selectman's Office, they are logged. He will oversee the log. He explained since the policy went into effect it has worked well. Paul agreed to distribute the policy to all Town employees and have them sign that they received it.

No action taken.

ITEM # 9 Discussion of WPCA information as provided by Board of Finance. It is estimated that the Town is paying over $1 million per year for the WPCA’s total debt service costs. The Town can construct an ordinance to get funds to go toward the WPCA debt. The Town’s Bond Counsel, Doug Gillette was asked to research state statutes, the Town Charter and other pertinent documents needed to assist the BOF for a repayment to the Town for any portion of the debt payments made for the WPCA.

NO action taken

ITEM # 10- Grant Private Property License to Comcast for Wakeley Street Parking Area. (Take Action)
Motion to Grant Private Property License to Comcast for Wakeley Street Parking Area.
Motion: John Conroy Second: W. Kurt Miller
Vote: 7-Yes 0-No 0-Abstain 0-Disqualify

ITEM # 11- Resolution to approve First Supplemental Agreement for Derby Avenue Resurfacing Project. (Take Action)
State Project No. 124-168
Federal Aid Project No. 1124 (001)

RESOLUTION

Motion to approve First Supplemental Original Agreement dated September 15, 2009 between the State of Connecticut and the Town of Seymour for the Construction, inspection, and maintenance, of the reconstruction and resurfacing of Derby Avenue.
Motion: John Conroy Second: W. Kurt Miller
Vote: 7-Yes 0-No 0-Abstain 0-Disqualify

Motion to place on table Broad Street Park Lease Resolution.
Motion: John Conroy Second: Philip Wilhelmy
Vote: 7-Yes 0-No 0-Abstain 0-Disqualify
Town Counsel Colleen Fries read the Resolution to Board members. She explained the Agreement was due back to the state by December 22, 2010. She said she would ask if she may have an extension on that date so the BOS members can schedule a Town Meeting for that evening.

CERTIFIED RESOLUTION

I, ESTHER ROZUM, TOWN CLERK of the TOWN OF SEYMOUR, a municipal corporation organized and existing under the laws of the State of Connecticut, DO HEREBY certify that the following is a true and correct copy of a resolution duly adopted at a meeting convened on December 7, 2010, at which meeting a duly constituted quorum of the Board of Selectmen was present and acting throughout and that such resolution has not been modified, rescinded or revoked and is at present in full force and effect.

RESOLVED: That the First Selectman of the Town of Seymour, Paul Roy, is empowered to execute and deliver in the name and on behalf of the Town of Seymour a certain agreement with the State of Connecticut, Department of Transportation known as File No. 134-11-024A.

IN WITNESS WHEREOF, the undersigned has affixed her signature and seal of the Town of Seymour, if applicable, this day of December, 2010.

Motion to approve Broad Street Park Lease Agreement as read by Town Counsel Colleen Fries.
Motion: John Conroy    Second: Philip Wilhelmy
Vote: 7-Yes 0-No 0-Abstain 0-Disqualify

Motion to add to agenda to set Date a for Town Meeting on December 20, 2010 or December 22, 2010
Motion: Philip Wilhelmy    Second: Annmarie Drugonis
Vote: 7-Yes 0-No 0-Abstain 0-Disqualify

Motion to set Date for Town Meeting on December 20, 2010 or December 22, 2010, at 7PM, in the Norma Drummer Room, determined by the answer for the extension.
Motion: Philip Wilhelmy    Second: John Conroy
Vote: 7-Yes 0-No 0-Abstain 0-Disqualify

Add to agenda approval of Chatfield Park STEAP Grant #2011-04, Personal Services Agreement.
Motion to add to agenda approval of Chatfield Park STEAP Grant#2011-04, Personal Services Agreement.
Motion: Karl Trybus    Second: Annmarie Drugonis
Vote: 7-Yes 0-No 0-Abstain 0-Disqualify

RESOLUTION OF MUNICIPAL LEGISLATIVE BODY

I, ESTHER ROZUM, do hereby certify that I am the CLERK of the TOWN OF SEYMOUR, a municipal corporation organized and existing under the laws of the State of Connecticut, having its principal place of business at 1 FIRST STREET, SEYMOUR, CONNECTICUT, that I am the keeper of the corporate records and seal. That the following is a true and correct copy of a resolution duly adopted and ratified by the BOARD OF SELECTMEN on December 7, 2010, in accordance with the constituent charter of the TOWN OF SEYMOUR; and that the same has not in any way been modified, repealed or rescinded, but is in full force and effect.

RESOLVED, that PAUL ROY, FIRST SELECTMAN OF SEYMOUR, CONNECTICUT, be and hereby is authorized to execute on behalf of this municipal corporation a PERSONAL SERVICES AGREEMENT with the State of Connecticut for financial assistance to CHATFIELD PARK IMPROVEMENTS STEAP #2011-04.

IN ADDITION, that PAUL ROY, FIRST SELECTMAN, is hereby authorized to enter into such agreements, contracts and execute all documents necessary to said grant with the State of Connecticut.

IT IS FURTHER CERTIFIED that PAUL ROY was ELECTED FIRST SELECTMAN. His term of office began on December 7, 2009 and will continue until December 5, 2011. As the FIRST SELECTMAN, PAUL ROY serves as the Chief Executive Officer for SEYMOUR and on December 7, 2010 had both the authority and the office to sign on behalf of the TOWN OF SEYMOUR a PERSONAL SERVICES AGREEMENT for financial assistance to CHATFIELD PARK IMPROVEMENT STEAP #2011-04.
Motion to approve Chatfield Park STEAP Grant # 2011-04.
Motion: Philip Wilhelmy
Second: Annmarie Drugonis
Vote: 7-Yes 0-No 0-Abstain 0-Disqualify

ITEM #12 – Appointments
Motion to appoint Melissa SmithPoynton to the Zoning Board of Appeals Alternate for a 4-year term expiring 12/7/14.
Motion: Philip Wilhelmy
Second: Karl Trybus
Vote: 7-Yes 0-No 0-Abstain 0-Disqualify

Motion to appoint Stephen Chucta to the Water Pollution Control Authority for a 4-year term expiring 12/12/14.
Motion: W. Kurt Miller
Second: Annmarie Drugonis
Vote: 7-Yes 0-No 0-Abstain 0-Disqualify

ITEM # 13 – Tax Refunds/Abatements
Motion to approve tax refunds in the amount of $135.77.
Motion: Philip Wilhelmy
Second: Annmarie Drugonis
Vote: 7-Yes 0-No 0-Abstain 0-Disqualify

ITEM # 14 – Transfers
NONE

ITEM # 15 – Correspondence
-Check Registers.
W Kurt Miller: Tracey’s Garage - $14,165.12. What is that for? Paul will find out and get back to him.
-Letter from Emergency Management and Homeland Security

ITEM # 16 – Other Business
None

ITEM # 17 – Public Comment
None
ITEM # 18 – Selectmen’s Public Comment.
John Conroy: In regard to Mr. Pollack and his ongoing flooding problem, he feels we do owe him an answer, hopefully by the first meeting in January to put the matter on the agenda and discuss this once and for all.
W. Kurt Miller: Seymour Pride Committee wants to thank Ted Holly for cleaning effort at Seymour Historical Society.
Annmarie Drugonis: Website needs updating. Paul mentioned his office has been short-handed recently, web will be updated ASAP.

ITEM # 19 – Executive Session (Pending Litigation – Seymour v. Fletcher Thompson, pending litigation).
Motion to go into Executive Session at 9:15Pm with Town Counsel Colleen Fries, Rick Belden, MaryAnne Mascolo, Ed Strumello, and Board of Selectmen for pending litigation for Seymour v. Fletcher Thompson.
Motion: Philip Wilhelmy
Second: Karl Trybus
Vote: 7-Yes 0-No 0-Abstain 0-Disqualify
Motion to come out of executive session at 9:43PM with no motions or actions taken.

Motion: Philip Wilhelmy
Second: Karl Trybus
Vote: 7-Yes 0-No 0-Abstain 0-Disqualify

ITEM # 20 – Adjournment
Motion to adjourn at 9:44PM.
Motion: W. Kurt Miller
Second: Philip Wilhelmy
Vote: 7-Yes 0-No 0-Abstain 0-Disqualify

Submitted by,

Cindy Bernardini
Recording Secretary

Reviewed by,

Paul F. Roy
First Selectman