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MINUTES

Special Joint Charter Revision and
Board of Selectmen Meeting
Tuesday, August 28, 2012 @ 7:00 PM
Norma Drummer Room/Seymour Town Hall

Board of Selectmen members present: First Selectman W. Kurt Miller, Nicole Klarides-Ditria, Gary Bruce, Annmarie Drugonis, Al Bruno, Theresa Conroy, Karen Stanek, and Town Counsel Rich Buturla.

Charter Revision Commission members present: Chairman Gary Freeman, Mark Thompson, Bob Koskelowski Sr., Melanie Kalako, Frank Loda, Jon Szuch, and Chris Falcioni.

Others present: Mary Deming, Jeanne Loda, Joan Gee, and Dave Bitso.

ITEM #1: Call meeting to order.

Board of Selectmen meeting called to order at 7:04pm.

Charter Revision Commission call meeting to order at 7:05pm.

ITEM #2: Pledge of Allegiance.

Everyone saluted the Flag and states the Pledge of Allegiance.

ITEM #3: Public Comment: None.

ITEM #4: To consider and act upon a resolution making certain determinations and authorizations in connection with a lease-purchase financing to finance the acquisition by the Board of Education of technology equipment.

Resolution as read:

WHEREAS, the Board of Education (the "Board of Education") of the Town of Seymour (the "Town") has solicited and received a proposal for the acquisition of technology equipment, including the acquisition of Cisco Systems, Inc. ("Cisco") switches and wireless access points for Seymour High School, Seymour Middle School and Bungay School and related items for use by the Board of Education (such acquisition and related costs, the "Project"); and

WHEREAS, it is proposed that the Town, on behalf of the Board of Education, enter into a lease-purchase agreement (the "Agreement") with Key Government Finance, Inc. (the "Lessor") in the estimated principal amount of \$226,774.05, to finance the costs of the Project; and

WHEREAS, it is anticipated that Cisco will make a payment in the estimated amount of \$12,190.34 upon the closing of the Agreement to defray in part the principal amount due under the Agreement; and

WHEREAS, it is contemplated that the interest portion of lease payments under the Agreement shall be exempt from Federal income taxation; and

WHEREAS, the Town and the Board of Education will enter into an agreement (the "Funding Agreement") pursuant to which the Board of Education will represent and covenant that it has allocated within its Fiscal Year 2012/13 budget amount funding sufficient to meet all payments due by the Town under the Agreement during Fiscal Year 2012/13, and that it will meet all payments under the Agreement in future fiscal years from within its applicable annual budget, including without limitation all principal and interest payments due under the Agreement;

WHEREAS, the Board of Selectmen at meeting held August 14, 2012, acting in lieu of the Town Meeting called for August 14, 2012, authorized the entrance the Agreement; and

WHEREAS, it is now necessary to make certain determinations and authorizations in connection with the entrance into the Agreement and any related transactions;

NOW, THEREFORE, BE IT RESOLVED, the Board of Selectmen hereby authorizes the First Selectman, on behalf of the Town, to accept and determine the amount, date, interest rate, term and other details of the financing under the Agreement; to execute and deliver the Agreement and any addenda, schedules, notes, UCC financing statements, trust agreement or indenture, escrow or other agreements or instruments issued pursuant or related to the Agreement, the assignment of the Agreement, or the issuance of certificates of participation in the Agreement, and any other instrument or document which may be necessary or expedient in connection with the fulfillment of the provisions of the Agreement, the assignment of the Agreement or the issuance of certificates of participation therein; and to grant, or to delegate to other Town officials the power to grant, all consents, approvals and other determinations necessary to implement the provisions of the Agreement and any related documents; provided that the Town shall not enter into the Agreement until the Town and Board of Education have entered into the Funding Agreement.

FURTHER RESOLVED, that the Board of Selectmen approves the entrance into the Funding Agreement with the Board of Education, which Funding Agreement shall be executed on behalf of the Town by the First Selectman and be in such form and contain such terms as are acceptable to the First Selectman as evidenced by his execution thereof.

FURTHER RESOLVED, that the Board of Selectmen on behalf of the Town hereby declares the Town's official intent under Federal Income Tax Regulation Section 1.150-2 that Project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of the Agreement in an aggregate amount not in excess of the amount authorized above for the Project. The First Selectman is 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 the First Selectman deems necessary or advisable in order to maintain the continued exemption from federal income taxation of the interest portion of lease payments under the Agreement, if the Project is financed on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

FURTHER RESOLVED, that the First Selectman is authorized to make representations and enter into written agreements for the benefit of the Lessor, of any trustee to whom the Agreement is assigned or of the holders of certificates of participation or other interests in the Agreement 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 interests in the Agreement.

FURTHER RESOLVED, that the First Selectman and other proper officers and officials of the Town are authorized to take all other action and to enter into any other agreements on behalf of the Town which are necessary or desirable to complete the Project and to finance the Project through the Agreement.

Motion: Al Bruno

Second: Nicole Klarides-Ditria

Vote: 7-Yes

0-No

0-Abstain

First Selectman W. Kurt Miller turns the meeting over to Deputy Nicole Klarides-Ditria so he may attend the Board of Finance meeting for approximately 10 minutes.

ITEM #5: To consider and potentially act upon proposed Charter Revisions.

Town Counsel worked diligently to put together this document based upon the recommendations from the Charter Revision Commission and the Special Board of Selectmen meeting and Public Hearing held last night, Monday August 27, 2012.

Rich Buturla, Town Counsel: In accordance with Section 7-191 CGS this Charter Revision Commission was formed to review and make recommendations for change to the Charter of the Town of Seymour. Rich compliments the Commission on their hard work.

After the draft report was filed it was realized that items from a set of minutes were not referenced in the draft report. These items were presented last night to the Board of Selectmen and incorporated into this document. There were some small changes to the CRC document and some that may violate State Statute were removed. This document includes touched on and approved recommendations for change by the Board of Selectmen, which will be discussed tonight. Tomorrow night the Charter Revision Commission has to discuss, change if needed and approve the final draft which must be submitted to the Board of Selectmen for their 9/4/12 meeting. The following sections have proposed revisions:

Chapter 4.1: Organization of Boards and Compensation of Officials; Sec 10.11: Planning & Zoning; Chap 10: Appointed Boards; Sec 10.25: Culture and Arts Commission; Sec 3.4: Vacancies in elected offices; Sec 8A: Board of Police Commissioners; Sec 12.2: General Powers and Duties; Sec 16.6 Effective date; Sec 2.1: When elected; Chapter 3: Elections, General; Sec 3.4: Vacancies in elected offices; Sec 3.5 Board for admission of electors; Sec 6.2 Recreational use of school property; Sec 7.2: Specific powers and duties; Sec 8.3: Officers of the Board of Selectmen; Sec 8A.1: Composition and general powers and duties; Chapter 9: Appointments, General; Sec 9.3: Vacancies on appointed boards; Chapter 10: Appointed Boards; Sec 10.1.1: List of appointed offices and terms of offices; Sec 10.2: General Powers and Duties; Sec 10.4: Economic Development Commission; Sec 10.5: Engineer; Sec 10.7.3.: Emergency Medical Services Oversight Commission; Sec 10.13: Board of Public Works; Sec 10.16 First Selectman's Administrative Assistant; Sec 10.17 Town Counsel and Assistant Town Counsel; Chapter 12 Finance and Taxation; Sec 3.4 Vacancies in elected offices; Sec 9.3: Vacancies on appointed boards;

Board of Selectmen changes:

Chapter 2: Elected Boards; Chapter 10: Appointed Boards; Sec 10.9: Inland Wetlands Commission; Sec 10.10: Parks Commission; Sec 10.13: Board of Public Works; Sec 10.15: Commission on Aging; Sec 11.1: Town Clerk, Tax Collector & Human Resources Manager; Chapter 12: Finance and Taxation; Sec 12.2: General powers and duties; Sec 12.3: Annual Town Meeting; Sec 12.4: Fiscal Process.

Possible advisory ballot questions:

1. Shall the next Charter Revision Commission consider a town manager form of government?
2. Shall the next Charter Revision Commission consider the return to a single vote process for approval of the General Town and Education Budgets?

Discussion:

- Suggestions to Sections 10.5, 10.4 and Chapter 9: Appointed Boards, add Culture and Arts and EDC.
- Mark Thompson ask why the term MBR is not in the document. Rich states it is because the CGS changes from time to time so state law is listed.
- Al thanks the CRC for their hard work. Charter needed a lot of work.

- Melanie Kalako thanks former CRC for their work on the 12 & 13 chapters, which this group used as a guide.
- Bob Koskelowski, Sr: Appreciates all of the hard work that went into this document and feels that it is a lot to digest at this meeting and would like to review it and discuss at tomorrow night's CRC meeting. Doesn't agree with the HR section 11.1. Feels that the CRC did not vote on that and felt that an ordinance established by the BOS for the office not officer would be better suited for a job description. Section 10.11 states that there are two alternates for Planning & Zoning, but under the Appointed Boards section it states there are three.
- Melanie Kalako: Feels that the WPCA should be elected. Feels that the citizens are unhappy with the appointments on the WPCA.
- Gary Freeman: General overview and chain of command for all different boards were some of the main focuses of these charter changes. Some boards have no authority or financial control.
- Annmarie Drugonis wants to know if any of the CRC members went to any of the meetings of any boards or commissions and why pick only P&Z and WPCA to be elected.
- Gary Bruce talks about the impact to the residents with contracts, budgets, etc. The boards that have budgets that drive the finances of the town should be elected.
- Kurt Miller: Would like some boards elected and wants to know why the Board of Public Works wasn't chosen since they have one of the biggest budgets in Town. Kurt feels that it is hard to fill slates as it is. Look at both sides of the coin cannot pick and choose which boards are elected. WPCA not as much of a financial impact as DPW.
- Melanie Kalako had a very short amount of time to go through the charter. Feels that they picked and chose from the information they received from the people that came to the meetings with their concerns. Everyone agrees that the WPCA should submit a budget every year.
- Bob Koskelowski: States that over 50% of the registered voters in town are unaffiliated and therefore not enough people to run on a slate. Wanted Library appointed and P&Z and WPCA elected, which would equal out. Wants to keep the boards open to as many people as possible that would like to serve. No one came and asked for the WPCA and P&Z to be elected and he is not in favor of these boards being elected.
- Karen Stanek: Feels that making more boards elected is part of the democratic process and we should let the people decide.
- Al Bruno: The Board of Selectmen took P&Z and made it elected and WPCA appointed. Doesn't feel that this is an issue about the democrat process.
- Jon Szuch: P&Z is the most powerful land use board and feels that historically there have been problems. Didn't feel the Board was for the people's best interest just the large land owners and feels that it should be elected. If the WPCA appointments are done correctly and the most qualified people are appointed he does not have an issue with it not being elected. Wants to make sure that the WPCA have to submit a budget. Feels that the democratic process is in balance by putting the right people in the right positions by their education and knowledge.
- Melanie Kalako: The Culture and Arts and Recreation Commissions should remain appointed because they are smaller budgets, but bigger boards that affect your finances should be elected. People are appointed for a long time and that causes problems.
- Bob Koskelowski: 60% of the people in Town pay a sewer use fee. Not everyone has sewers. Would like to see P&Z stay an appointed board.
- Al Bruno: Wants the CRC to think about these issues and list pros and cons to help with their decision.
- Kurt Miller: Can we put the P&Z and WPCA on one question??

- Rich Buturla: Separate a couple of the important questions and lump the language together, but that may be 5 questions and that may be too much.
- BOS meeting on Tuesday the 4th. Need changes by Thursday or Friday from CRC. Has to be DONE by the 4th. Four questions concerning the CRC on the BOS agenda for the 4th.
- Gary Bruce: 8.1 Police Commission: Questions about advancing from inside the department. The CRC changed the education. Language is looser than before.
- Nicole: Feels like there is a good combination of education and experience in section 8.1 Police Commission.
- Frank Loda: PD had representatives at the meetings and are aware of the language.
- Melanie Kalako: Thanks the BOS on all of the work that they did last night and the attorneys.
- Al Bruno: The CRC did the town a favor by doing this work, team effort. This is for the better of the town.
- Frank Loda: Section 10.15 should be addressed: Director of Elderly Services should be changed to the Director of the Senior Center. They are 2 different things. Concerning the bus: does not want the language to have the bus in the charter. Shall provide a bus should be removed. It will be an obligation and an extra expense. Also take out an adult daycare doesn't exist.
- Change tomorrow night at CRC special meeting.

Rich Buturla: Tomorrow CRC will get through the doc and put together final report and his office will assist within 24 hours and latest by Friday final report will be given to BOS. CGS Sec 7-191 state that on the 4th the Board of Selectmen will vote to accept or reject, ballot questions, send to general election on 11/6/12 then approve or reject advisory questions. If BOS does not accept, this whole process may be over.

ITEM #6: Adjournment.

Board of Selectmen Motion to adjourn at 8:44PM.

Motion: Annmarie Drugonis

Second: Nicole Klarides-Ditria

Vote: 7-Yes

0-No

0-Abstain

Charter Revision Commission motion to adjourn at 8:45PM.

Motion: Melanie Kalako

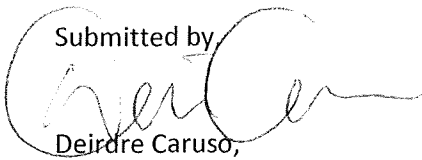
Second: Jon Szuch

Vote: 7-Yes

0-No

0-Abstain

Submitted by



Deirdre Caruso,
Recording Secretary