TIME: 4/36/11 TOWN CLERK'S OFFICE

MINUTES Board of Selectmen Tuesday, April 19, 2011 @ 7:30PM Norma Drummer Room/Seymour Town Hall

Members present: First Selectman Paul Roy, Philip Wilhelmy, Karl Trybus, Saundra Gesek, W. Kurt Miller, Annmarie Drugonis, John Conroy (7:35PM), and Town Counsel Colleen Fries.

Others present: Frank Loda, Jeanne Loda, Mark Thompson, Jay Hatfield, Sean Walsh, Howard Simpson, and Kristen Harmeling.

ITEM # 1 - Call meeting to order.

Meeting was called to order at 7:30PM by the First Selectman.

ITEM # 2 - Pledge of Allegiance.

Everyone saluted the Flag and stated the Pledge of Allegiance.

ITEM #3 - Approve minutes from the Board of Selectmen meeting on April 5, 2011.

Motion to approve the minutes from the Board of Selectmen meeting on April 5, 2011 with the acknowledgement of item # 10 in which Karl Trybus abstained from voting.

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 6-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 4 - First Selectman's Report.

- 1. Permit applied for, and expected to be issued tomorrow with work to start by the beginning of May on the Housatonic Wire Company site.
- 2. Attended an FOI Seminar with Town Counsel Colleen Fries.
- 3. Met with Senior Center Director to finalize plans for the April 27th Senior Fair-Flyer in packet.
- 4. New Senior Center Bus driver started this week.
- 5. As you know, there were questions raised concerning the Town Meeting held on April 14th. There was nothing illegal that happened at the Town Meeting. No motions were made, and no votes were taken. I am comfortable with Town Counsel's opinion and plan to proceed with the referendum as scheduled.

ITEM #5 - Public Comment.

Mark Thompson, past Chairman Board of Finance: States that he resigned from the Board of Finance after he was not told about an FOI request and complaint made, in which he was named. He has received a FOI complaint from Hartford that was filed by the Seymour Finance Director. It pertains to a FOI request from the Finance Director asking for copies of emails being sent to and from himself and the Town Auditor. He states that he felt a portion of the emails were confidential and were about staff and did not want to release them. He is seeking advice on his next step from the Board of Selectmen since he must respond by April 26, 2011.

ITEM #6 - Update on Broad Street Park Project.

Al Yagovane: States that the project is moving along. All of the supplies (process & bricks) are being delivered. They have at least four contractors who will be donating their skills and time for the installation. They have applied for a Matthies Grant for the lighting and have several promises of donations from companies. They have also acquired all permits and are waiting for only one lease contract from the DEP. The project should be completed by the middle of September 2011.

Motion to place on the table discussion of comments from Former Chairman of the Board of Finance concerning FOI issues.

Motion: John Conroy

Second: Philip Wilhelmy

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

Motion to open discussion on comments from the former Chairman of the Board of Finance concerning FOI issues.

Motion: John Conroy

Second: Annmarie Drugonis

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

The Board Members would like Town Counsel to address this issue. Comments were made that any emails about Town business are presumed to be of Public Record and should be accessible. Town Counsel, Colleen Fries states that she will not be able to counsel Mr. Thompson on this matter due to a conflict, but she recommends that he get opinion from another counsel.

Motion to have the First Selectman assign a Town Counsel to advise Mark Thompson on his FOI issues.

Motion: W. Kurt Miller

Second: Philip Wilhelmy

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 7 – Set Special Town meeting to authorize the issue of anticipation notes for Tuesday, May 3, 2011 at 6:45PM in the Norma Drummer Room/Seymour Town Hall.

Motion to set Special Town meeting to authorize the issue of anticipation notes for Tuesday, May 3, 2011 at 6:45PM in the Norma Drummer Room/Seymour Town Hall.

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

ITEM #8 – Set a Public Hearing for the sale of 21 Paramount Drive, Seymour for Tuesday, May 3, 2011 @ 7:00PM in the Norma Drummer Room/Seymour Town Hall.

Motion to set a Public Hearing for the sale of 21 Paramount Drive, Seymour for Tuesday, May 3, 2011 @ 7:00PM in the Norma Drummer Room/Seymour Town Hall.

Motion: Karl Trybus

Second: Philip Wilhelmy

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 9 – Set Public Hearing to transfer land owned by the Town of Seymour and located in the Town of Beacon Falls to the Seymour Land Conservation Trust for Tuesday, May 3, 2011 at 7:15PM in the Norma Drummer Room/Seymour Town Hall.

Motion to table this item until the Seymour Land Conservation Trust has an opportunity to do a site walk.

Motion: John Conroy

Second: Philip Wilhelmy

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 10 – Approve Charter Question to go onto the ballot for the April 26, 2011 Budget Referendum pursuant to Section 7-191(e) CGS.

Motion pursuant to Section 7-191(e) of the Connecticut General Statutes, the Board of Selectmen determines that the proposed Charter amendments approved on February 1, 2011 shall be submitted to the electors for approval or rejection at the Budget Referendum to be held on April 26, 2011 at the Seymour Community Center, 20 Pine Street, Seymour, CT.

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 11 – Approve the question for the Charter Revisions that will be on the April 26, 2011 Referendum Ballot.

Motion to approve the following question for the Charter Revisions that will be on the April 26, 2011 Referendum Ballot:

"Shall Chapters 12 & 13 of the Charter of the Town of Seymour adopted in 1982 and amended in 1985, 1990, 1994, 2004, 2005, 2006, and 2008 be further amended in the manner recommended by the Charter Revision Commission and approved by the Board of Selectmen on February 1, 2011?"

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

W. Kurt Miller: Would like to know how long of a time period between each Charter Revision Commission for further amendments. Town Counsel will research.

ITEM # 12 – Approve Resolution for Small Cities Grant Applications. Motion to approve the following resolution:

RESOLUTION

COMMUNITY DEVELOPMENT SMALL CITIES BLOCK GRANT PROGRAM

WHEREAS, Federal monies are available under the Connecticut Small Cities Community Development Block Grant Program, administered by the State of Connecticut, Department of Economic and Community Development pursuant to Public Law 93 -3 83, as amended; and,

WHEREAS, pursuant to Chapter 127c, and Part VI of Chapter 130 of the Connecticut General Statutes, the Commissioner of Economic and Community Development is authorized to disburse such Federal monies to local municipalities; and,

WHEREAS, it is desirable and in the public interest that the Town of Seymour make application to the State for \$500,000 in order to undertake a Small Cities Community Development Program and to execute an Assistance Agreement therefore, should one be offered.

NOW, THEREFORE, BE IT RESOLVED BY the Board of Selectmen:

- 1. That it is cognizant of the conditions and prerequisites for State Assistance imposed by Part VI of Chapter 130 of The Connecticut General Statutes; and,
- 2. That the filing of an application by the Town of Seymour in an amount not to exceed \$500,000 is hereby approved, and that Paul Roy, First Selectman, is hereby authorized and directed to file such application with the Commissioner of the Department of Economic and Community Development, and to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, rescissions, and revisions thereto, and to act as the authorized representative of the Town of Seymour.

Motion: Philip Wilhelmy

Second: W. Kurt Miller

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

Motion to place on the table Open Bid for RFQ's for Small Cities Block Grant Application Execution.

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

Motion to open bid for RFQ's for Small Cities Block Grant Application Execution.

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

One bid was received in the First Selectman's Office from Lisa Low & Associates. It includes a fee of 9.5% of the grant award and \$400 per every half day and \$600 every full day. Payment is contingent upon the Town receiving the grant award.

Motion to accept bid from Lisa Low & Associates contingent upon contract specifying that if Small Cities Grant is not awarded to the Town of Seymour than there will be no compensation from the Town.

Motion: Philip Wilhelmy

Second: W. Kurt Miller

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

Motion to add to the Agenda the Agreement with Lisa Low & Associates for the Small Cities Block **Grant Program.**

Motion: Philip Wilhelmy

Second: John Conroy

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

Motion to enter into an Agreement with Lisa Low & Associates for the Small Cities Block Grant Program Application Execution with compensation contingent upon the Town of Seymour receiving the Grant.

Motion: John Conroy

Second: Philip Wilhelmy

Vote: 7-Yes

0-No 0-Abstain 0-Disqualify

ITEM # 13 - Approve High Efficiency Lighting System Upgrade for NU for the Seymour Public Works **Building by CON-SERV.**

Motion to approve and sign the contract for High Efficiency Lighting System Upgrade for NU at the Public Works Building by CON-SERV.

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 14 - Update on Fire Department Clerk position.

Motion to table Fire Department Clerk position, per letter from Town Counsel stating union issues.

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 4-Yes (Paul Roy, Philip Wilhelmy, Karl Trybus, Saundra Gesek)

3-No (W. Kurt Miller, Annmarie

Drugonis, John Conroy)

0-Abstain

0-Disqualify

ITEM # 15 – Appointments.

Motion to appoint Sean Strumello to the Recreation Commission for the remainder of a 2-Year Term expiring on 11/16/12.

Motion: Philip Wilhelmy

Second: John Conrov

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

Motion to appoint Bill Sawicki to the Parks Commission for the remainder of a 2-Year term expiring on 12/3/11.

Motion: W. Kurt Miller

Second: Karl Trybus

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 16 - Tax Refunds/Abatements.

Motion to approve tax refunds in the amount of \$175.96.

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 17 - Transfers.

None.

ITEM # 18 - Correspondence.

- Check Registers.
- Police Enhancement Accounts.

ITEM # 19 - Other Business.

None.

ITEM # 20 - Public Comment.

None.

ITEM # 21 - Selectmen's Public Comment.

Annmarie Drugonis: Would like to know when the letter from Town Counsel concerning the Fire Department Clerk Position was received in the First Selectman's Office.

Paul Roy: States that he received the letter today.

Annmarie Drugonis: Asks about the anonymous letter that the Selectmen received concerning Northwest Communications.

W. Kurt Miller: Would like an update on the Audit and an update on the Human Resource contract. Colleen Fries: States the Human Resource contract was given to Linda Meola and the Town is waiting on her.

W. Kurt Miller: States that he is still waiting for the workshop on the tax incentives to be scheduled. He is also disappointed that the Fire Department Clerk position has been tabled again and would like to know why.

Colleen Fries: Spoke to union rep and Labor Attorney concerning the Fire Department Clerk position.

John Conroy: Not happy about Attorney Teodosio speaking on behalf of the union in regards to the Fire Department Clerk position, since he is contracted by the Town of Seymour.

Annmarie Drugonis: Would like the Agenda redone in the future to have Executive Session in the beginning.

ITEM # 22 – Executive Session (Contract Negotiations – Property Sale/21 Paramount Drive, Pending Litigation, Personnel).

Motion to go into Executive Session at 8:27PM for Contract Negotiations – Property Sale/21 Paramount Drive with Town Counsel and the Board of Selectmen.

Motion: John Conroy

Second: Philip Wilhelmy

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

Motion to come out of Executive Session at 8:50PM with no votes or action taken.

Motion: Philip Wilhelmy

Second: W. Kurt Miller

Vote: 7-Yes

0-No

0-Abstain

0-Abstain

0-Disqualify

Motion to authorize Town Counsel to negotiate with possible buyer for 21 Paramount Drive.

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 7-Yes

0-No

0-Disqualify

ITEM # 23 - Adjournment. Motion to adjourn at 9:51PM.

Motion: Karl Trybus

0-No

Second: Philip Wilhelmy

0-Abstain

0-Disqualify

Submitted by,

Vote: 7-Yes

Reviewed by,

UDeirdre Caruso,

Recording Secretary

Paul Roy,

First Selectman