

COPY RECEIVED
DATE: 7-19-2011
TIME: 5:20 P.M.
TOWN CLERK'S OFFICE

MINUTES
Board of Selectmen
Tuesday, July 12, 2011 @ 7:30PM
Norma Drummer Room/Seymour Town Hall

Members present: First Selectman Paul Roy, Philip Wilhelmy, Karl Trybus, Sandra Gesek, John Conroy and Town Counsel Colleen Fries.

Not present: W. Kurt Miller and Annmarie Drugonis.

Others present: Frank Loda, Sean Walsh, Steve Kulas, Alex Danka, James Mangianelli, Jay Jaffer, Dennis Rozum, Dawn Valeski, James Brennan, Jim Galligan, Doug Thomas, Tony Caserta, Mark Thompson, Paul Wetowitz, Jack Ahearn and Dick Thivierge.

ITEM # 1 – Call meeting to order.

Meeting was called to order at 7:30PM.

ITEM # 2 – Pledge of Allegiance.

Everyone saluted the Flag and stated the Pledge of Allegiance.

Motion to place public comment on the agenda.

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 5-Yes

0-No

0-Abstain

0-Disqualify

Public Comment:

James Mangianelli, 36 Chatfield Street: Lives across from the Seymour Land Trust/Chatfield Park and would like to request that the park is fixed due to all of the damage from the storm on July 8th. He enjoys the park and feels that it is an important part of the town.

Mark Thompson, 31 Evergreen Terrace: States that he is disturbed by the OSHA findings about the Blood Borne Pathogen Kits for the Recreation Department. He states that he was a member of the Recreation Commission for several years and constantly called for the Blood Borne Pathogen Policy and Procedures and that the members would get angry at him that he brought it up so many times. He also brought them articles from other Towns who had gotten sited for the same thing.

Alex Danka, 203 Pearl Street: Would like the Reverse 911 system to notify people of road and park closings and would also like to get the "Park Closed" signs up as soon as possible. States that the Town is working with the Seymour Land Trust to fix all of the damage from the storm on July 8th and he hopes that the trails will be re-opened by October 2011.

Len Greene, 10 Roosevelt Drive, State Representative for 105th District: Concerning the storm on July 8th, the State has extended a helping hand and he has been working with the First Selectman to fix the mess. Everyone is cooperating and working together to get the damage taken care of.

ITEM # 3 – Approve minutes from 6/21/11 Board of Selectmen meeting.

Motion to approve minutes from the 6/21/11 Board of Selectmen meeting.

Motion: Philip Wilhelmy

Second: John Conroy

Vote: 4-Yes (Paul Roy, Philip Wilhelmy, Sandra Gesek, John Conroy)

0-No

1-Abstain (Karl Trybus)

0-Disqualify

Vote: 5-Yes 0-No 0-Abstain 0-Disqualify

Motion to add to the agenda to authorize Town Counsel to enter into negotiations for sale of Town owned property.

Motion: Philip Wilhelmy Second: John Conroy
Vote: 5-Yes 0-No 0-Abstain 0-Disqualify

Motion to authorize Town Counsel to enter into negotiations for sale of Town owned property at 43 Colony Road and 22 Paramount Drive.

Motion: Philip Wilhelmy Second: Karl Trybus
Vote: 5-Yes 0-No 0-Abstain 0-Disqualify

ITEM # 15 – Appointments.

Motion to re-appoint Joe LaRovera to a 2-Year term on the Recreation Commission expiring on 8-3-13.

Motion: Philip Wilhelmy Second: Karl Trybus
Vote: 5-Yes 0-No 0-Abstain 0-Disqualify

ITEM # 16 – Tax Refunds/Abatements.

Motion to approve tax refunds in the amount of \$378.59.

Motion: Philip Wilhelmy Second: Karl Trybus
Vote: 5-Yes 0-No 0-Abstain 0-Disqualify

ITEM # 17 – Transfers.

None.

ITEM # 18 – Correspondence.

- Check Registers.
- Town Clerk Report, June 2011.
- Letter from Parks Commission with concerns.

ITEM # 19 – Other Business.

None.

ITEM # 20 – Public Comment.

James Mangianeli, 36 Chatfield Street: Again shows his support for the Chatfield Park and Land Trust.

Al Yagovane, 27 Washington Avenue: Compliments the great job done on Main Street and South Main Street with the paving.

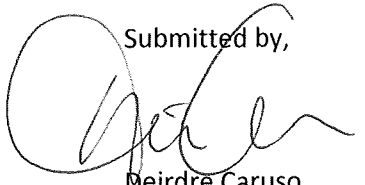
ITEM # 21 – Selectmen’s Public Comments.

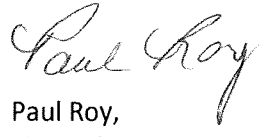
Paul Roy: The Town is looking to get the funding to get both parks fixed and wants to get the word out to the residents to help with donations for the Land Trust, which is private property. Safety issues will be taken care of first.

ITEM # 22 – Adjournment.

Motion to adjourn at 9:11PM.

Motion: Philip Wilhelmy Second: Karl Trybus
Vote: 5-Yes 0-No 0-Abstain 0-Disqualify

Submitted by,

Deirdre Caruso,
Recording Secretary

Reviewed by,

Paul Roy,
First Selectman

RESOLUTION OF BOARD OF SELECTMEN

RESOLVED, that the Board of Selectmen of the Town of Seymour hereby adopts the resolution presented to this meeting authorizing the issuance of bonds to refund all or a portion of the Town's \$8,105,000 General Obligation Refunding Bonds, Issue of 2001. A copy of the resolution shall be inserted in or attached to the minutes of this meeting and made a part thereof.

Attachment to Board of Selectmen minutes:

1. Refunding Bond Resolution

**RESOLUTION OF THE BOARD OF SELECTMEN
OF THE TOWN OF SEYMOUR**

**AUTHORIZING THE ISSUANCE OF REFUNDING BONDS FOR PAYMENT OF THE
OUTSTANDING PRINCIPAL OF AND INTEREST AND ANY CALL PREMIUM ON
TOWN OF SEYMOUR'S \$8,105,000 GENERAL OBLIGATION REFUNDING BONDS,
ISSUE OF 2001, AND COSTS RELATED THERETO**

RESOLVED,

(a) That the Town of Seymour issue its refunding bonds, in an amount not to exceed THREE MILLION NINE HUNDRED THOUSAND DOLLARS (\$3,900,000), the proceeds of which are hereby appropriated: (1) to the payment in whole or in part, as to be determined by the First Selectman and the Treasurer, of the outstanding principal of and interest and any call premium on the Town's \$8,105,000 General Obligation Refunding Bonds, Issue of 2001 (issued to advance refund certain maturities of the Town's \$11,785,000 General Obligation Bonds, dated January 21, 1997, and consisting at original issue of \$1,179,977 General Purpose Refunding Bonds, \$2,466,563 School Refunding Bond and \$4,458,460 Sewer Refunding Bonds), including the payment of interest accrued on said bonds to the date of payment, and (2) to pay costs of issuance of the refunding bonds authorized hereby, including legal fees, consultants' fees, trustee or escrow agent fees, underwriters' fees, bond insurance premiums, net interest and other financing costs and other costs related to the payment of the outstanding bonds described above. Such payment of the bonds to be refunded pursuant to this resolution may be accomplished, without limitation, through the funding of one or more escrows, and the application of the balance held in such escrows, together with the investment earnings thereon. The refunding bonds shall be issued pursuant to Section 7-370c of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes.

(b) That the First Selectman and the Treasurer shall sign the bonds by their manual or facsimile signatures. The First Selectman and the Treasurer are authorized to determine the bonds to be redeemed and the amount, date, interest rates, maturities, redemption provisions, form and other details of the refunding bonds; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds and escrow agent with respect to any refunding escrow or escrows to be funded with proceeds of the bonds; to provide for the keeping of a record of the bonds; to sell the bonds at public or private sale; to deliver the bonds; and to perform all other acts which are necessary or appropriate to issue the bonds.

(c) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that costs of the refunding may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the refunding. The First Selectman and the Treasurer are authorized to amend such declaration of

official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(d) That the First Selectman and the Treasurer are authorized to make representations and enter into written agreements for the benefit of holders of the bonds to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds.

(e) That the First Selectman and the Treasurer are authorized in connection with or incidental to the carrying or selling and issuance of the bonds, notes or temporary notes: (1) to obtain letters of credit, lines of credit or other credit facilities for the purpose of providing funds for the payment of such bonds, notes or temporary notes redeemed, repurchased or defeased prior to maturity or for providing additional security for such bonds, notes or temporary notes, and (2) to enter into and execute reimbursement agreements, remarketing agreements, standby bond purchase agreements, interest rate swap agreements (which agreements may include without limitation such contracts as the First Selectman and the Treasurer may determine to be necessary or appropriate to place the obligation of the Town, as represented by the bonds, notes or temporary notes, in whole or in part, on such interest rate or cash flow basis as they may determine, including without limitation, insurance agreements, forward payment conversion agreements, futures contracts, contracts providing for payments based on levels of, or changes in, interest rates or market indices, and contracts to manage interest rates risk, including without limitation, interest rate floors or caps, options, puts, calls and similar arrangements) and any other necessary or appropriate agreements, all upon such terms and conditions as shall be approved by them, including such payment, security, default, remedy and other terms and conditions as they may deem appropriate. Such credit facilities may be obtained and such agreements may be entered into on the basis of negotiation or competitive bid. The First Selectman and the Treasurer may determine to pledge the full faith and credit of the Town to its payment obligations, including netting payments, under any such credit facility or agreement entered into pursuant to the authority granted hereby.

(f) That the Board of Selectmen, the First Selectman, the Treasurer, the Finance Director and other proper officers of the Town are authorized to take all other action which is necessary or desirable to enable the Town to effectuate the refunding of all or a portion of the Town's outstanding \$8,105,000 General Obligation Refunding Bonds, Issue of 2001, and to issue refunding bonds authorized hereby for such purposes, including, but not limited to, the entrance into agreements on behalf of the Town with holders of the bonds to be refunded, underwriters, trustees, escrow agents, bond insurers and others to facilitate the issuance of the refunding bonds, any escrow of the proceeds thereof and investment earnings thereon, and the payment of the outstanding bonds in whole or in part.

(g) That the above authorization to issue refunding bonds shall lapse on June 30, 2012.