MINUTES
Board of Selectmen
Tuesday, April 15, 2014 – 7:00PM
Norma Drummer Room – Seymour Town Hall

Members Present: W. Kurt Miller, Len Greene, Jr., Karen Stanek, Paul Roy, Al Bruno, and Nicole Klarides-Ditria
Members Not Present: Annmarie Drugonis.
Others Present: Town Counsel, Richard Buturla, Michael Flynn, Marsha Schuck, Rory Burke, Frank Loda, and Lianna Staffieri, recording secretary.

ITEM #1: Call meeting to order.
Meeting was called to order by First Selectman, W. Kurt Miller, at 7:02 PM.

ITEM #2: Pledge of Allegiance.
Everyone saluted the flag and recited the Pledge of Allegiance.

ITEM #3: Public Comment.
Michael Flynn, 85 Skokarat Street, stated that he believes that Cherry Street should be looked at. He also stated that there are huge trees that need to be taken down. He also believes that Cherry Street should be a one way street. He informed the board of a huge depression-like pot hole on First Avenue along with various other streets.

ITEM #4: Approve minutes from April 1, 2014 regular meeting.
Motion to approve minutes from April 1, 2014 regular meeting.
Motion: Len Greene, Jr. Second: Nicole Klarides-Ditria
Vote: 6-Yes 0-No 0-Abstain
W. Kurt Miller – Yes Nicole Klarides-Ditria – Yes Paul Roy – Yes
Karen Stanek – Yes Len Greene, Jr. – Yes Al Bruno – Yes

Karen Stanek points out a few typos as follows:
On page 5 under Item #13 it should say “or concerns” and on page 4 under item #8 it should say “Second: Paul Roy.”

Len Greene, Jr. made a suggestion to the board with regard to submitting changes to the minutes, as far as, misspellings. He suggested that in the interest of time that these corrections be submitted to Lianna prior to the meeting.

ITEM #5: First Selectman’s Report.
1. Participated in a rating call with S&P to establish the town’s bond rating. Call went extremely well and we received some very positive feedback from the examiners. We expect to hear the results of the call next Tuesday, April 22nd.
2. Presented the state of the town’s financial condition at the Annual Budget Public Hearing. Turnout was very low. Anyone interested in seeing a copy of the presentation, please let me know. If the board likes, I can run through the information at the next meeting.
3. Attended a CEO reception in Waterbury for the new Naugatuck Valley Council of Governments. The event gave everyone the opportunity to chat in a more social setting to allow people to get to know each other
better. I thought it was a great kickoff event to officially bring the two councils together. I look forward to a very long and positive relationship for the town of Seymour.

4. Attended the Great Bridgeport Valley Metropolitan Planning Organization quarterly meeting to discuss transpiration needs of the area. While our COG will be changing as of 1/1/15, our MPO will remain the same for the next year or so.

5. Had the privilege of attending the Italian-American Legislators Dinner. It was a great opportunity to meet with several state leaders to discuss the challenges and issues that are facing Seymour and the direction we are moving forward in.

6. Attended a meeting with the Communication Commission, SPD and Northeast Communications to discuss the ongoing communications issues facing the town. We left the meeting with some action steps that will be taken over the next few years to improve the situation and provide our emergency personal with a better communications system.

7. Finally, I had the chance to run in the Easter 5k in Derby to benefit Umbrella. It was a great time to benefit a great cause.

Motion to add to the agenda discussion and possible action regarding letter to DOT Commissioner
Redeker regarding Cedar Street fencing issue.
Motion: Len Greene, Jr. Second: Nicole Klarides-Ditria
Vote: 6-Yes 0-No
W. Kurt Miller – Yes
Karen Stanek – Yes
Nicole Klarides-Ditria – Yes
Paul Roy – Yes
Len Greene, Jr. – Yes
Al Bruno – Yes

Discussion and possible action regarding letter to DOT Commissioner Redeker regarding Cedar Street fencing issue.
Len Greene, Jr. gave an update on the fencing on Cedar Street. He stated that there is an old fence that has been there for decades and trees have grown into it and around it. The fence is falling apart. He stated that he brought it up to DOT to repair or replace it. The Department of Transportation claimed that it is the town’s responsibility to repair it. Len drafted a letter for board to read over, sign and send to Commissioner Redeker.
Kurt read as follows:
Dear Commissioner Redeker:
We are writing to you to address potential hazards which have developed in the Town of Seymour due to a lack of maintenance to a section of fencing owned and maintained by the State Department of Transportation. The fencing, which was installed decades ago, runs parallel to Route 8 through the Town of Seymour adjacent to several residential neighborhoods and a highly visible commercial zone.

The fencing in the area of Cedar Street and Derby Avenue in Seymour has fallen into such a state of disrepair that many sections have fallen down, broken apart, and deteriorated beyond repair. This, as you can imagine, poses a significant safety hazard to household pets, which often wander onto Route 8 through the damaged fence and are struck by traffic on the highway. Most importantly, there exists a serious concern that small children can easily enter onto Route 8 through the fence, which is no longer an adequate safety border in that area. Finally, the fencing that runs along the commercial zone of Derby Avenue in Seymour has also fallen into disrepair and poses similar safety concerns, in addition to the fact that it has become an impediment to effective economic development in the area.

Representatives from the Seymour Department of Public Works and the Connecticut General Assembly have raised these concerns numerous times over the years, but the fencing has not been adequately repaired. Therefore, the Seymour Board of Selectmen is formally requesting that the State Department of Transportation replace the fencing in question. In the interest of public safety we believe that the State of Connecticut should address these concerns as soon as possible.

We have attached photographs of the fencing in question to better illustrate our concerns. Thank you for your prompt attention to this important matter.
Signed, Board of Selectmen members.

Motion to approve letter as presented.
ITEM #6: Discussion and take possible action on setting of annual Town budget meeting for Monday, April 21st at 7:00 PM at Seymour Middle School.

Motion to set annual Town Budget meeting for Monday, April 21st at 7:00 PM at Seymour Middle School.

Motion: Karen Stanek

Vote: 6-Yes 0-Abstain

W. Kurt Miller – Yes
Karen Stanek – Yes
Nicole Klarides-Ditria – Yes
Len Greene, Jr. – Yes
Paul Roy – Yes
Al Bruno – Yes

The Board of Selectmen will be setting an agenda for a special meeting at 7:05 PM on April 21st at the Seymour Middle School. If there is no quorum of 50 residents, the Selectmen will take action.

ITEM #7: Discussion and take possible action on acquisition of property at 111A Squantuck Road.

Kurt stated that there was an issue raised with the transfer by the Board of Finance Chairman, Mr. Sawicki.

The board is voting on Control Item revised #9 transferring the amount of $10,000.00 from fund balance to property purchase.

Kurt stated the detailed explanation as follows:

Purchased water company property approved by the Board of Selectmen. The property purchase price is $20,000.00. This transfer addresses the $10,000.00 fund balance transfer which along with $10,000.00 conservation account contribution will be used for the purchase. The town has an agreement with each of the affected property owners which will be recorded as a receivable. These funds will be remitted to the town as they become available in accordance with the prescribed schedules. Each resident will be chipping in $1,500.00 toward the purchase of the property. Three of the five residents have already put the money in escrow. One resident is in a nursing home. The other residents are a young family and are on a payment plan.

Motion to accept transfer as presented.

Motion: Len Greene, Jr.

Second: Nicole Klarides-Ditria

Vote: 6-Yes 0-Abstain

W. Kurt Miller – Yes
Karen Stanek – Yes
Nicole Klarides-Ditria – Yes
Len Greene, Jr. – Yes
Paul Roy – Yes
Al Bruno – Yes

Motion to add to the agenda discussion and possible action regarding a resolution for Sidewalk Restoration: Phase III.

Motion: Len Greene, Jr.

Second: Paul Roy

Vote: 6-Yes 0-Abstain

W. Kurt Miller – Yes
Karen Stanek – Yes
Nicole Klarides-Ditria – Yes
Len Greene, Jr. – Yes
Paul Roy – Yes
Al Bruno – Yes

Discussion and possible action regarding a resolution for Sidewalk Restoration: Phase III.

Kurt read the resolution as follows:

WHEREAS, pursuant to C.G.S. Sec. 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 $200,000.00 in order to undertake the Sidewalk Replacements Phase III 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 C.G.S. Sec. 4-66g
2. That the filing of an application for State financial assistance by The Town of Seymour in an amount not to exceed $200,000.00 is hereby approved and that W. Kurt Miller, 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 such other documents as may be required to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of The Town of Seymour.

Motion to accept the resolution as read.
Motion: Len Greene, Jr. Second: Nicole Klarides-Ditria
Vote: 6-Yes 0-No
W. Kurt Miller – Yes Nicole Klarides-Ditria – Yes Paul Roy – Yes
Karen Stanek – Yes Len Greene, Jr. – Yes Al Bruno – Yes

ITEM #8: Discussion and take possible action on tactical response vehicle.
The vehicle, the “Lenco BearCat armored tactical response vehicle” was purchased by North Haven using federal money and will be shared by several towns in the region.
Town Counsel, Richard Buturla discussed the Hold Harmless Indemnification Agreement that has been put together for the various municipalities who are a part of the Region 2 Emergency Planning Team. By executing this agreement, the town of North Haven, who owns and maintains the “Lenco BearCat armored tactical response vehicle” will allow the vehicle to be loaned out in the care and custody of the various police departments that participate in Region 2 without any North Haven police officers being involved. He stated that there is an insurance requirement attached to it and he recommended moving forward with it so the Seymour Police Department can utilize this on an “as needed” basis. This will be at no cost to the town.
The board discussed the agreement and responsibilities with Town Counsel at length.

Motion to accept the resolution as read
Motion: Karen Stanek Second: Len Greene, Jr.
Vote: 6-Yes 0-No
W. Kurt Miller – Yes Nicole Klarides-Ditria – Yes Paul Roy – Yes
Karen Stanek – Yes Len Greene, Jr. – Yes Al Bruno – Yes

ITEM #9: Discussion and take possible action on 2014 Comcast Cares Day.
Kurt read letter from Comcast as follows:

Dear Mr. First Selectman Miller:
Comcast Cares Day, which takes place each April during National Volunteer Month, is Comcast and NBCUniversal’s signature day of service and the nation’s largest single-day corporate volunteer effort.
Our 13th annual Comcast Cares Day will take place on Saturday, April 26, 2014. This year, we anticipate 80,000 — plus volunteers at more than 700 projects in 39 states and Washington D.C. Comcast Cares Day is how we join together to make change happen in our communities. To date, more than half a million volunteers have contributed over 3 million volunteer hours since Comcast Cares Day started in 2001.
Since the inception of our annual day of service, the Comcast Foundation has contributed grants totaling $14 million to local nonprofit partner organizations on behalf of each employee and immediate family member who volunteered. Last year, the Foundation donated $1.7 million to our Comcast Cares Day community partners nationwide.
We invite you to join us at our local Comcast Cares Day service project at the Seymour Boys & Girls Clubs. We are expecting employees, family members and friends to be on hand to landscape and do some spring cleanup.
The event details are as follows:

Event: Comcast Cares Day
Date: Saturday, April 26, 2014
Time: 9AM – 3PM
Kurt read proclamation as follows:

WHEREAS, Comcast remains an active, committed and engaged member of the Seymour community;
WHEREAS, Comcast supports the core American value of volunteerism through partnerships, grants and volunteer activities that empowers individuals and organized communities; and
WHEREAS, Comcast is celebrating its 13th Comcast Cares Day, and has reached important milestones, including 3 million volunteer hours and half a million volunteers since Comcast Cares Day started in 2001; and
WHEREAS, Comcast Cares Day promotes a spirit of corporate responsibility thanks to the hard work, dedication and service of the Comcast volunteers in the Seymour community

NOW, THEREFORE, I, W. Kurt Miller, First Selectman of the Town of Seymour, do hereby proclaim April 26, 2014 as “Comcast Cares Day.”
Dated this 15th day of April, 2014

Motion to accept the proclamation as read.
Motion: Nicole Klarides-Ditria Second: Al Bruno
Vote: 6-Yes 0-No
W. Kurt Miller – Yes
Karen Stanek – Yes
Nicole Klarides-Ditria – Yes
Len Greene, Jr. – Yes
Paul Roy – Yes
Al Bruno – Yes

ITEM #10: Discussion and take possible action on 2012 State Homeland Security Grant Program Region 2 Memorandum of Agreement.

Read the authorizing resolution as follows:

I, Susan DeBarber, the Town Clerk of Seymour, Connecticut, do hereby certify that the following is a true and correct copy of a resolution adopted by Board of Selectmen at its duly called and held meeting on April 15, 2014, at which a quorum was present and acting throughout, and that the resolution has not been modified, rescinded, or revoked and is at present in full force and effect:

RESOLVED, that the Board of Selectmen may enter into with and deliver to the State of Connecticut Department of Emergency Management and Homeland Security any and all documents which it deems to be necessary or appropriate; and

FURTHER RESOLVED, that W. Kurt Miller, as First Selectmen of the Town of Seymour, is authorized and directed to execute and deliver any and all documents on behalf of the Board of Selectmen and to do and perform all acts and things which he/she deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

The undersigned further certifies that W. Kurt Miller now holds the office of First Selectmen and that he/she has held that office since December 5, 2011.

IN WITNESS WHEREOF: The undersigned has executed this certificate this 16 day of April 2014.
Susan Debarber, Town Clerk

Motion to accept the resolution as presented.
Motion: Karen Stanek Second: Nicole Klarides-Ditria
Vote: 6-Yes 0-No
W. Kurt Miller – Yes
Karen Stanek – Yes
Nicole Klarides-Ditria – Yes
Len Greene, Jr. – Yes
Paul Roy – Yes
Al Bruno – Yes

ITEM #11: Discussion and take possible action on 2014 Farmer’s Market.

Motion to accept the Gazy Brothers Farm request to hold the Seymour Farmer’s Market at the Seymour Community Center parking lot on Pine Street from May 13th to November 18th.
ITEM #12: Discussion and take possible action on COG ordinance.
Kurt stated that in order to officially move from Valley Council of Governments to the newly formed Naugatuck Valley Council of Governments, the town needs to change its ordinances. Kurt presented the ordinance put together by Attorney Welch. This information was reviewed by Town Counsel, Richard Buturla. Kurt requested sending this to the Ordinance Committee.

ITEM #13: Set public hearing for Tuesday, May 6, 2014 regarding COG ordinance.
Motion to set public hearing for Tuesday, May 6, 2014 at 6:30 PM regarding COG ordinance.
Motion: Len Greene, Jr.  Second: Al Bruno
Vote: 6-Yes 0-No 0-Abstain
W. Kurt Miller — Yes  Nicole Klarides-Ditria — Yes  Paul Roy — Yes
Karen Stanek — Yes  Len Greene, Jr. — Yes  Al Bruno — Yes

ITEM #14: Discussion and take possible action on 2014-2015 capital plan.
Kurt presented the capital plan at the last meeting but had some initial reservations because of the concerns about communication from the Emergency Management. He stated that after speaking with the Communications Commission, they have determined that they can make temporary updates to the system to have the coverage needed. The Simulcast system will be installed in the next 3-4 years. Kurt highlighted the following areas of the long term capital plan:

- Recommending another $125,000.00 in the proactive road account.
- First Selectman’s Office:
  - $30,000.00 for ADA upgrades.
  - Working with LoCIP funds to have all of the trees in downtown Seymour removed and all the sidewalks repaired.
  - $5,000.00 for a MuniCasts System.
- Public Works:
  - $90,000.00 for a new F550 Mason dump truck.
  - $5,000.00 for plow blades.
- Parks:
  - $15,000.00 for Flag Pole lighting at French Park.
- Town Buildings:
  - $20,000.00 for Oil Tank Removal.
- Public Works Building:
  - Potential need for a boiler replacement at the cost of $46,000.00.
- Police Department Equipment:
  - $17,500.00 for a second license plate reader.
  - $32,000.00 or $16,000.00/year for portable radios.
- Fire Department Equipment:
  - Upgrade their mobile radios, tablets
  - Upgrade thermal imaging
  - Upgrades to Citizen’s Engine
    - Generator circuits
    - HVAC thermostats
- Emergency Management:
  - $15,000.00 to paint the emergency management truck.
The board discussed the Emergency Management truck briefly.

Motion to accept long term capital plan for budget year 2014-2015 as presented.
Motion Nicole Klarides-Ditria Second: Len Greene, Jr.
Vote: 6-Yes 0-No 0-Abstain
W. Kurt Miller – Yes Nicole Klarides-Ditria – Yes Paul Roy – Yes
Karen Stanek – Yes Len Greene, Jr. – Yes Al Bruno – Yes

ITEM #15: Executive session (Pending Litigation: Cadoret v. Town of Seymour).
Motion to enter into executive session at 7:46 PM with Town Counsel Richard Buturla and Attorney Emily Costentino, of the firm of Howd Ludorf, LLC.
Motion: Al Bruno Second: Nicole Klarides-Ditria
Vote: 6-Yes 0-No 0-Abstain
W. Kurt Miller – Yes Nicole Klarides-Ditria – Yes Paul Roy – Yes
Karen Stanek – Yes Len Greene, Jr. – Yes Al Bruno – Yes

Motion to exit executive session at 8:00 PM with no motions or actions taken.
Motion: Karen Stanek Second: Len Greene, Jr.
Vote: 6-Yes 0-No 0-Abstain
W. Kurt Miller – Yes Nicole Klarides-Ditria – Yes Paul Roy – Yes
Karen Stanek – Yes Len Greene, Jr. – Yes Al Bruno – Yes

ITEM #16: Discussion and take possible action on settlement for Cadoret v. Town of Seymour.
Town Counsel, Richard Buturla stated that a motion needed to be made to approve the settlement as recommended by the town’s insurance carrier. This would also require the town to execute a limited release in favor of Fusco and Giordano Construction. Approval of Town Counsel will be required for the release prior to execution.
Motion: Len Greene, Jr. Second: Nicole Klarides-Ditria
Vote: 6-Yes 0-No 0-Abstain
W. Kurt Miller – Yes Nicole Klarides-Ditria – Yes Paul Roy – Yes
Karen Stanek – Yes Len Greene, Jr. – Yes Al Bruno – Yes

ITEM #17: Appointments.
Motion to appoint Kristen Harmeling to the Ten-Year Strategic Planning Committee for a two (2) year term expiring on April 10, 2016.
Motion: Karen Stanek Second: Al Bruno
Vote: 6-Yes 0-No 0-Abstain
W. Kurt Miller – Yes Nicole Klarides-Ditria – Yes Paul Roy – Yes
Karen Stanek – Yes Len Greene, Jr. – Yes Al Bruno – Yes

ITEM #18: Tax Refunds/Abatements.
Motion to approve Tax Refunds/Abatements as read.
Motion: Paul Roy Second: Len Greene, Jr.
Vote: 6-Yes 0-No 0-Abstain
W. Kurt Miller – Yes Nicole Klarides-Ditria – Yes Paul Roy – Yes
Karen Stanek – Yes Len Greene, Jr. – Yes Al Bruno – Yes

ITEM #19: Transfers.
None.
ITEM #20: Correspondence.
None.

ITEM #21: Public Comment.
Michael Flynn, 85 Skokorat Street, asked about the Seymour Police Department with regard to moving positions around. He questioned whether this was a violation of the Town Charter.

ITEM #22: Selectmen’s Public Comments.
Karen Stanek stated that she was hoping to see more progress on Seymour Lumber. She inquired as to what was going on with the demolition.
Kurt stated that it is held up by State of Connecticut. The State has concerns about remediation needs because of the safety of building. The building will be taken down “hot.”
Karen stated that a resident asked if the electricity and utilities were shut down.
Kurt stated it was.
Karen stated that she received word from Theresa Conroy about the sign on Route 8. Karen stated that she failed to notice that Henny Penny has diesel also and would like to amend her request to add Gas and Diesel.
Kurt stated he will see what can be done

Paul Roy stated that the Grand Opening of the Skate Park is going to be on April 26th. He stated that the Grand Opening will be held at 9:30 AM and there will be a special demonstration at 10:00 AM. The group doing the demonstration would be charging half of what they would normally charge. The Skate Park Committee received a grant, so the demonstration will be at no cost to the committee. This will not interfere with Comcast Cares Day. He also asked about the status of the signs in town.
Kurt stated that they have pulled the bond and are requesting full reimbursement for the signs. They are finalizing with New Age Design for the next set of signs. They hope to have the signs up by July. New Age Design put up the sign at the Skate Park. He stated the town will be using the same model of sign. He hoped to have more information at the May 6th meeting.

Paul asked if there is a specific process that public works follows when repairing the roads.
Kurt stated that there will be approximately $200,000.00 worth of major road work done in the spring and another $200,000.00 major road work in summer. Public Works will be finishing off with whatever cold patch they have left and then will continue to use hot patch. With regard to the chipped ceiling issue that the town has, Seymour Ceiling as taken full responsibility and offered to redo all the roads for free. Letters will be sent out to all the residents on the roads that were affected. Kurt stated that the biggest issue is Holbrook Road. He stated that it will cost approximately 1 million dollars to repair. They will potentially be applying for a LoTCIP grant which is federal transportation money that is not controlled by state.

Len Greene, Jr. stated that Public Works is trying to go around and assess which roads need the most repairs. Public Works will also work with the town in finding developers to do road repairs. He stated that Church Street, over by the library, is in horrible condition.
Kurt stated that he had been in conversation with Aquarion Water, Co. and they will provide water service to Broad Street Park. Since they will be in the area, they are going to be looking for what needs to be paved in trade off of supplying water at the Broad Street Park. He stated that the town is looking for partnerships with utility companies.
Nicole Klarides-Ditria asked if the town has the appropriate amount of insurance for the Smoke in the Valley event. She is concerned because of the fact that the event is getting bigger and bigger. Kurt stated that he will look into it.
Nicole stated that the Henny Penny sign, where gas prices are looks awful. Kurt stated that they will be getting a new sign.

Al Bruno asked if the town can look into seeing if the Department of Transportation can pick up the garbage under Route 8 that they left when they did repair work over near the commuter lot near Public Works. Also, he stated that the parking lot of 98 and 100 Bank Street is constantly littered. He asked if anything can be done to prevent that. He suggested Public Works stopping by and cleaning it up every once in a while. He stated that he recently learned that the Economic Development Commission budget is now around $2,000.00 and heard that it got significantly cut. He stated that he is disappointed that the Board of Finance decided to cut that.
Kurt and Al discuss the cut of the money.
Al asked if the Recreation Director will be attending any of the Board of Selectmen meetings.
Kurt stated that he will not be coming due to personal reasons.
Al asked if the street sweeper has been out or if it will be coming out.
Kurt stated that the street sweeper has been out since last week.

Len Greene, Jr. publically thanked the State Legislative Delegation from the Valley for pushing the State Department of Transportation to make some improvements to Route 34, which has been the cause of a number of fatalities. They will be putting in a center line rumble strip, which will alert people.

Kurt stated that tomorrow he will be up at the capital with Fred Messore and Rick Dunn from VCOG. The state is pulling the funding for the $500,000.00 grant for Housatonic Wire. They are pulling the funding due to lack of activity.

ITEM #23: Adjournment.
Motion to adjourn at 8:21 PM.
Motion: Karen Stanek
Second: Nicole Klarides-Ditria
Vote: 6-Yes 0-No 0-Abstain
W. Kurt Miller – Yes Nicole Klarides-Ditria – Yes Paul Roy – Yes
Karen Stanek – Yes Len Greene, Jr. – Yes Al Bruno – Yes

Submitted by,
Laiana Staffieri
Recording Secretary

Reviewed by,
W. Kurt Miller
First Selectman