DATE: 7/0///O TIME: 5/30PM TOWN CLERK'S OFFICE

MINUTES Board of Selectmen Tuesday, July 13, 2010 @ 7:30PM Norma Drummer Room/Seymour Town Hall

Members present: First Selectman Paul Roy, Philip Wilhelmy, Karl Trybus, Saundra Gesek, Annmarie Drugonis, John Conroy and Town Counsel Colleen Fries. Not present: W. Kurt Miller.

Others present: Frank Loda, Don Smith, Ed Pollack, Harry Marks, Linda Bellavance, Sharon Tancreti, Evelyn Roy, Sam Mirlis, Joan Gee, Sean Walsh, Mary Skurat, Angela Chernnetz, Carmie Potash, Alex Danka and Fred Stanek.

ITEM # 1 - Call meeting to order.

The First Selectman called the meeting to order at 7:32PM.

ITEM # 2 - Pledge of Allegiance.

Everyone salutes the Flag and states the Pledge of Allegiance.

ITEM # 3 - Approve minutes from Board of Selectmen meeting on 6/15/10.

Motion to approve minutes from Board of Selectmen meeting on 6/15/10.

Motion: Philip Wilhelmy Second: Karl Trybus

Vote: 5-Yes (Paul Roy, Philip Wilhelmy, Karl Trybus, Saundra Gesek, Annmarie

Drugonis) 0-No 1-Abstain (John Conroy) 0-Disqualify

ITEM # 4 - First Selectman's Report. None.

ITEM #5 - Public Comment.

Ed Pollack, 25 Walnut Street: Would like the First Selectman to give him an emergency number in case the rain doesn't let up tonight and he gets flooded.

ITEM # 6 - Presentation of Scholarship from New Haven Tax Collector's Association. Julie Pattyson a Seymour High School student has received the New Haven Tax Collectors Association 3rd Annual Scholarship Award of \$250.00. The First Selectman presented her with a certificate and check from the New Haven Tax Collector's Association, as well as a certificate of appreciation from the Board of Selectmen.

ITEM #7 - Presentation of Certificates of Appreciation for Founder's Day Committee. The First Selectman presented Certificates of Appreciation to the members of the Founder's Day Committee for all of their hard work in making the 1st Annual Founder's Day celebration a great success.

ITEM #8 - Revoke Private Property Permit from Comcast for Fish-By-Pass project. Attorney Fred Stanek has provided a copy of the Private Property Permit that was given to Valley Cable Vision in 1972. This needs to be revoked for the sake of the Fish-By-Pass project.

Motion to approve the following resolution to revoke the Private Property Permit from Comcast for the sake of the Fish-By-Pass project.

Motion: Philip Wilhelmy

Vote: 6-Yes 0-No

Second: John Conroy 0-Abstain

0-Disqualify

RESOLVED: That the Town of Seymour, acting herein by its Board of Selectmen, hereby revokes a Private Property Permit dated December 20, 1972 whereby the Town of Seymour granted permission to Valley Cable Vision, Inc., nka Comcast, to place and maintain a 30 foot clearance pole near the west line of the Wakeley Street Parking Area and a CATV aerial cable running between said pole and a pole located at the corner of Wakeley and DeForest Street. The Board of Selectmen further directs the First Selectman to provide 90 days written notice to Comcast of the revocation of said Private Property Permit.

ITEM #9 - Lease agreement between Town of Seymour and CT DOT concerning parking lot at Broad Street & Route 115 concerning Fish-By-Pass project.

The CT DOT needs to retain 24 parking spaces in the parking lot on the corner of Broad Street and Main Street (Route 115) for the duration of the Fish-By-Pass project.

They have included a map of the parking spaces that they will be using.

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 6-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 10 - Recommendation from Town Engineer on STEAP Grant Tennis Court Project Bids.

Motion to table STEAP Grant Tennis Court Project bids until the Town Engineer can review them and submit a recommendation since the bids came in higher than the grant.

Motion: John Conroy

Second: Annmarie Drugonis

Vote: 6-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 11 - Sale of Lot at 36 Pershing Avenue.

The Town of Seymour owns a .21 acre lot at 36 Pershing Avenue. There is an individual interested in purchasing the lot so an appraisal was done. The appraisal came in at \$50,000.00.

Motion to offer the .21 acre lot at 36 Pershing Avenue, Seymour for \$50,000 or higher, per appraisal, to the individual interested in purchasing the property.

Motion: John Conroy

Second: Philip Wilhelmy

Vote: 6-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 12 - Chatfield LoPresti School Building Project Labor Agreement and update on project.

Report from Don Smith, Co-Chairman of the Chatfield LoPresti School Building Committee:

Funding has been approved by the State of CT. Construction documents are 100% complete and have been approved by the Board of Education. We are going to Board of Finance meeting next week. Building Highlights include: 37 classrooms, approx. 50K square feet of new construction and 38K square feet of "As new" renovations, a geothermal system with 130 wells to heat and cool the building. The building is 100% air conditioned with a state of the art mechanical system that includes heat pumps, chilled beams and in-floor heating, the Building meets the CT High Performance Building

standards (equal LEED silver), the gym has been designed as an Emergency Shelter with a back-up generator. The site improvements include a new playground, a renovated ball field, and parking for approx 135 cars and overflow parking for an additional 50 cars. Developed a phasing plan of Site and Building construction, start in October of this year having the new classroom wing complete for Sept., 2011, the gym, café and kitchen complete in October, 2011 and complete the remainder of the building by June, 2012. The LoPresti children will start in Sept, 2012. The phasing plan has been reviewed, and is acceptable with, both the Fire Marshal and BoE staff. Budget: It is a great time to be going out bid for construction and we are right where we want to be with our estimates. Abatement: When we went to referendum almost 2 years ago, we knew we had to deal with lead paint and asbestos containing materials and established an appropriate budget. Unfortunately, there is new environmental issue that has arisen and we are right on the bleeding edge of it. The EPA has recently learned that some, not all, types of caulk from the 1960's and early 70's was made using PCB's. Some of you may have seen some recent news articles on other schools where this has become a really BIG issue (state technical schools and others). Anyway, if it is determined that PCB materials are present, the EPA and the CT DEP and DPH are mandating that all materials containing more than 1 ppm of PCB's be abated and properly disposed off. Immediately. The bad news is we have PCB containing caulk in the original portion of the school and the PCB's have migrated into the adjacent porous surface (brick) and the PCB's have also migrated down into the soil adjacent to the building. The EPA has indicated summer of 2011 may not be soon enough to abate the PCB containing materials and the impact to the project budget is approximately \$500,000 unanticipated expense. The good news is that we have prepared a Self Implementing Cleanup and Disposal Plan (SIDP), to address the contaminated areas. This plan has been approved by the EPA, that specifies the location and abatement methods of the contaminated areas. We have conducted indoor air and wipe samples and are awaiting the results. The EPA approval of the SIDP requires, among other things, that a Community Outreach program be developed to inform the school population and the public of the proposed abatement activities. We are currently developing this outreach program. Construction: As I had indicated, we anticipate construction to begin in October of this year ...

Based on the current schedule and project requirements, our construction manager has suggested the use of a Project Labor Agreement (PLA) for this project to best position us for a successful project. The Building Comm has evaluated the benefits of a PLA and believe that it is in the Town's best interest to enter into a PLA with the local construction unions.

The benefits include:

- Strike / walkout prohibition
- Ability to increase workforce, to meet schedule, thru union hall
- Paying Union wage, so we should get the benefit of a union tradesman
- Restricts small, residential contractors from bidding on the work
- Hiring preference to Seymour and Valley residents

Accordingly, we recommend that the Board authorize the First selectman to execute the proposed PLA that you have been provided.

A Project Labor Agreement (PLA) was sent to the Board Members via email concerning the Chatfield LoPresti School Building Project. This has been reviewed by Town Counsel.

Motion to approve the Project Labor Agreement (PLA) for the Chatfield LoPresti Project between FUSCO and the Waterbury Building and Construction Trades Council.

Motion: Philip Wilhelmy Second: Karl Trybus

Vote: 6-Yes 0-No 0-Abstain 0-Disqualify

ITEM # 13 - Lease Agreement for Valley Fire Chiefs for rooms at the Community Center.

The Valley Fire Chiefs would like to lease a room at the Community Center (the old band room) for their training and meetings. They would also like access to the Meeting Room in which they will install projector equipment for power point presentations, etc., free of charge, which the Town may use. Phil Hawks is putting together the lease, which will be \$200.00 per month for 2 years. The Valley Fire Chiefs will also provide the Town with an insurance policy.

Motion to allow the First Selectman to enter into a lease agreement with the Valley Fire Chiefs to use the old "band room" at the Seymour Community Center for a 2-year period at \$200 per month.

Motion: Philip Wilhelmy Second: John Conroy

Vote: 6-Yes 0-No 0-Abstain 0-Disqualify

ITEM # 14 - Hire third-party Administrator for Heart & Hypertension Claims. Workman's Comp Attorney for the Town, Kevin Blake has suggested that the Town of Seymour hire a third-party administrator for the Heart & Hypertension claims. He states that PMA Management Corp of New England will handle new claims for \$700.00 each and pending claims for \$350.00 each. This will save the Town attorney fees. PMA will also be processing bills and medical management at no additional cost.

Motion to hire PMA Management Corp of New England as a third party administrator for Town of Seymour Heart & Hypertension Claims.

Motion: Philip Wilhelmy Second: John Conroy

Vote: 6-Yes 0-No 0-Abstain 0-Disqualify

ITEM # 15 - Resolution for Memorandum Agreement for Emergency Management and Homeland Security Grant Program.

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 Paul Roy, as First Selectman of the Town of Seymour, is

FURTHER RESOLVED, that Paul Roy, as First Selectman 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 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.

Motion to approve the above resolution for Memorandum Agreement for Emergency Management and Homeland Security Grant Program.

Motion: Philip Wilhelmy

Vote: 6-Yes

0-No

Second: Annmarie Drugonis 0-Abstain

0-Disqualify

ITEM # 16 - Contract for Town Hall, Library, and Community Center's Elevators from **KONE** Elevator.

Motion to approve contract with KONE Elevator for elevator maintenance in the Town Hall, Library, and Community Center for \$450.00 per quarter for 5 years.

Motion: John Conroy

Second: Philip Wilhelmy

Vote: 6-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 17 - Resolution 2010 Clean Energy Campaign.

Resolution of the Town of Seymour Board of Selectmen in Support of Connecticut 2010 Clean Energy Campaign

WHEREAS, electricity production is the leading cause of industrial air pollution in the United States which can result in a variety of health risks to Seymour residents including cases of asthma especially in children; and

WHEREAS, the economic impact of not using conservation technology and alternative energy sources results in direct and indirect costs to Seymour citizens; and

WHEREAS, greenhouse gas emissions can be reduced in a cost-effective manner that enhances economic development by applying currently available energy efficiency technologies and such renewable energy programs as Seymour and many towns and cities have implemented that save money, create jobs and strengthen local economies; and

WHEREAS, clean energy resources - such as wind, solar and water - constantly replenish themselves, do not cause the buildup of global warming gases and healthdamaging pollutants, and if properly managed, will be available to serve our energy needs forever; and

WHEREAS, the 2010 Clean Energy Campaign is a Connecticut not-for-profit initiative that seeks to have cities and towns obtain 20% of the electricity for municipal properties from clean, renewable energy sources by the year 2010, and

WHEREAS, by meeting the goals of the Clean Energy Campaign, Seymour can begin to address the problems resulting from conventional power sources and receive the benefits associated with clean, renewable power sources; and

WHEREAS, the Town of Seymour has already implemented actions consistent with the goals of the Clean Energy Campaign, including the formation of a municipal energy committee, the purchase of electric energy supplies that contain a renewable energy mix, and enrollment in the United States Environmental Protection Agency's New England's Community Energy Challenge

NOW, THEREFORE, BE IT RESOLVED that the Town of Seymour commits to the goal of obtaining at least 20% of its municipal energy purchases from clean renewable energy resources by the year 2010.

BE IT FURTHER RESOLVED that the Board of Selectmen encourages all Seymour residents and businesses to support clean energy and practice energy conservation and efficiency in their homes and offices.

Motion to approve the above Resolution of the Town of Seymour Board of Selectmen in Support of Connecticut Clean Energy Campaign.

Motion: John Conroy

Second: Philip Wilhelmy

Vote: 6-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 18 - Resolution for Department of Public Safety Division of State Police Live-Scan Fingerprint System Agreement.

RESOLUTION OF THE SEYMOUR BOARD OF SELECTMEN STATE OF CONNECTICUT DEPARTMENT OF PUBLIC SAFETY DIVISION OF STATE POLICE LIVE-SCAN FINGERPRINT SYSTEM AGREEMENT

WHEREAS, the Department Public Safety, Division of State Police ("DPS") is a designated recipient and sub-grantee of a grant awarded to the State of Connecticut Office of Policy & Management by the United States Department of Justice pursuant to the American Recovery and Reinvestment Act of 2009, Public Law 111-5, as amended, under award number 09RECJAGDPS-AFIS;

WHEREAS, the DPS, as sub-grantee under the above-referenced grant award, is providing assistance to local criminal justice agencies by acquiring Live-Scan fingerprint equipment and providing this equipment to local police jurisdictions as permitted under the above-referenced grant;

WHEREAS, the Seymour Police Department is a criminal justice agency which has demonstrated a need to acquire live-scan fingerprint equipment;

THEREFORE, the DPS and the Seymour Police Department, by and through its First Selectman of the Town of Seymour enter into this Agreement to provide a grant-in-aid to the Town for delivery of Live-Scan fingerprint equipment.

Motion to approve Resolution for the Department of Public Safety, Division of State Police Live-Scan Fingerprint System Agreement.

Motion: Philip Wilhelmy

Second: Annmarie Drugonis

Vote: 6-Yes

0-No

0-Abstain

0-Disqualify

Town Counsel Colleen Fries leaves the meeting at 8:25PM.

ITEM # 19 - Recommendation from Animal Control Officer on Assistant Animal Control Officer Position.

After receiving many applications for the Assistant Animal Control Officer position, Debra Ice, Animal Control Officer is recommending Teri Montana for the position. Ms. Montana has been volunteering almost daily since the Dog Kennel opened years ago and has been covering the position since it had become vacant. She is experienced and understands how the Kennel works.

Motion to hire Teri Montana as the new Assistant Animal Control Officer, per recommendation of the Animal Control Officer for a 1-year term.

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 6-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 20 - Quotes received for Mold Removal for the Police Department.

Motion to table until the next Board of Selectmen meeting due to quotes not coming in on time.

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 6-Yes

 $0-N_0$

0-Abstain

0-Disqualify

ITEM # 21 - Blight Enforcement Officers Positions.

Motion to table until next Board of Selectmen meeting so more information can be gathered about finances.

Motion: Philip Wilhelmy

Second: John Conroy

Vote: 6-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 22 - Discussion of volunteers at Senior Center.

The First Selectman states that there are people that would like to volunteer at the Senior Center to help when staff is not available. The Board members receive a report from the Aging Commission on the Senior Center.

Motion to approve volunteers to work at the Senior Center under the direction of the Senior Center Director and the Commission on Aging.

Motion: Philip Wilhelmy

Second: John Conroy

Vote: 6-Yes

0-No

0-Abstain

0-Disqualify

Motion to place on the table Report from the Commission on Aging Chairman.

Motion: John Conroy

Second: Philip Wilhelmy

Vote: 6-Yes

0-No

0-Abstain

0-Disqualify

The report states the results from the survey given to Seniors in the area, as well as issues in the Senior Center. They also list programs that the Commission on Aging would like implemented in the Senior Center, as well as things they think should be changed.

The Board of Selectmen would like a mission statement and an updated list of recommendations and goals for the Senior Center, as well as a list of things that have been done. They request that this is on the next Board of Selectmen agenda and that the Senior Director is also invited to discuss this.

ITEM # 23 - Appointments.

Motion to re-appoint John Fedor as the Town Treasurer for a 1 $\frac{1}{2}$ year term expiring on 12/5/11.

Motion: John Conrov

Second: Philip Wilhelmy

Vote: 6-Yes

0-No

0-Abstain

0-Disqualify

Motion to re-appoint Christine Battis to the Recreation Commission for a 2-Year term expiring on 7/6/12.

Motion: Karl Trybus

Second: Annmarie Drugonis

Vote: 6-Yes

0-No

0-Abstain

0-Disqualify

Motion to appoint Patrick Stanek to the Recreation Commission for a 2-Year term expiring on 7/6/12.

Motion: Philip Wilhelmy

0-No

Second: John Conroy 0-Abstain

0-Disqualify

Motion to appoint Frank Conroy to the Regional Water Authority for a 2-Year term expiring on 6/30/12.

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 5-Yes (Paul Roy, Philip Wilhelmy, Karl Trybus, Saundra Gesek, Annmarie

Drugonis) 0-No 1-Abstain (John Conrov)

0-Disqualify

ITEM # 24 - Tax Refunds/Abatements.

Motion to approve tax refunds in the amount of \$1,741.13.

Motion: Philip Wilhelmy

Second: John Conroy

Vote: 6-Yes

Vote: 6-Yes

0-No

0-Abatements

0-Disqualify

ITEM # 25 - Transfers.

None.

ITEM # 26 - Correspondence.

- a) Check Registers.
- b) Police Enhancement Funds.
- c) Town Clerk Report for June 2010.
- d) Copy of letter from Board of Finance Chairman appointing Michelle Walsh as a regular member of the Board of Finance.
- e) Copy of letter stating Day Street Bridge Project is completed.
- f) List of new fire chief line up.
- g) Copy of letter from EDC to WPCA regarding sewer lines.
- h) Copy of letter and check from Town Counsel Colleen Fries returning funds.
- i) Update on Town Financials from Finance Director Doug Thomas.

ITEM # 27 - Other Business.

None.

ITEM # 28 - Public Comment.

Alex Danka, 203 Pearl Street: Upset that there are Seymour seniors that go to other Senior Centers and feels that something needs to be done to give them a reason to come back to Seymour.

Joan Gee: States that the Aging Commission is trying their hardest to see a change happen.

Harry Marks: Thanks the First Selectman for all of his support on the efforts to change the Senior Center.

Dana Flach: Would like to know why, when the Director is on vacation that the assistant does not take over all of the hours.

ITEM # 29 - Selectmen's Public Comment.

None.

ITEM # 30 - Executive Session (Contract Negotiations - Local 1303-240 of Council 4 AFSCME, Personnel, Pending Litigation).

Motion to go in Executive Session for Contract Negotiations - Local 1303-240 of Council 4 AFSCME with the Board of Selectmen and Union President Dana Flach at 9:09PM.

Motion: John Conroy

Second: Philip Wilhelmy

Vote: 6-Yes

0-No

0-Abstain

0-Disqualify

Motion to come out of Executive Session for Contract Negotiations - Local 1303-240 of Council 4 AFSCME with the Board of Selectmen and Union President Dana Flach with no motions or action taken at 9:18PM.

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 6-Yes

0-No

0-Abstain

0-Disqualify

Motion to place on the table Local 1303-240 of Council 4 AFSCME Union Contract.

Motion: Philip Wilhelmy

Second: John Conroy

Vote: 6-Yes

0-No

0-Abstain

0-Disqualify

Motion to accept Local 1303-240 of Council 4 AFSCME Union Contract as presented.

Motion: John Conroy

Second: Karl Trybus

Vote: 6-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 31 - Adjournment. Motion to adjourn at 9:20PM.

Motion: Philip Wilhelmy

Second: Annmarie Drugonis

Vote: 6-Yes

0-No

0-Abstain

0-Disqualify

Submitted by,

Reviewed by,

Deirdre Caruso,

Paul Roy,

Recording Secretary

First Selectman