

COPY RECEIVED
DATE: 5/5/16
TIME: 11:40 AM
TOWN CLERK'S OFFICE

MINUTES
Board of Selectmen
Tuesday, May 3, 2016 – 7:00PM
Norma Drummer Room – Seymour Town Hall

Members Present: W. Kurt Miller, Nicole Klarides-Ditria, Karen Stanek, Stephan Behuniak, Annmarie Drugonis and Al Bruno.

Members absent: Len Greene.

Others Present: Town Counsel, Richard Buturla; Jamie Brennan, Steve Kulas, and Richard Demko.

ITEM #1: Call meeting to order.

Meeting was called to order by First Selectman, W. Kurt Miller, at 7:02 PM

ITEM #2: Pledge of Allegiance.

Everyone saluted the flag and recited the Pledge of Allegiance.

Motion to go out of order to Item #7: Accept donation from girl scouts.

Motion: Nicole Klarides-Ditria

Second: Annmarie Drugonis

Vote: 6-Yes 0-No

0-Abstain

W. Kurt Miller – Yes

Nicole Klarides-Ditria – Yes

Al Bruno – Yes

Karen Stanek – Yes

Annmarie Drugonis – Yes

Stephan Behuniak – Yes

ITEM #7: Accept donation from Girl Scouts.

Annmarie introduced Girl Scout Troop 60242 with a donation for the Seymour Animal Shelter. Darcie and Nadine, troop leaders, stated them along with the troop were there to donate dog treats that are made out of oatmeal and pumpkin purée. The girls made the treats along with blankets for the animals at the Animal Shelter. The girls decided they wanted to donate to the town. They will receive a Badge for Animal Habitats. The meaning behind the badge is being part of the town and recognizing the animals need help just like humans do. They have made many treats and 15-20 blankets.

ITEM #3: Public Comment.

None.

ITEM #4: Approve minutes April 19, 2016 regular meeting.

Motion to approve minutes from April 19, 2016 regular meeting.

Motion: Nicole Klarides-Ditria

Second: Annmarie Drugonis

Vote: 6-Yes 0-No

0-Abstain

W. Kurt Miller – Yes

Nicole Klarides-Ditria – Yes

Al Bruno – Yes

Karen Stanek – Yes

Annmarie Drugonis – Yes

Stephan Behuniak – Yes

ITEM #5: Approve minutes from April 21, 2016 Annual Town Meeting.

Motion to approve minutes from April 21, 2016 Annual Town Meeting.

Motion: Nicole Klarides-Ditria

Second: Annmarie Drugonis

Vote: 5-Yes 0-No

1-Abstain

W. Kurt Miller – Yes

Nicole Klarides-Ditria – Yes

Al Bruno – Abstain

Karen Stanek – Yes

Annmarie Drugonis – Yes

Stephan Behuniak – Yes

ITEM #6: Approve minutes from the April 21, 2016 special meeting.

Motion to approve minutes from April 21, 2016 special meeting.

Motion: Nicole Klarides-Ditria

Second: Annmarie Drugonis

Vote: 5-Yes 0-No

1-Abstain

W. Kurt Miller – Yes

Nicole Klarides-Ditria – Yes

Al Bruno – Abstain

Karen Stanek – Yes

Annmarie Drugonis – Yes

Stephan Behuniak – Yes

Motion to add to agenda discussion and possible action regarding Main Street Investment Fund Street Lamp Alteration bid letter from Nafis & Young.

Motion: Nicole Klarides-Ditria

Second: Annmarie Drugonis

Vote: 6-Yes 0-No

0-Abstain

W. Kurt Miller – Yes

Nicole Klarides-Ditria – Yes

Al Bruno – Yes

Karen Stanek – Yes

Annmarie Drugonis – Yes

Stephan Behuniak – Yes

Kurt read the following letter from Nafis & Young regarding the Main Street Investment Fund, Street Lamp Alterations:

Dear Mr. Miller,

The Town of Seymour received bids for the referenced project on Monday, April 25, 2016. The low bidder was Shock Electric Company, Inc. with a bid of \$40,829.75, a price that remains within the budget of the Main Street Investment Fund Grant.

Nafis & Young has reviewed the bid and found it in conformance with the bid documents; therefore, we recommend that the bid for the Main Street Investment Fund Project-Street Lamp Alterations be awarded to Shock Electric Company, Inc. in the amount of \$40,829.75.

Please feel free to contact me with any questions.

Sincerely, James Galligan

Motion to award the bid for the Main Street Investment Fund - Street Lamp Alterations to Shock Electric Company, Inc. in the amount not to exceed \$40,829.75 as recommended by James Galligan, Project Engineer.

Motion: Al Bruno

Second: Annmarie Drugonis

Vote: 6-Yes 0-No

0-Abstain

W. Kurt Miller – Yes

Nicole Klarides-Ditria – Yes

Al Bruno – Yes

Karen Stanek – Yes

Annmarie Drugonis – Yes

Stephan Behuniak – Yes

ITEM #8: Discussion and take possible action on Founders' Day request.

Kurt read the following letter from the Founders' Day Committee:

Dear Members:

The Seymour Founders' Day Committee is requesting the use of the senior bus for June 5th and if necessary June 12th, 2016 as our rain date.

We will need it from 6:00 AM until 6:30 PM

We have the same three drivers as we have had for the past three years; they work for All Star Transportation and have their CDL licenses.

We would need the keys before Sunday morning and will return them by 9:00 am Monday morning.

Mrs. McConologue has been notified of this request and with the approval of the senior center.

Thank you for considering this request for us.

Sincerely,

Judith Simpson Vice President of Seymour Founders' Day

Motion to allow the Seymour Founders' Day Committee to use the Community Services bus on June 5th or June 12th weather depending from 6:00 AM to 6:30 PM as requested.

Motion: Karen Stanek

Second: Annmarie Drugonis

Vote: 6-Yes

0-No

0-Abstain

W. Kurt Miller – Yes

Nicole Klarides-Ditria – Yes

Al Bruno – Yes

Karen Stanek – Yes

Annmarie Drugonis – Yes

Stephan Behuniak – Yes

ITEM #9: To consider and act on a resolution amending the resolution adopted by the Board of Selectmen at meeting held April 5, 2016 regarding the authorization of the issuance of bonds to refund all of a portion of the Town's outstanding bonds.

Kurt stated anyone that would like a full copy of the resolution can come up front and grab a copy.

Kurt read the following resolution:

RESOLVED, that the Board of Selectmen of the Town of Seymour hereby adopts the resolution presented to this meeting amending and restating the resolution authorizing the issuance of bonds to refund all or a portion of the Town's \$3,660,000 General Obligation Bonds, Issue of 2007, and \$7,500,000 General Obligation Bonds, Series 2010A, as adopted by the Board of Selectmen at its meeting held April 5, 2016, to increase the dollar amount of the appropriation and borrowing authorization to \$7,500,000 and to include within the scope of the appropriation the refunding of all or a portion of the Town's \$5,995,000 General Obligation Bonds, Series 2011A. A copy of the resolution shall be inserted in or attached to the minutes of this meeting and made a part thereof.

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

AMENDING AND RESTATING THE RESOLUTION AUTHORIZING THE ISSUANCE OF BONDS TO REFUND ALL OR A PORTION OF CERTAIN OF THE TOWN'S OUTSTANDING BONDS AS ADOPTED BY THE BOARD OF SELECTMEN AT ITS MEETING HELD APRIL 5, 2016

"RESOLVED, that the Board of Selectmen of the Town of Seymour hereby amends and restates the resolution authorizing the issuance of bonds to refund all or a portion of the Town's \$3,660,000 General Obligation Bonds, Issue of 2007, and \$7,500,000 General Obligation Bonds, Series 2010A, as adopted by the Board of Selectmen at its meeting held April 5, 2016, to read as follows:

**"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 \$3,660,000 GENERAL OBLIGATION BONDS, ISSUE OF 2007, \$7,500,000 GENERAL OBLIGATION BONDS, SERIES 2010A, AND \$5,995,000 GENERAL OBLIGATION BONDS, SERIES 2011A, AND COSTS RELATED THERETO

"RESOLVED,

"(a) That the Town of Seymour issue its refunding bonds, in an amount not to exceed SEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS (\$7,500,000), 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 call premium, if any, on the Town's \$3,660,000 General Obligation Bonds, Issue of 2007 (consisting at original issue of \$3,050,000 school bonds, \$119,000 water bonds and \$491,000 sewer bonds), \$7,500,000 General Obligation Bonds, Series 2010A (consisting at original issue of \$7,500,000 School Bonds), and \$5,995,000 General Obligation Bonds, Series 2011A (consisting at original issue of \$5,995,000 School 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 \$3,660,000 General Obligation Bonds, Issue of 2007, \$7,500,000 General Obligation Bonds, Series 2010A, and \$5,995,000 General Obligation Bonds, Series 2011A, 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, 2017.”

Motion to accept the resolution as presented.

Motion: Nicole Klarides-Ditria

Second: Annmarie Drugonis

Vote: 6-Yes

0-No

0-Abstain

W. Kurt Miller – Yes

Nicole Klarides-Ditria – Yes

Al Bruno – Yes

Karen Stanek – Yes

Annmarie Drugonis – Yes

Stephan Behuniak – Yes

ITEM #10: Open bids for LED streetlight retrofit project.

Kurt stated they have received two (2) bids.

- Tanko Lighting:
 - Phase 1: Audit, Inspection, Mapping - \$20,394.00
 - Phase 2 & 3: Project Implementation/Street Light Fixture Unit Price - \$416.32
 - Total cost of project implementation - \$471,688.00
 - Phase 4: System Maintenance - First Year Price - \$11,357.00
- Real Term Energy:
 - Phase 1: Audit, Inspection, Mapping - \$7,050.00
 - Phase 2 & 3: Project Implementation/Street Light Fixture Unit Price - \$307.70 (average per fixture)
 - Total cost of project implementation - \$344,937.00
 - Phase 4: System Maintenance – First Year Price - \$0

Motion to have bids given to Town Operations Director, Tony Caserta, to be reviewed by Town Engineers to come back to May 17th or June 7rd meeting with a recommendation as to which vendor to go forward with.

Motion: Nicole Klarides-Ditria

Second: Annmarie Drugonis

Vote: 6-Yes

0-No

0-Abstain

W. Kurt Miller – Yes

Nicole Klarides-Ditria – Yes

Al Bruno – Yes

Karen Stanek – Yes

Annmarie Drugonis – Yes

Stephan Behuniak – Yes

ITEM #11: First Selectman’s report.

- Met again with advisors from William Blair to discuss the upcoming bond refunding and prepare for next steps. We have started to put a presentation together and an overall strategy. Scheduled to present in Boston at 10:30 on Wednesday, May 18th. Will have a final report on the 17th.
- Reminder: The Referendum Vote for the fiscal year 2017 takes place Thursday, May 5th at the Community Center. Polls will be open from 6:00 AM to 8:00 PM.
- A National Day of Prayer Service will be held here at Town Hall in the Norma Drummer Room on Thursday, May 5th at 12 noon. All are invited to attend.
- Seymour along with every other town and city in the State of Connecticut continues to wait for a budget resolution on the close to projected \$960 million deficit for the state budget. As of tonight, we have no real understanding of what can and will happen. Expect at this point a special session will be called and this will be dragged on for extra weeks. While we have plans in place to address state funding shortfalls in our own budget, we cannot and will not take any action until a final budget is approved and adopted by the legislature.

ITEM #12: Executive session (Contracts – Animal Control).

Motion to enter into executive session at 7:28 PM with Town Counsel Richard Buturla to discuss Contracts regarding Animal Control and a pending claim regarding property at 611 South Main Street aka Bellevue Terrace.

Motion: Nicole Klarides-Ditria

Second: Annmarie Drugonis

Vote: 6-Yes 0-no

0-Abstain

W. Kurt Miller – Yes

Nicole Klarides-Ditria – Yes

Al Bruno – Yes

Karen Stanek – Yes

Annmarie Drugonis – Yes

Stephan Behuniak – Yes

Motion to exit executive session at 8:01 PM with no motions or actions taken.

Motion: Annmarie Drugonis

Second: Nicole Klarides-Ditria

Vote: 6-Yes 0-No

0-Abstain

W. Kurt Miller – Yes

Nicole Klarides-Ditria – Yes

Al Bruno – Yes

Karen Stanek – Yes

Annmarie Drugonis – Yes

Stephan Behuniak – Yes

ITEM #13: Appointments.

Motion to reappoint Lee Heller to the Region II Mental Health Board, Inc. for a term of two (2) years expiring on May 31, 2018.

Motion: Nicole Klarides-Ditria

Second: Annmarie Drugonis

Vote: 6-Yes 0-No

0-Abstain

W. Kurt Miller – Yes

Nicole Klarides-Ditria – Yes

Al Bruno – Yes

Karen Stanek – Yes

Annmarie Drugonis – Yes

Stephan Behuniak – Yes

Motion to reappoint Fred Messore to the Brownfields Study for a term of two (2) years expiring on December 31, 2017.

Motion: Nicole Klarides-Ditria

Second: Al Bruno

Vote: 5-Yes 1-No

0-Abstain

W. Kurt Miller – Yes

Nicole Klarides-Ditria – Yes

Al Bruno – Yes

Karen Stanek – No

Annmarie Drugonis – Yes

Stephan Behuniak – Yes

ITEM #14: Tax Refunds/Abatements.

Motion to accept the April 28, 2016 Tax Refunds/Abatements as presented.

Motion: Al Bruno

Second: Nicole Klarides-Ditria

Vote: 6-Yes 0-No

0-Absatin

W. Kurt Miller – Yes

Nicole Klarides-Ditria – Yes

Al Bruno – Yes

Karen Stanek – Yes

Annmarie Drugonis – Yes

Stephan Behuniak – Yes

ITEM #15: Transfers.

None.

ITEM #16: Correspondence.

- Check register.
- Accomplishments of Productivity report from Director of Public Works.
- Letter from Rich to the Registrar of Voters regarding a question on Thursday's Referendum.

ITEM #17: Public Comment.

Jamie Brennan, 124 Bungay Road, discussed his displeasure with the job performance of the Assessor with the evaluation process. He stated a number of people are upset with the way their properties were evaluated.

ITEM #18: Selectmen's Public Comments.

Stephan Behuniak stated he was happy to see the Girl Scouts did such a great thing for the community and the animal shelter. He was also happy to see the performance report from Public Works.

Karen Stanek congratulated the Girl Scouts for all their hard work on the blankets and treats. She wished there was something they could do formally to recognize them for their efforts.

Nicole Klarides-Ditria stated the Girl Scouts did a wonderful job making the blankets and treats. She stated it was great to see they did this as part of their badges.

Al Bruno was thankful to Mr. DePrimo, Director of Public Works, for the report he submitted. He stated since he has been a member of the Board of Selectmen there have been monumental changes in the Public Works Department. He encouraged residents to vote on Thursday. He stated he is hoping the budgets pass.

Annmarie Drugonis thanked Girl Scouts for working so hard on their blankets and treats for the Animal Shelter. She encouraged residents to vote on Thursday. She stated she hopes the budgets pass.

Town Counsel Richard Buturla advised the Board that the Town of Seymour prevailed in a case brought by a subsidiary of the Regional Water Authority against the town claiming that the town was illegally assessing the water company property at 151 Roosevelt Avenue. The town took the position that a particular improvement on the property was indeed taxable. The Town of Seymour prevailed in all respects.

ITEM #19: Adjournment

Motion to adjourn at 8:09 P.M.

Motion: Annmarie Drugonis

Vote: 6-Yes 0-No

W. Kurt Miller – Yes

Karen Stanek – Yes

Second: Nicole Klarides-Ditria

0-Abstain

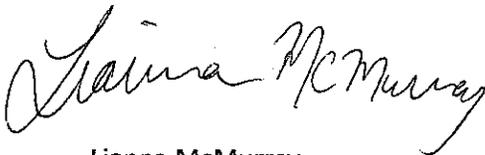
Nicole Klarides-Ditria – Yes

Annmarie Drugonis – Yes

Al Bruno – Yes

Stephan Behuniak – Yes

Submitted by,



Lianna McMurray
Recording Secretary



W. Kurt Miller
First Selectman