

COPY RECEIVED  
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TOWN CLERK'S OFFICE

Minutes  
Board of Selectmen  
Tuesday, September 17, 2013 – 7:00 PM  
Norma Drummer Room – Seymour Town Hall

**Members Present:** Gary Bruce, Annmarie Drugonis, Al Bruno, Kurt Miller, Nicole Klarides-Detria (7:15), Karen Stanek, Theresa Conroy (8:20) and Town Counsel Rich Buturla

**Members Absent:** None

**Others Present:** Dave Bitso, Michael Flynn, Frank Loda, Sean Walsh, Al Yagovane, Paul Roy, Paul Sponheimer, Mr. and Mrs. Paul Fedus

**Item # 1 - Call meeting to order**

First Selectman, W. Kurt Miller called the meeting to order at 7:02

**Item # 2 - Pledge of Allegiance**

Everyone saluted the flag and recited the Pledge of Allegiance

**Item # 3 - Public comment**

None

**Item # 4 - First Selectman's report**

There was no First Selectman's report.

**Item # 5 - Approve minutes from September 3, 2013 regular meeting**

Motion to approve minutes from September 3, 2013 regular meeting.

Motion: Al Bruno      Second: Karen Stanek

**Discussion:**

Karen -In Item 3 "With the staff of 42 police officers..." isn't a sentence. For Item 14, all people in attendance of executive session must be listed and aren't. Also all minutes must be submitted within 7 days - 9/3 and previous weren't. They must also include how each member voted.

Kurt - We'll correct the first two. And we submit the minutes as soon as we receive them from the secretary. In terms of how we vote, this is the format we've always used.

Rich - I'll take a look, I don't know what the commission requires but I don't believe that the commission requires the vote by member. I don't think it requires a roll call vote, that's a different type of vote that can be requested.

Kurt - this is the same format we've followed since I've been on the board. Rory, tonight on the minutes could you mark down how we all vote?

Karen - the statute is 1-225.

Kurt - we'll have a new secretary as of October 1. If we need to mark by person, we can do that.

Motion passes 4-0-1(Annmarie Drugonis abstains)

**Item #6 - Presentation from the Downtown Committee**

Presentation by Beth Carson Chairwoman of the Downtown Committee - packets given to Selectmen.

Committee used other towns with quaint downtowns as a benchmark. The entrances to Seymour's downtown aren't pleasant. There are a lot of recent gains since the committee was formed, but more can be done. The committee recommends the continuation of the Downtown Parking Attendant and Downtown Maintenance program. They also recommend adoption of downtown-specific zoning ordinances governing signage, facades, landscaping and decorations. The committee would also like improved and uniform lighting, to initiate a sponsored banner program to raise funds. They would like for a comprehensive plan to be developed to ensure consistency and uniformity. They mention that Ansonia offered low-rate loans to businesses to renovate their facades. They recommended fixed DTC positions for P&Z, Public works, Merchant Group (EDC as liaison), Emergency services, Town members. EDC should have dedicated , downtown hours. They recommend pursuing options to make trestle and walls in the downtown area more aesthetically pleasing. They acknowledge that parking remains an issue due to the bypass project as well as the fact that there is no immediate solution. The Town should consider more signage to indicate available parking. They also recommended looking into eminent domain for properties that aren't being developed by their owners. EDC has been working on a map that should be completed by November.

A discussion between the selectmen and committee members ensued regarding the prioritization of their recommendations. The committee says that creation of the downtown ordinances and comprehensive plan is highest priority. Kurt says that the Town has tried to use eminent domain with properties in Seymour and cannot. Kurt says they will need to compile a budget to bring forward to the Board of Finance to get funding and that he would like to attend next DTC meeting to move this forward.

Dave Bitso says the banners would be a good place to start because they're inexpensive, visible and have the potential to gain revenue.

**Item # 7 - Discussion with Director of Public Works regarding road and tree programs**

Dennis Rozum - The Town hasn't done too much road maintenance work in recent years because of budget considerations. The new financial program setting aside funds annually is giving us an opportunity to resurface and repave roads. I submitted a 5-year plan and this is year one. Chip sealing involves fixing holes and putting an emulsion to seal cracks and then laying stones on top - it can be driven on immediately. Ideally it gets done after 10 years and can add another 8-10 years. We've already prepped Colony St. at \$100,000 for 3.1 miles. The Town applied for grants to redo Brook St., Dolan Cir. and Dolan St, but didn't get it. \$100,000 has been set aside and at \$50,000 for Brook St. and \$40,000, an extra \$10,000 can be used for the West St. intersection project.

The areas of concern are Pershing Ave., Skokorat St., Church St., Pearl St., Walnut St., Canfield, Rd., Mountain Rd., Chatfield St., Peach Dr., Humphrey St. and Cogwheel La. The budget for trees was \$25,000 and we're already down to \$9,000. May towns have similar problems. Huphrey St. had a serious issue last weekend and a list has been made of roads with major tree issues but the budget doesn't cover it. We are trying to leave money in it to last the winter so we are seeking an additional \$25,000.

Budget for trees set for \$25,000, we're down to 9. Many towns are running into similar problems. Last weekend Humphrey St. had serious problems. Made a list of streets with issues - budget won't cover it. We are trying to leave budget for tree work to last the winter so we are looking for \$25,000 of additional funds. We would solicit quotes if funding approved. Dennis gives a brief update on West St. intersection.

Kurt - Sean Walsh suggests that the bond for the road work is held to see how the road reacts through winter.

Rich - We can probably do that if the road ordinances don't address it.

Kurt - We are trying to be proactive with hurricane season and winter approaching. LoCIP will remain relatively stable because of overbudgeting on school security expenditures. Dennis will provide us with a proactive road program by the spring and by 2017, we will be setting aside \$650,000 for road work.

Al - How were the roads for resurfacing and tree work selected?

Dennis - Observations by myself and other members of DPW primarily.

Al - Was the tree warden involved?

Dennis - No, it is apparent by sight.

#### **Item # 8 - Discussion and take possible action regarding usage of LoCIP funds for road program**

Kurt - We did downtown with LoCIP. How often do we do line painting?

Dennis - Once a year. Historically we've used LoCIP - 30 miles per year.

Kurt - Where?

Dennis - Main roads, Skokorat, Colony, etc. No side streets.

Kurt - Heavy traffic and safety areas then.

Motion to use \$8,000 LoCIP to paint approximately 30 miles of road.

Motion: Karen Second: Nicole

Discussion: Kurt - this will bring us down to \$200,000, but more will come from BOE.

The Motion passed 6-0.

#### **Item #9 - Transfers**

Kurt - Rich, in speaking with BoF, feel comfortable with money coming out of contingency instead of fund. Can we make the change, coming from contingency instead of fund balance?

Rich - that's appropriate.

Kurt - we'll be moving \$25,000 to the tree account. We'll need BoF approval as well. DPW can then start soliciting next Wednesday if all goes well.

Motion to authorize transfer control # 2, moving \$25,000 from contingency to the Public Works tree account

Motion: Nicole            Second: Karen

The motion passed 6-0

**Item # 10 - Discussion and take possible action regarding hiring of Building Inspector**

Motion to table

Motion: Al            Second: Annmarie

Discussion - They had identified candidates, just in final discussions. We should be done for 10/1.

The motion passed 6-0

**Item # 11 - Discussion and take possible action regarding adoption of new Building Department fee schedule**

Old schedule wasn't easy to read, Gordon Grammolini, the temporary building inspector, made the recommendation to make it more user friendly. He's asking we change fee schedule.

Motion to accept the new building permit fee schedule as presented

Motion: Annmarie            Second: Al

The motion passed 6-0

**Item # 12 - Discussion and take possible action regarding going out to bid for STEAP Sidewalk Phase 3 project**

The Town of Seymour ("Town") is soliciting proposals for SIDEWALKS REPLACEMENT SEALED. BIDS will be received until 3:00 PM local time on September 30, 2013 opened and read aloud at 1 First Street, Seymour, Connecticut 06483. Proposals received after this time will be rejected. Specifications and proposal documents may be obtained at the Office of the First Selectman. The Town reserves the right to reject any and all proposals or waive defects in same, if he deems such to be in the best interest of the Town.

All submitters of proposals are advised that the Town of Seymour will affirmatively assure any contract entered into pursuant to this advertisement. Minority business enterprises will be afforded full opportunity to submit proposals and are encouraged to do so. The Town of Seymour is an Affirmative Action/E.O.E.

The Information for Bidders, Form of Bid, Form of Contract, Plans, Specifications, Form of Bid Bond, Performance and Payment Bond, Special Provisions and other Contract Documents may be examined at the following location:

First Selectman's Office  
Town of Seymour  
1 First Street  
Seymour, Connecticut

Copies of the Contract Documents will be available at this location on or after 10:00 a.m., on September 17, 2013 upon payment of a non-refundable payment of twenty dollars (\$20.00) per set, in the form of a check or money order payable to the **Town of Seymour**.

Each Bid must include a 5% Bid Bond. A non-collusion statement for the Prime Contractor and any addendum acknowledgement must be submitted at the time of the bid.

Labor and Material Payment Bond and a Performance bond for one hundred (100%) percent of the contract price, with a corporate surety approved by the Town of Seymour, will be required of the lowest responsible bidder.

The right is reserved to reject any or all bids, in whole or in part, to award any items, group of items or total bid, and to waive any informality or technical defects, if it is deemed to be in the best interest of the Town of Seymour.

No bidder may withdraw their bid within sixty (60) days after the actual date of the opening thereof.

Motion to go out to bid for the STEAP Phase 3 Sidewalk project as read

Motion: Nicole                      Second: Karen

Discussion: We received \$168,000 for Steap - \*will affect following areas...\*

The motion passed 6-0.

**Item # 13 - Discussion and take possible action regarding 2013-2014 WPCA budget**

Kurt - We rejected at last meeting but we received more in-depth version yesterday. I feel reasonably comfortable with what's presented, but next year there will be higher standards. There is an issue with charter - depreciation. I have Asked Town Counsel to give us an opinion.

Rich - 10.14 amended - requiring expenses for depreciation on capital assets used in WPCA operation. At my request per the Charter - there were several things that went beyond plant operation. Doug checked it out. \$423,602 for depreciation Charter requires some consideration but doesn't specify method. Rejected budget had designated \$339,129.54 as reserve on capital assets. That sum would be available to designate as depreciation. Or they could revise it to include more.

Kurt - So just to clarify, it's okay for them to budget that amount as depreciation they could budget that amount, they don't have to do the \$423,000.

Rich - They have to budget something

Kurt- They're funding capital needs going forward which they can use to purchase capital in future.

Al - Would you recommend charter specify method of depreciation?

Rich - No, there are many types of assets that accountants and auditors would look at. There are different methods of accounting for municipalities. Depreciation as used in ordinary language has a lot of room within it - trying to make provision for capital assets. Charter limits it to the sewer plant - even if that's not what was intended.

Kurt - Also they will be responsible for debt service in future

Motion to accept 2013-2014 WPCA budget as presented

Motion: Al                      Second: Nicole

The motion passed 6-0-1 (Annmarie abstained)

**Item # 14 - Action in lieu of special Town meeting regarding acquisition of 111A Squantuck Road**  
Resolution Regarding Acquisition of 111A Squantuck Road, Seymour, CT

That the Town of Seymour take all necessary action to acquire title to the real property commonly known as 111A Squantuck Road (Assessor's Map 17-5, Lot 60); Seymour, Connecticut from Birmingham Utilities, Inc., subject to an easement to be retained by or granted to Birmingham Utilities, Inc. for the placement, retention, maintenance, repair and replacement of a water line, the exact location of which is to be determined, through the process of eminent domain as prescribed by the Connecticut General Statutes by filing a Statement of Compensation with the Clerk of the Superior Court and depositing the sum of \$20,000.00 with the Clerk of the Superior Court as compensation for the said real property.

Motion to accept resolution as read

Motion: Gary                      Second: Annmarie

Discussion: Attorney Stanek - P&Z gave approval pursuant to CGS 8.24

Kurt - I will bring this to the Board of Finance to secure the money. Is there anything else we need to do?

Stanek - nothing to commence the eminent domain proceeding but easements for property owners must be discussed in the future.

Kurt - We want to get legwork head of time to get residents some relief.

The motion passed 7-0

**Item # 15 - Discussion and take possible action on blight ordinance revision**

There was 1 speaker at public hearing. Attorney Stanek, please tell the Board how to proceed.

Stanek - The charter provides we can't take action tonight - until 5 days after public hearing. May discuss and make minor or perfecting amendments without another public hearing - anything substantive requires another hearing.

Kurt - What about after that?

Fred - After acceptance, it must be published within 10 calendar days in a newspaper with substantial circulation. Can either include effective date or it will automatically be 21 days afterward. I'm unclear of whether electronic publication is acceptable and recommend print.

Rich - I concur.

Kurt - Any objects to ordinance as we left it?

Karen - I agree with town counsel regarding constitutional issues but I believe it's a policy matter regarding private. Several board members have reversed or not taken opinions. Courts reverse opinion

based on dissent all the time. I feel that this is harmful to policy, excluding private view from the ordinance. I support the policy but suggest in the future we take action to include private.

Al - I think we need to trust the officer and the public.

Theresa - We put a lot of work in and a lot of time, listened to the public and gotten legal input. The issue remains. We have a concise document going forward and this doesn't close the door on private view. I'd like to see where this goes. I'd be willing to open it back up again in the future.

Kurt - I think we're in agreement beside this issue, but to echo Theresa, we can open it in the future.

Al - Good job by the committee that tackled it initially.

Kurt - One of the things we wanted to do when we hired an officer was to have them check things out and then provide input, and thanks to Rich and Kurt for their input.

Nicole - We put a lot of work in and we're happy with our officer so we wanted to give him discretion to show our confidence and we can always reopen it.

Kurt - We'll try and find a date, potentially next Tuesday to meet to discuss.

#### **Item # 16 - Executive session**

None

Town counsel excused 8:40

#### **Item # 17 - Appointments**

None

#### **Item # 18 - Tax Refunds/Abatements**

Motion to the tax abatements/refunds as presented

Motion: Nicole            Second: Al

The motion passed 7-0

#### **Item # 19 - Correspondence**

Letter from Evan Islam resigning from Technology Committee. Letter from OPM about reevaluation - it was delayed in 2010 and implemented 2011. We are scheduled for 2015 reevaluation. Started taking steps in budget yearly to pay in cash with little impact on residents on mill rate. Read letter from L&L Rentals recognizing performance of Police officers.

#### **Item # 20 - Public Comment**

Dave Bitso - 1 Meadow Wood - repeat comment - supports private because people with back lots would be penalized if not enforced.

Michael Flynn - 85 Skokorat - Cedar St. fence is rusty and decrepit

#### **Item # 21 - Selectmen's Public Comments**

Karen Stanek - Congratulate BSP committee on opening the park. Wonderful compliment to monuments at French Park. Post 10 plans to place additional plaques to French Park for more recent comments. Asks about status of relationship with Strand Theatre.

Kurt - Will go into that 10/1 in executive session.

Karen - Today is 227th anniversary of signing of constitution.

Kurt - Had conversations with Mike Kearney regarding matching the stone at French Park and it's difficult. Hopefully we can get that done soon.

Theresa Conroy- Commend BSP and AI for completing the project, nice entryway. Looking forward to the 48th annual Pumpkin Festival.

Nicole Klarides-Ditria - Are we getting monthly blight report? If not, can we?

Kurt - we can, Rory will look into that.

Nicole - I missed the opening but it looks great.

Al Bruno- DTC did a great job on the presentation and I support P&Z revisions. I think it's a matter of desire and I hope we stay on it. We need to keep moving Seymour forward.

Anmarie Drugonis- Very informative presentation by DTC. Glad we're being proactive with the road and tree programs. Great job to AI on BSP. October starts new quarter and I would like the reports for 10/1. Is there any update on Seymour Lumber?

Kurt - Fred has been working with the owners. They hired someone to clean up property and are expected to be done in a week. They are getting quotes for demolition as of yesterday.

Anmarie - What about Housatonic Wire?

Kurt - They have hired a commercial real estate agent. Also the lawsuit settled and owner received a considerable sum of money.

Gary Bruce – None

Kurt Miller - Met with Fred Messorre - he's coming 10/1 or 10/15 to give a report card on the downtown action strategy performance. I met with AI and BSP committee and on 10/1 we will dissolve committee. We will form the "Friends of BSP" who will oversee park maintenance and to continue selling bricks. They will be housed under the Town insurance.

**Item # 22 - Adjournment**

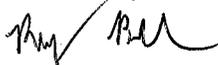
Motion to adjourn

Motion: Anmarie

Second: Nicole

The motion passed 7-0. The meeting was adjourned at 8:50 PM.

Submitted by,



Rory Burke  
Secretary

Reviewed by,



W. Kurt Miller  
First Selectman