

COPY RECEIVED
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TOWN CLERK'S OFFICE

MINUTES
Board of Selectmen Meeting
Tuesday, August 16, 2016 – 7:00 PM
Norma Drummer Room – Town Hall

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

Members Absent: Len Greene Jr.

Others Present: Rory Burke, Rich Buturla (Town Counsel), Don Smith (Town Engineer), Suzanne Reilly (TEAM, Inc.), Sean Walsh (Chairman of the Board of Public Works), Priscilla Altorelli (Assistant Assessor), Rich Demko, Al Yagovane, Fred Stanek and James Williams

Item #1: Call meeting to order

The meeting was called to order at 7:03 PM.

Item #2: Pledge of Allegiance

All present stood and recited the Pledge of Allegiance.

Item #3: Public comment

Fred Stanek – 22 North Benham Road – Wanted to thank the Board of Selectmen for opening Town Hall on Fridays, albeit only for a half day. He thinks it was a bad decision by a previous Board to move to a 4-day week. He hopes the Selectmen keep Town Hall open Fridays because it is essential for residents and professionals who need access to services.

Al Yagovane – 25 Elaine Drive – He agrees that Town Hall should be open Fridays. The staff are here to serve the community. He hopes the tax exemptions for residents will be increased. That day, 2 veterans on disability reached out to him for help. One had to wait a long time for the VA to give him a 40% disability designation, which is nothing compared to his medical issues. Less than 1% of the population serve in the military and they deserve our help and respect forever.

James Williams – 26 Evening Star Drive – He is a member of the local VFW and American Legion. He served 4 years in the Army, 1 of which was in Vietnam as a helicopter crew chief. Our VFW post is at Day Street and they are looking for a home and need help. They are currently paying \$125 a month for a storage unit until they have a new location and cannot afford to continue doing so.

A motion as made to go out of order to Item #10: Action in lieu of special Town meeting regarding Department of Public Works Ram 5500 Mason style dump truck with material spreader and plow

Motion: Nicole Klarides-Ditria

Second: Al Bruno

Vote: 6-0

Item #10: Action in lieu of special Town meeting regarding Department of Public Works Ram 5500 Mason style dump truck with material spreader and plow

Kurt – As an introduction, we are waiving the bid on this because this vehicle is lower than the State bid list, which allows us to bypass the bid process. Also, having a truck assembled can take a few months and this will be a lot faster.

Sean Walsh – This truck is the workhorse of Seymour’s Public Works fleet. It’s funded through a line item with planned obsolescence incorporated. We aren’t looking for a 20-year truck. We’re paying \$17 - \$18,000 less per truck, approximately \$75,000 per truck, lower than the State bid list. Public Works will then get rid of them after the warranty expires so that we can save on maintenance. This specific truck is sitting on a lot and will be ready for winter.

Kurt – We put \$90,000 per year in the budget for a 6-year rollover to keep our truck fleet fresh and reduce downtime and maintenance expenses. We can have this vehicle in a few days.

Rich – As a note, please make sure that your motion notes that the lack of quorum at the special Town meeting was not due to inclement weather. The action is in lieu of a quorum so you have the authority to act in this capacity.

A motion was made to waive the bid process on the Ram 5500 Mason body dump truck with material spreader and plow in lieu of a special Town meeting, noting that the lack of quorum was not due to inclement weather.

Motion: Karen Stanek

Second: Nicole Klarides-Ditria

Vote: 6-0

Item #4: Approve minutes from August 2nd, 2016 regular meeting

A motion was made to approve the minutes as presented.

Motion: Nicole Klarides-Ditria

Second: Annmarie Drugonis

Vote: 6-0

Item #5: First Selectman’s Report

Kurt – In lieu of a report tonight, I want to discuss the bonding issue and the roads. For 2017, the roads that will be addressed are:

- Rennay Road
- Kulas Terrace
- Bellevue Terrace
- Emma Street
- Bungay Road
- Nichols Street
- French Street
- Spruce Street
- Roberts Street
- North Main Street
- West Church Street
- Cherry Street
- Lorraine Avenue
- Botsford Road from Great Hill to Davis & Mountain to Brookfield
- Mountain Road from Botsford to Deerfield, Glen Circle to Canfield, Canfield to Titus & Brook Street to Route 67
- Colony Road from Chaden to the Town line
- Bunting Road from Skokorat to Edward

2018’s roads are:

- DeForest Street
- First Street
- Columbus Street
- Bank Street
- Curry Hill Road
- Bungay Road from Derby Ave. to Old Town Rd. & Old Town Rd. to Botsford
- Birch Street
- Gloria Avenue
- Wood Street

Roads for 2019 and beyond are:

- Old Ansonia Road
- Chatfield Road
- Seymour Avenue
- Rider Avenue
- West Street from Church St. to Derby Ave.
- Short Street
- Cedar Street
- Fox Drive
- Bungay Court
- High Street
- Olson Drive
- Woodside Avenue
- Chucta Road
- Castle Street
- Highland Avenue
- Hillside Avenue
- Bissell Place

The proactive account's money, approximately \$50,000, will go to crack sealing on:

- Skokorat Street
- Pearl Street
- Osprey Drive
- Buckingham Road
- Eleanor Road
- Chatfield Road
- Silvermine Road
- West Street from Route 67 to Church St.
- Kathy Drive
- Peach Drive
- Stanley Drive
- Meadow Woods Road
- High Ridge Road
- Mountain Road
- Southwest Road
- Bunting Road

West Street appears on the crack sealing list even though it was done 2 years ago because unfortunately cracks are already appearing. The sealing will do a lot to extend the longevity of the road. There will also be spot repairs, described by the Engineer as partial, full-depth repair and will consist of milling with a 2-inch overlay on the worst parts of the road until a more permanent solution can be undertaken. That will take place on:

- Pearl Street (near #197 & 153-158)
- Old Ansonia Road (near #26, 107-120 & 89)
- Skokorat Street (at Town line & at Paramount Rd)
- Silvermine Road (various locations from Maple St. to transfer station)
- Laurel Lane (at Tomlinson Rd.)
- DeForest Street (Main St. to bypass)
- First Street
- Columbus Street
- Wakeley Street

Karen- Are we going to wait for 38 Columbus Street to be finished before doing work downtown?

Kurt – Yes, we're just setting aside the money right now. Also, the WPCA is requiring them to do substantial work to the sewers so they will already have to repave most of Columbus Street as a result. We will work with them to get this done as cheaply as possible.

Item #6: Discussion and take possible action regarding CT State Library grant for library construction

Don Smith – About a month ago you approved our intent application for this project. Tonight we'll be discussing the actual application due September 1st. On the list are energy conservation and code improvements eligible for special funding. The lower windows at the library are original from 1958 and will be replaced. Due to the age of the building we're concerned about PCBs in the caulk and will have money in contingency for this. We will also be replacing light fixtures that were last upgraded in 1993, the project would have an 8-year payback, 4 with the grant. The Fire Marshal has also identified issues with the wire glass by the old main entrance. The door and glass

would be replaced and the asbestos floor tiles in the stairwell would also be replaced. The project total is approximately \$225,000, 50% of which can be reimbursed if we are awarded the grant. Kurt needs to sign a letter for matching funding, which would be provided by the bond. If the bond should fail, the Town will have to provide the difference. The Town has 1 year after the grant is approved in March of 2018 to start work.

Kurt – The Town already has \$150,000 budgeted for Town buildings each year so the Town could cover the difference if needed.

Annamarie – Is the estimate based on bidding? It could be cheaper, right?

Don – Correct.

A motion was made to allow the First Selectman to sign page 10 of the application for the Connecticut State Library grant for library construction as presented by Town Engineer Don Smith.

Motion: Nicole Klarides-Ditria

Second: Karen Stanek

Vote: 6-0

Item #7: Discussion and take possible action regarding potential senior day care facility

Kurt – I updated the Board several meetings ago regarding the possibility of establishing a senior daycare facility at the Community Center in conjunction with TEAM, Inc. If the Board is comfortable with what's presented tonight, I will have the Town Engineer and Town Counsel move forward with the project. Suzanne Reilly from TEAM is here as well.

Don – The plan is for renovations on the top floor of the Community Center. There will be shared areas at one end, for use by the Recreation and Elderly Services departments as well as the Boys & Girls Club and the proposed facility. The total area is approximately 7,000 square feet. There will also be a reception area, 2 offices, an activity room, a medical area, 2 full baths for showers, a break room and a laundry area. The square footage dictates the maximum client load. The top floor is basically the same as when the facility was renovated 15 years ago. The project includes asbestos abatement for the floor and ceiling tiles, new flooring, ceiling lights and windows. Improvements would also be done to the lower level occupied by the Boys & Girls Club and will cover asbestos abatement, new flooring, ceiling, lights windows and bathroom fixtures. We would also be recommending a full roof replacement even though the roof is within its serviceable life because of the investment that we're talking about. In order to house the daycare facility, the whole building would need to have sprinklers installed and the fire alarm would have to be updated. We would also continue upgrading the HVAC system to hot water from steam. We're trying to leverage the collaboration of TEAM, the Town and the Boys & Girls Club to get the money from the State. The whole project will be approximately \$4 million. We met with the State legislative delegation and they're very supportive but believe that it will be difficult to secure the funding given the size of the project. TEAM hired consultants to discuss the need for such a facility in the area as well.

Suzanne Reilly: Seniors are the fastest growing demographic in the Valley. By 2025, 25% of the population will be 65 and older. The social model for an adult daycare facility is a step up from a senior center. The medical model can administer medication and has nursing staff and will provide food. This facility will help caregivers and will be affordable. It will serve 5 Valley towns and give priority to Seymour residents. It can serve 60-80 total, with up to 40 per day. Clients usually come 1-3 days per week. TEAM has reached out to other organizations for funding. It would run about \$70 per day on a sliding scale.

Annamarie – Is there currently a facility in the Valley?

Suzanne – No, currently the closest facilities are in Middlebury, Waterbury, Hamden, New Haven and Stratford.

Annamarie – Will the food be brought in? You will have to have the proper food safety training.

Suzanne – They will be ServSafe certified and we will work with the Naugatuck Valley Health District.

Nicole – What's the age range for the facility?

Suzanne – It will be generally be 65 and older but will not be restricted in case of exceptions. Some insurance covers the cost of attending the facility.

Nicole – What about ambulatory needs and those with aides?

Suzanne – It depends on the number of motorized wheelchairs and the needs of the clients. The facility might not be able to support them.

Nicole – What will the medical staffing be?

Suzanne – There are no State requirements but the ration will be 7:1. There will be a nurse on staff 50% of the time and CNAs when no RN is there. There will always be someone on call.

Nicole – I want to be sure that the staff levels match the expected service.

Karen – Is there an elevator?

Suzanne – Yes.

Stephan – What's the Town's role after construction?

Suzanne – It's a TEAM program and will be administered by TEAM. TEAM will pay a nominal rent to the Town for using the facility.

Annmarie – This project will also be put out to bid?

Don – Yes.

Kurt – We will apply for \$4 million from the State Bond Commission. The whole delegation is on board. Rep. Gentile thought that \$4 million is a lot all at once so the project may have to be executed in phases. We'll be giving up a lot of space in the building but some will be utilized by the Town's programs and the Town will get a lot in the way of upgrades to the Community Center. The Town might not see the full benefit immediately if it's phased in. We can also look at Small Cities grant and leverage the power of the three organizations. I will work with Rich and the legislators.

Annmarie – We need to keep improving the Community Center. We also need to be sure that people are kept clear during asbestos abatement.

Kurt – The Boys & Girls Club's summer program would either be moved or canceled while the abatement is in progress.

Don – Ideally the work would be done next year. We could work around the events schedule.

Karen – Is there a firm estimate for the roof?

Don – The roof was last done in the late 80's and it's still in good shape. The estimate was for \$250,000 but it's worth it to protect the State's investment.

Kurt – This is a relatively small investment from the Town but it has good returns for Seymour and the Valley as a whole.

Annmarie – Could the fire school the Fire Department asked for be incorporated into the shared spaces?

Kurt – as long as they're okay with it not being a dedicated space.

Item #8: Discussion and take possible action regarding Community Center & Seymour Congregational Church parking lot

Kurt – Everyone knows we need additional parking at the Community Center. I spoke with the Congregational Church and met with Bruce Baker. The Town would install a lot on their property that would be used by both.

Don – We will have to go to Wetlands and Zoning since the property is not owned by the Town. We tried to optimize the lot in terms of parking capacity and organization. It will extend from Derby Avenue and Pine Street. Both organizations will have some dedicated spaces. The existing entrance and exit on Pine Street will be utilized exclusively for handicapped spots. There will also be a dedicated spot for the senior bus. The farmer's market will be moved to the gravel area across from the current entrance. We are working with Public Works to see what they can contribute and we'd like to be finished by the end of the year.

Annmarie – This is very well thought out.

Kurt – The Town has \$65,000 for the project.

Don – It should be in that range.

Kurt – Gary Park was done for \$85,000 and this is comparable.

Stephan – I want to be sure there are no issues between the Town and the Church regarding usage.

Kurt – It will be governed by an agreement. The Church is very receptive. We are looking at lighting improvements as well. The existing fence will be removed and replaced by a wooden guardrail and plants. This project will also benefit many organizations. I'll have rich work on an agreement and I'll have don proceed and report back.

Rich – If it's a lease, it will require an 8-24 referral.

Kurt – We hope to break ground in October.

Item #9: Discussion and take possible action regarding veterans' tax exemption

Kurt – As you remember, the last time we discussed a veterans' exemption, we all expressed a desire to do more. The State has once again changed the abatement.

Priscilla Altorelli – In 1989, the State established a \$1,000 exemption that didn't include disabled veterans. In 1994, they increased in to \$2,000. In 2003, it was increased to \$10,000 and the Town phased it in over 5 years. It still didn't include disabled veterans. We're proposing an initial \$15,000 and including disabled veterans. The Board can increase it to the State maximum \$20,000 whenever. The State also changed the income requirements. This will increase the eligible veterans from 119 to over 200.

Nicole – This is very important. We need to do whatever we can to support our veterans.

Stephan – Why don't we go straight to the maximum?

Kurt – We can phase it in. What would provide a bigger impact to the veterans, increasing the exemption or changing the income requirements?

Priscilla, the exemption would. The proposed changes have already added approximately 40 more veterans.

Kurt – This will have to go to the Ordinance Committee. We can work with Priscilla and Rich because this won't take effect until July 2017.

Item #11: To consider and act upon a resolution recommending an appropriation and the authorization of borrowing for costs with respect to the 2017 Town Roadway and Drainage Reconstructions, Replacements and Improvements Program, setting the date for a Special Town Meeting and a referendum to consider and act upon a resolution with respect to such recommendations, and to take actions and make determinations related thereto.

A motion was made to approve the resolutions as presented and waive the reading of the text of the resolution into the minutes, noting that copies were presented to the Selectmen in advance, offered to those present at the meeting and will be attached in their entirety to the minutes.

Motion: Nicole Klarides-Ditria

Second: Annmarie Drugonis

Vote: 6-0

RESOLVED, that the Board of Selectmen recommends that the Town of Seymour appropriate \$4,500,000, and authorize the issue of bonds or notes and temporary notes in the same amount to finance said appropriation, for costs with respect to all or a portion, as to be determined by the Board of Selectmen, of the various Town roadway and drainage reconstructions, replacements and improvements described for the 2017 year in Figure 1 of the report entitled "Town of Seymour Roadway Conditions & Recommendations Report," dated July 18, 2016 and prepared by B&B Engineering, a copy of which report is on file in the office of the Seymour Town Clerk; and for costs related to the financing thereof. To the extent of available funds, the Board of Selectmen may determine to include within the project additional roadway and drainage reconstructions, replacements and improvements substantially as described in the Report. The project may include related improvements and amenities including

but not limited to vertical alignment, drainage work including culvert and catch basin installation and replacement, intersection improvements, installation and improvement of utilities, sidewalks, guardrails, and curbing, and rebuilding retaining walls, and related land or easement acquisition, if any. The appropriation may be spent for design, construction, acquisition and installation costs, related equipment, materials, consultant and engineering fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen shall be authorized to determine the scope and particulars of the project, and to reduce or modify the project, and the entire appropriation may be expended on the project as so reduced or modified.

FURTHER RESOLVED, that the Board of Selectmen hereby requests the Board of Finance to approve and recommend the same to the Town Meeting.

FURTHER RESOLVED, that, if the above recommendations are approved by the Board of Finance, a Special Town Meeting be held on Tuesday, November 1, 2016 at 6:30 p.m. to consider a resolution appropriating funds and authorizing financing to implement said recommendations, the text of which resolution in substantially the form presented to this meeting, a copy of which shall be included in or recorded with the minutes of this meeting, is hereby approved.

FURTHER RESOLVED, That the Board of Selectmen hereby designates said resolution for submission to the voters at referendum in the manner provided by Section 13.2(c) of the Town Charter and Sections 7-7, 9-369 and 9 369d of the General Statutes of Connecticut, Revision of 1958, as amended, which vote shall be held on Tuesday, November 8, 2016, between the hours of 6:00 a.m. and 8:00 p.m., in conjunction with the election to be held on that date, in the manner provided by the Town Charter and the Connecticut General Statutes, Revision of 1958, as amended, including the procedures set out in Section 9 369d(b)(2) of said Statutes, which procedures are hereby adopted in accordance with the provisions of said Section. Due and proper notice of said Town Meeting and said Referendum shall be given in substantially the form presented to this meeting, a copy of which notice shall be included in or recorded with the minutes of this meeting. The Town Clerk shall also incorporate notice of said Referendum into the notice of the election to be held on November 8, 2016. The aforesaid resolution will be placed on the voting machines or paper ballots under the following heading:

"SHALL THE TOWN OF SEYMOUR APPROPRIATE \$4,500,000 FOR THE 2017 TOWN ROADWAY AND DRAINAGE RECONSTRUCTIONS, REPLACEMENTS AND IMPROVEMENTS PROGRAM; AND AUTHORIZE THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION?"

FURTHER RESOLVED, That the Town Clerk is authorized and directed to prepare and to cause to be printed and distributed in accordance with the provisions of Section 9-369b of the General Statutes of Connecticut, Revision of 1958, as amended, an explanatory text with respect to the aforesaid question to be submitted to the voters pursuant to Section 7-7 of said General Statutes; and is further authorized, in her discretion, to prepare and distribute such additional explanatory materials with respect to such question as are permitted in accordance with said Section 9-369b.

Item #12: To consider and act upon a resolution recommending an appropriation and the authorization of borrowing for costs with respect to the 2017 Town and School Facilities Repairs and Renovations Program, setting the date for a Special Town Meeting and a referendum to consider and act upon a resolution with respect to such recommendations, and to take actions and make determinations related thereto.

A motion was made to approve the resolutions as presented and waive the reading of the text of the resolution into the minutes, noting that copies were presented to the Selectmen in advance, offered to those present at the meeting and will be attached in their entirety to the minutes.

Motion: Al Bruno

Second: Nicole Klarides-Ditria

Vote: 6-0

RESOLVED, that the Board of Selectmen recommends that the Town of Seymour appropriate \$1,500,000, and authorize the issue of bonds or notes and temporary notes in the same amount to finance said appropriation, for costs with respect to all or a portion, as to be determined by the Board of Selectmen, of the various Town and school facilities repairs and improvements described in the document entitled "Town of Seymour Priority List of Building Repairs," submitted to the First Selectman by the Seymour Permanent Building Committee on June 6, 2016, a copy of which document is on file in the office of the Seymour Town Clerk; and for costs related to the financing thereof. The appropriation may be spent for costs of planning, engineering, acquisition, construction and installation, consultant fees, legal fees, net temporary interest and other financing costs, and other expenses related to the project or its financing. The Board of Selectmen shall be authorized to determine the scope and particulars of the project, and may reduce or modify the scope of the project; and the entire appropriation may be spent on the reduced or modified project.

FURTHER RESOLVED, that the Board of Selectmen hereby requests the Board of Finance to approve and recommend the same to the Town Meeting.

FURTHER RESOLVED, that, if the above recommendations are approved by the Board of Finance, a Special Town Meeting be held on Tuesday, November 1, 2016 at 6:30 p.m. to consider a resolution appropriating funds and authorizing financing to implement said recommendations, the text of which resolution in substantially the form presented to this meeting, a copy of which shall be included in or recorded with the minutes of this meeting, is hereby approved.

FURTHER RESOLVED, That the Board of Selectmen hereby designates said resolution for submission to the voters at referendum in the manner provided by Section 13.2(c) of the Town Charter and Sections 7-7, 9-369 and 9 369d of the General Statutes of Connecticut, Revision of 1958, as amended, which vote shall be held on Tuesday, November 8, 2016, between the hours of 6:00 a.m. and 8:00 p.m., in conjunction with the election to be held on that date, in the manner provided by the Town Charter and the Connecticut General Statutes, Revision of 1958, as amended, including the procedures set out in Section 9 369d(b)(2) of said Statutes, which procedures are hereby adopted in accordance with the provisions of said Section. Due and proper notice of said Town Meeting and said Referendum shall be given in substantially the form presented to this meeting, a copy of which notice shall be included in or recorded with the minutes of this meeting. The Town Clerk shall also incorporate notice of said Referendum into the notice of the election to be held on November 8, 2016. The aforesaid resolution will be placed on the voting machines or paper ballots under the following heading:

"SHALL THE TOWN OF SEYMOUR APPROPRIATE \$1,500,000 FOR THE 2017 TOWN AND SCHOOL FACILITIES REPAIRS AND IMPROVEMENTS PROGRAM; AND AUTHORIZE THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION?"

FURTHER RESOLVED, That the Town Clerk is authorized and directed to prepare and to cause to be printed and distributed in accordance with the provisions of Section 9-369b of the General Statutes of Connecticut, Revision of 1958, as amended, an explanatory text with respect to the aforesaid question to be submitted to the voters pursuant to Section 7-7 of said General Statutes; and is further authorized, in her discretion, to prepare and distribute such additional explanatory materials with respect to such question as are permitted in accordance with said Section 9-369b.

Item #13: Discussion and take possible action regarding approval of ordinances:

a) Justices of the Peace

A motion to approve the ordinance as presented.

Motion: Nicole Klarides-Ditria **Second:** Annmarie Drugonis

Discussion: Karen – I think 300 is a ridiculous number.

Vote: 6-0

b) Strategic Planning

A motion was made to approve the ordinance as presented.

Motion: Nicole Klarides-Ditria **Second:** Al Bruno

Vote: 6-0

c) Road excavation

A motion was made to approve the ordinance as presented.

Motion: Al Bruno **Second:** Stephan Behuniak

Vote: 6-0

Item #14: Update on LED streetlight conversion project

Rory Burke – Director of Operations Tony Caserta and I met with the two respondents today to get further clarification. Both responded in time to the follow-up questions we submitted. We are going to gather more information and have a recommendation for the Board at the September 6th meeting. The recommendation may not be for the lowest bidder because the project cost will depend on the range of services requested.

Item #15: Executive Session (Personnel – Code Compliance Assistant)

The position was hired by the Building Inspector directly. No action was required.

Item #16: Discussion and take possible reaction regarding hiring of Code Compliance Assistant

The position was hired by the Building Inspector directly. No action was required.

Item #17: Appointments

A motion was made to reappoint Bob Ricciuti to the Zoning Board of Appeals for a 4-year term expiring August 17, 2020.

Motion: Nicole Klarides-Ditria **Second:** Annmarie Drugonis

Vote: 6-0

Item #18: Tax Refunds/Abatements

A motion was made to approve the tax refunds/abatements as presented:

Motion: Nicole Klarides-Ditria **Second:** Annmarie Drugonis

Vote: 6-0

Item #19: Transfers

There were no transfers before the Board.

Item #20: Correspondence

Check Registers

Progress and work report from the Director of Public Works for July 2016

A letter from resident Joseph Luciano regarding signage at Town Hall regarding an accessible entrance, wheel stops at the fish bypass, a policy on public comment and the Town's ADA Coordinator.

A letter from Town Planner Bob Looker regarding the outcome of the 8-24 referral from the Planning & Zoning Committee on the proposed road project:

Mr. Miller:

The Seymour Planning and Zoning Commission hereby submits a favorable report on a section 8-24 referral of the Town Engineer's recommendations of priorities for improvements to certain roads and municipal buildings as described in a report from the First Selectman's Office and reviewed by the Commission at their regular meeting of August 11, 2016.

The Commission elected to submit a favorable report at this same meeting.

Very truly yours,

Robert Looker

Town Planner

Item #21: Public Comment

Michael Flynn – 85 Skokorat Street – Mr. Flynn asks the police to do something about the rampant speeding on Skokorat Street.

Rory Burke – 11 Sagamore Drive – Mr. Burke spoke about an upcoming event for the Strategic Planning Committee. He asks the Selectmen to attend and to personally reach out to leaders in the community to improve attendance. He will provide them with an invite list in the coming weeks.

Item #22: Selectmen's Public Comments

Stephan – None

Karen – Who is responsible for the Rotary at 334 and 188?

Kurt – We are. I will have the Downtown Attendant take care of it.

Karen – I want to compliment the Police Department on speeding enforcement. They have been all over 334. Also, the welcome sign by Fountain Lake is faded.

Kurt – The sign's condition is due to the shoddy work of the company we used on the project. It's a reminder that the lowest bidder isn't always the best. The new signs by Nu-Age Designs are standing up very well. We are talking about replacing the old signs but there is a cost associated.

Nicole – I want to reiterate that we should pursue the maximum possible veterans' exemption. Also, I want to reiterate that the TEAM facility is an excellent opportunity.

Karen – I would like to agree with Fred Stanek that it's a great idea to have Town Hall open on Fridays.

Al – I'm happy with the Town's overall progress, especially on roads.

Annamarie – None

Kurt – I leave September 9th for the International Parliament of mayors in the Hague in the Netherlands. I will return September 13th

Item #23: Adjournment

A motion was made to adjourn:

Motion: Annmarie Drugonis

Second: Karen Stanek

Vote: 6-0

The meeting was adjourned at 8:42 PM.

Submitted by,



Rory Burke

Approved by,



W. Kurt Miller

**RESOLUTIONS OF BOARD OF SELECTMEN
AUGUST 16, 2016 MEETING**

Item 11. 2017 Town Roadway and Drainage Reconstructions, Replacements and Improvements Program

RESOLVED, that the Board of Selectmen recommends that the Town of Seymour appropriate \$4,500,000, and authorize the issue of bonds or notes and temporary notes in the same amount to finance said appropriation, for costs with respect to all or a portion, as to be determined by the Board of Selectmen, of the various Town roadway and drainage reconstructions, replacements and improvements described for the 2017 year in Figure 1 of the report entitled "Town of Seymour Roadway Conditions & Recommendations Report," dated July 18, 2016 and prepared by B&B Engineering, a copy of which report is on file in the office of the Seymour Town Clerk; and for costs related to the financing thereof. To the extent of available funds, the Board of Selectmen may determine to include within the project additional roadway and drainage reconstructions, replacements and improvements substantially as described in the Report. The project may include related improvements and amenities including but not limited to vertical alignment, drainage work including culvert and catch basin installation and replacement, intersection improvements, installation and improvement of utilities, sidewalks, guardrails, and curbing, and rebuilding retaining walls, and related land or easement acquisition, if any. The appropriation may be spent for design, construction, acquisition and installation costs, related equipment, materials, consultant and engineering fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen shall be authorized to determine the scope and particulars of the project, and to reduce or modify the project, and the entire appropriation may be expended on the project as so reduced or modified.

FURTHER RESOLVED, that the Board of Selectmen hereby requests the Board of Finance to approve and recommend the same to the Town Meeting.

FURTHER RESOLVED, that, if the above recommendations are approved by the Board of Finance, a Special Town Meeting be held on Tuesday, November 1, 2016 at 6:30 p.m. to consider a resolution appropriating funds and authorizing financing to implement said recommendations, the text of which resolution in substantially the form presented to this meeting, a copy of which shall be included in or recorded with the minutes of this meeting, is hereby approved.

FURTHER RESOLVED, That the Board of Selectmen hereby designates said resolution for submission to the voters at referendum in the manner provided by Section 13.2(c) of the Town Charter and Sections 7-7, 9-369 and 9-369d of the General Statutes of Connecticut, Revision of 1958, as amended, which vote shall be held on Tuesday, November 8, 2016, between the hours of 6:00 a.m. and 8:00 p.m., in conjunction with the election to be held on that date, in the manner provided by the Town Charter and the Connecticut General Statutes, Revision of 1958, as amended, including the procedures set out in Section 9-369d(b)(2) of said Statutes, which procedures are hereby adopted in accordance with the provisions of said Section. Due and proper notice of said Town Meeting and said Referendum shall be given in substantially the form

presented to this meeting, a copy of which notice shall be included in or recorded with the minutes of this meeting. The Town Clerk shall also incorporate notice of said Referendum into the notice of the election to be held on November 8, 2016. The aforesaid resolution will be placed on the voting machines or paper ballots under the following heading:

“SHALL THE TOWN OF SEYMOUR APPROPRIATE \$4,500,000 FOR THE 2017 TOWN ROADWAY AND DRAINAGE RECONSTRUCTIONS, REPLACEMENTS AND IMPROVEMENTS PROGRAM; AND AUTHORIZE THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION?”

FURTHER RESOLVED, That the Town Clerk is authorized and directed to prepare and to cause to be printed and distributed in accordance with the provisions of Section 9-369b of the General Statutes of Connecticut, Revision of 1958, as amended, an explanatory text with respect to the aforesaid question to be submitted to the voters pursuant to Section 7-7 of said General Statutes; and is further authorized, in her discretion, to prepare and distribute such additional explanatory materials with respect to such question as are permitted in accordance with said Section 9-369b.

Item 12. 2017 Town and School Facilities Repairs and Renovations Program

RESOLVED, that the Board of Selectmen recommends that the Town of Seymour appropriate \$1,500,000, and authorize the issue of bonds or notes and temporary notes in the same amount to finance said appropriation, for costs with respect to all or a portion, as to be determined by the Board of Selectmen, of the various Town and school facilities repairs and improvements described in the document entitled “Town of Seymour Priority List of Building Repairs,” submitted to the First Selectman by the Seymour Permanent Building Committee on June 6, 2016, a copy of which document is on file in the office of the Seymour Town Clerk; and for costs related to the financing thereof. The appropriation may be spent for costs of planning, engineering, acquisition, construction and installation, consultant fees, legal fees, net temporary interest and other financing costs, and other expenses related to the project or its financing. The Board of Selectmen shall be authorized to determine the scope and particulars of the project, and may reduce or modify the scope of the project; and the entire appropriation may be spent on the reduced or modified project.

FURTHER RESOLVED, that the Board of Selectmen hereby requests the Board of Finance to approve and recommend the same to the Town Meeting.

FURTHER RESOLVED, that, if the above recommendations are approved by the Board of Finance, a Special Town Meeting be held on Tuesday, November 1, 2016 at 6:30 p.m. to consider a resolution appropriating funds and authorizing financing to implement said recommendations, the text of which resolution in substantially the form presented to this meeting, a copy of which shall be included in or recorded with the minutes of this meeting, is hereby approved.

FURTHER RESOLVED, That the Board of Selectmen hereby designates said resolution for submission to the voters at referendum in the manner provided by Section 13.2(c) of the Town Charter and Sections 7-7, 9-369 and 9-369d of the General Statutes of Connecticut, Revision of 1958, as amended, which vote shall be held on Tuesday, November 8, 2016, between the hours of 6:00 a.m. and 8:00 p.m., in conjunction with the election to be held on that date, in the manner provided by the Town Charter and the Connecticut General Statutes, Revision of 1958, as amended, including the procedures set out in Section 9-369d(b)(2) of said Statutes, which procedures are hereby adopted in accordance with the provisions of said Section. Due and proper notice of said Town Meeting and said Referendum shall be given in substantially the form presented to this meeting, a copy of which notice shall be included in or recorded with the minutes of this meeting. The Town Clerk shall also incorporate notice of said Referendum into the notice of the election to be held on November 8, 2016. The aforesaid resolution will be placed on the voting machines or paper ballots under the following heading:

“SHALL THE TOWN OF SEYMOUR APPROPRIATE \$1,500,000 FOR THE 2017 TOWN AND SCHOOL FACILITIES REPAIRS AND IMPROVEMENTS PROGRAM; AND AUTHORIZE THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION?”

FURTHER RESOLVED, That the Town Clerk is authorized and directed to prepare and to cause to be printed and distributed in accordance with the provisions of Section 9-369b of the General Statutes of Connecticut, Revision of 1958, as amended, an explanatory text with respect to the aforesaid question to be submitted to the voters pursuant to Section 7-7 of said General Statutes; and is further authorized, in her discretion, to prepare and distribute such additional explanatory materials with respect to such question as are permitted in accordance with said Section 9-369b.

**RESOLUTION OF THE TOWN MEETING OF THE TOWN OF SEYMOUR
APPROPRIATING \$4,500,000 FOR THE 2017 TOWN ROADWAY AND DRAINAGE
RECONSTRUCTIONS, REPLACEMENTS AND IMPROVEMENTS PROGRAM; AND
AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO
FINANCE THE APPROPRIATION**

RESOLVED,

1. That the Town of Seymour appropriate FOUR MILLION FIVE HUNDRED THOUSAND DOLLARS (\$4,500,000) for costs with respect to all or a portion, as to be determined by the Board of Selectmen, of the various Town roadway and drainage reconstructions, replacements and improvements described for the 2017 year in Figure 1 of the report entitled "Town of Seymour Roadway Conditions & Recommendations Report," dated July 18, 2016 and prepared by B&B Engineering, a copy of which report is on file in the office of the Seymour Town Clerk; and for costs related to the financing thereof. To the extent of available funds, the Board of Selectmen may determine to include within the project additional roadway and drainage reconstructions, replacements and improvements substantially as described in the Report. The project may include related improvements and amenities including but not limited to vertical alignment, drainage work including culvert and catch basin installation and replacement, intersection improvements, installation and improvement of utilities, sidewalks, guardrails, and curbing, and rebuilding retaining walls, and related land or easement acquisition, if any. The appropriation may be spent for design, construction, acquisition and installation costs, related equipment, materials, consultant and engineering fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen is authorized to determine the scope and particulars of the project, and to reduce or modify the project, and the entire appropriation may be expended on the project as so reduced or modified.

2. That the Town issue bonds or notes in an amount not to exceed FOUR MILLION FIVE HUNDRED THOUSAND DOLLARS (\$4,500,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

3. That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the notes outstanding at any time shall not exceed FOUR MILLION FIVE HUNDRED THOUSAND DOLLARS (\$4,500,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be general obligations of the Town and shall be secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

4. The Selectmen, or a majority of them, are authorized are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the

bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; to provide for the execution of the bonds or notes by manual or facsimile signatures; and to perform all other acts which are necessary or appropriate to issue the bonds or notes; or to delegate any of such determinations or actions to appropriate officers of the Town. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes.

5. That the Town hereby declares its 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 (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 project. The Selectmen, or a majority of them, 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 or notes 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; or to delegate any of such determinations or actions to appropriate officers of the Town.

6. That the Selectmen, or a majority of them, are authorized to make representations and enter into written agreements for the benefit of any lessor or holders of the bonds or notes 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 or notes or interests therein; or to delegate any of such determinations or actions to appropriate officers of the Town.

7. That the Board of Selectmen, the First Selectman, the Treasurer and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes to finance the aforesaid appropriation.

**RESOLUTION OF THE TOWN MEETING OF THE TOWN OF SEYMOUR
APPROPRIATING \$1,500,000 FOR THE 2017 TOWN AND SCHOOL FACILITIES
REPAIRS AND IMPROVEMENTS PROGRAM; AND AUTHORIZING THE ISSUE OF
BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION**

RESOLVED,

1. That the Town of Seymour appropriate ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) for costs with respect to all or a portion, as to be determined by the Board of Selectmen, of the various Town and school facilities repairs and improvements described in the document entitled "Town of Seymour Priority List of Building

Repairs,” submitted to the First Selectman by the Seymour Permanent Building Committee on June 6, 2016, a copy of which document is on file in the office of the Seymour Town Clerk; and for costs related to the financing thereof. The appropriation may be spent for costs of planning, engineering, acquisition, construction and installation, consultant fees, legal fees, net temporary interest and other financing costs, and other expenses related to the project or its financing. The Board of Selectmen is authorized to determine the scope and particulars of the project, and may reduce or modify the scope of the project; and the entire appropriation may be spent on the reduced or modified project.

2. That the Town issue its bonds or notes in an amount not to exceed ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds, notes or temporary notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

3. That the Town issue and renew its temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of the temporary notes outstanding at any time shall not exceed ONE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$1,500,000). The temporary notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The temporary notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes if the temporary notes do not mature within the time permitted by said Section 7-378.

4. That the Selectmen, or a majority of them, are authorized are authorized to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; to provide for the execution of the bonds or notes by manual or facsimile signatures; and to perform all other acts which are necessary or appropriate to issue the bonds or notes; or to delegate any of such determinations or actions to appropriate officers of the Town. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes.

5. That the Town hereby declares its 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 (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 project. 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, notes or temporary notes 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.

6. That the Selectmen, or a majority of them, are authorized to make representations and enter into written agreements for the benefit of any lessor or holders of the bonds or notes 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 or notes or interests therein; or to delegate any of such determinations or actions to appropriate officers of the Town.

7. That the Board of Selectmen, the First Selectman, the Treasurer and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes to finance the aforesaid appropriation.

TOWN OF SEYMOUR
NOTICE OF SPECIAL TOWN MEETING – NOVEMBER 1, 2016
NOTICE OF REFERENDUM – NOVEMBER 8, 2016

A special town meeting of the electors and citizens qualified to vote in town meetings of the Town of Seymour, Connecticut, will be held on Tuesday, November 1, 2016 at 6:30 p.m. in the Norma Drummer Room at the Seymour Town Hall, 1 First Street, in Seymour, Connecticut, to consider such resolution for the following purposes:

Item 1. To consider a resolution,

(a) to appropriate \$4,500,000 for costs with respect to all or a portion, as to be determined by the Board of Selectmen, of the various Town roadway and drainage reconstructions, replacements and improvements described for the 2017 year in Figure 1 of the report entitled "Town of Seymour Roadway Conditions & Recommendations Report," dated July 18, 2016 and prepared by B&B Engineering, a copy of which report is on file in the office of the Seymour Town Clerk; and for costs related to the financing thereof. To the extent of available funds, the Board of Selectmen may determine to include within the project additional roadway and drainage reconstructions, replacements and improvements substantially as described in the Report. The project may include related improvements and amenities including but not limited to vertical alignment, drainage work including culvert and catch basin installation and replacement, intersection improvements, installation and improvement of utilities, sidewalks, guardrails, and curbing, and rebuilding retaining walls, and related land or easement acquisition, if any. The appropriation may be spent for design, construction, acquisition and installation costs, related equipment, materials, consultant and engineering fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project and its financing. The Board of Selectmen shall be authorized to determine the scope and particulars of the project, and to reduce or modify the project, and the entire appropriation may be expended on the project as so reduced or modified;

(b) to authorize the issue bonds or notes, or temporary notes of the Town each in a principal amount not to exceed \$4,500,000 to finance the appropriation for the project; to authorize the Board of Selectmen, or its designees, to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes; to take such action to allow temporary advances of available funds which the Town reasonably expects will be reimbursed from the proceeds of borrowings; and to authorize the Board of Selectmen, or its designees, 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 or notes authorized by the resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years; and to authorize the Board of Selectmen, or its designees, to make representations and enter into written agreements for the benefit of holders the bonds or notes 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 or notes; and

(c) to authorize the Board of Selectmen, the First Selectman, the Treasurer, and other proper officers and officials of the Town to take all other action which is necessary or desirable to complete the project and to issue bonds or notes to finance the aforesaid appropriation.

Item 2. To consider a resolution,

(a) to appropriate \$1,500,000 for costs with respect to all or a portion, as to be determined by the Board of Selectmen, of the various Town and school facilities repairs and improvements described in the document entitled "Town of Seymour Priority List of Building Repairs," submitted to the First Selectman by the Seymour Permanent Building Committee on June 6, 2016, a copy of which document is on file in the office of the Seymour Town Clerk; and for costs related to the financing thereof. The appropriation may be spent for costs of planning, engineering, acquisition, construction and installation, consultant fees, legal fees, net temporary interest and other financing costs, and other expenses related to the project or its financing. The Board of Selectmen shall be authorized to determine the scope and particulars of the project, and may reduce or modify the scope of the project; and the entire appropriation may be spent on the reduced or modified project;

(b) to authorize the issue bonds or notes, or temporary notes of the Town each in a principal amount not to exceed \$1,500,000 to finance the appropriation for the project; to authorize the Board of Selectmen, or its designees, to determine the amounts, dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes; to take such action to allow temporary advances of available funds which the Town reasonably expects will be reimbursed from the proceeds of borrowings; and to authorize the Board of Selectmen, or its designees, 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 or notes authorized by the resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years; and to authorize the Board of Selectmen, or its designees, to make representations and

enter into written agreements for the benefit of holders the bonds or notes 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 or notes; and

(c) to authorize the Board of Selectmen, the First Selectman, the Treasurer, and other proper officers and officials of the Town to take all other action which is necessary or desirable to complete the project and to issue bonds or notes to finance the aforesaid appropriation.

Item 3. In accordance with Section 13.2(c) of the Town Charter and Section 7-7 of the Connecticut General Statutes, to adjourn said town meeting at its conclusion and to submit the resolutions to be presented under items 1 and 2 of this Notice to vote upon voting machines on Tuesday, November 8, 2016, between the hours of 6:00 a.m. and 8:00 p.m., in conjunction with the election to be held on that date. Application for absentee ballots should be made to the Town Clerk's office. Electors shall vote on the question at the following polling places: Seymour Community Center at 20 Pine Street, Chatfield-LoPresti School at 51 Skokorat Street, and Seymour Middle School at 211 Mountain Road, in Seymour, Connecticut. Persons qualified to vote in town meetings who are not electors shall vote on the questions at the following polling places: Seymour Town Hall at 1 First Street in Seymour, Connecticut.

The aforesaid resolutions will be placed on the ballots under the following headings, respectively:

“SHALL THE TOWN OF SEYMOUR APPROPRIATE \$4,500,000 FOR THE 2017 TOWN ROADWAY AND DRAINAGE RECONSTRUCTIONS, REPLACEMENTS AND IMPROVEMENTS PROGRAM; AND AUTHORIZE THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION?”

“SHALL THE TOWN OF SEYMOUR APPROPRIATE \$1,500,000 FOR THE 2017 TOWN AND SCHOOL FACILITIES REPAIRS AND IMPROVEMENTS PROGRAM; AND AUTHORIZE THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE THE APPROPRIATION?”

Voters approving a resolution will vote “Yes” and those opposing said resolution will vote “No.” Absentee ballots will be available from the Town Clerk's office.

THE COMPLETE TEXT OF THE RESOLUTIONS TO BE PRESENTED UNDER ITEMS 1 AND 2 OF THIS NOTICE ARE ON FILE AND AVAILABLE AT THE OFFICE OF THE TOWN CLERK FOR PUBLIC INSPECTION DURING REGULAR BUSINESS HOURS.

Dated at Seymour, Connecticut, this 16th day of August, 2016.

W. Kurt Miller, First Selectman

Nicole Klarides-Ditria, Selectman

Annmarie A. Drugonis, Selectman

Stephen Behuniak, Selectman

Len Greene, Jr., Selectman

Karen A. Stanek, Selectman

Al Bruno, Selectman

Susan DeBarber, Town Clerk

August 12, 2016

To: **Rory Burke**, Adm. Asst., Town of Seymour; First Selectman **Kurt Miller**
RBurke@SeymourCT.org, kmiller@seymourct.org

Cc: ADA coordinator Deidre Caruso dcaruso@seymourct.org
(my Public Comments are ADA/disability rights matters)

From: Joseph A. Luciano *Disability Rights Action Group of Connecticut*
DRAGconnecticut@yahoo.com 33 DeForest street, Seymour CT 06483 203/463-8323

SUBJECT: my **PUBLIC COMMENT** for **ENTRY into Minutes** of the next meeting of the Seymour
BOARD OF SELECTMEN scheduled for **August 16th, 2016**

TO THE ATTENTION of Mr. Miller; Mr. Burke, the Board of Selectmen:

The following text is my Public Comment for the BOS meeting scheduled for **August 16th, 2016**. This document is transmitted via email and USPS Class 1 snailmail. Existing infrastructure (absent crosswalks, absent curbcuts, impassable sidewalks) prevent me from traveling safely via wheelchair to and from board meetings at their scheduled time. I am an elder citizen with disabilities of Seymour.

After reading minutes of previous BOS meetings to which I provided Public Comment, I have deduced that the Town of Seymour has an unwritten policy regarding Public Comment which the BOS receives via email and/or snailmail. Such Public Comment, previously acknowledged in minutes only as "correspondence received" continues to be acknowledged and identified as "correspondence" but is now attached to or embedded with minutes online. With appreciation I note that the BOS Minutes of the July 5th BOS meeting embedded my entire public comment for the July 5th meeting as "correspondence." Such action may be the town's unwritten (and thus unofficial) policy regarding public comment provided by citizens who cannot attend a meeting in person yet send their public comments via email and/or snailmail. Ironically, a benefit is that my Public Comment is entered verbatim.

PUBLIC COMMENT of Joseph A. Luciano
for the BOS meeting of August 16th, 2016

1 – SIGNAGE absent at Town Hall main public entrance;

2 – WHEEL STOPS needed at Fishway parking;

3 - Publicize POLICY ON PUBLIC COMMENT provided by citizens with disabilities; and

4 - Publicize identity, functions, and activities of Seymour's ADA COORDINATOR.

Issue 1 — SIGNAGE Absent at Seymour's Town Hall public entrance is **signage** giving directions to the accessible entrance. (The handicapped entrance—which the town graciously provided with an electrically operated door opener— cannot be seen from the single handicapped parking space on First Street. That space, by the way lacks a marked Access Aisle.

28 C.F.R. §§ 35.149, 35.150, 35.151, 35.163. Title II requires city governments to ensure that all of their programs, services, and activities, when viewed in their entirety, are accessible to people with disabilities. Program access is intended to remove physical barriers to city services, programs, and activities, but it generally does not require that a city government make each facility, or each part of a facility, accessible. For example, each restroom in a facility need not be made accessible. However, **signage** directing people with disabilities to the accessible features and spaces in a facility shall be provided. . . . In addition, all newly constructed city facilities must be fully accessible to people with disabilities.

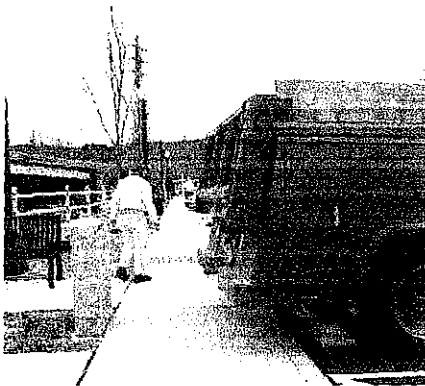
§35.163 Information and signage. (a) A public entity shall ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of accessible services, activities, and facilities. (b) A public entity **shall provide signage** at all inaccessible entrances to each of its facilities, directing users to an accessible entrance or to a location at which they can obtain information about accessible facilities. The international symbol for accessibility shall be used at each accessible entrance of a facility.

PART 35 -- NONDISCRIMINATION ON THE BASIS OF DISABILITY IN STATE AND LOCAL GOVERNMENT SERVICES. 28 C.F.R. Part 35 is enforced by the U.S. Department of Justice.

Issue 2 — WHEEL STOPS are absent at the Fishway parking lot—which results in vehicles obstructing the sidewalk. Despite multiple notices (and photos) to Seymour PD and Town Hall, users of the Fishway parking lot continue to park vehicles obstructing sidewalk leading to the accessible walkway that state architects designed to provide access for persons with disabilities to the waterfall lookout and the walkway adjoining the channel.

See <https://www.facebook.com/photo.php?fbid=1265902260121350&set=pcb.1828148884085224&type=3&theater>

On behalf of visitors with disabilities and town residents with disabilities, I ask that wheelstops be provided wherever parking spaces are abutting or meeting the sidewalk at the Fishway. The town should also consider posting signage prohibiting vehicles backed into spaces. (Require front-in only.)



Issue 3 — POLICY ON PUBLIC COMMENT (provided by persons unable to personally appear to speak them.) Please publish complete information on the Town of Seymour's Website regarding policy on how the town accommodates and responds to persons with disabilities desiring to provide their Public Comment at town board meetings but *who are unable to appear in person* by reason of disability or illness, safety relative to transport or travel, and/or infrastructure conditions relative to accessibility.

Minutes that acknowledge Public Comment of citizens with disabilities sent via email or snailmail with the statement, "Correspondence was received from (name of citizen)," are not equivalent to Public Comment given by persons who spoke their comments in person. Excluding details of Public Comment provided by citizens with disabilities is discriminatory.

Issue 4 — TOWN ADA COORDINATOR. My understanding is that the Manager of Operations & Grants (Ms. Deirdre Caruso) is the town's **ADA Coordinator**. But I find no posting of that information on the town Website or on the "Operations Department" page. Again I ask that the town Website publish information about the identity of and contact information for Seymour's designated ADA Coordinator. (ADA 1990 requires that the name and contact information of the designated ADA coordinator be publicly advertised.) Such information should include but are not limited to:

1. the ADA coordinator's responsibilities,
2. actions taken on specific issues,
3. the ADA coordinator's self-evaluation of the programmatic barriers in services offered by Seymour;
4. complaint or grievance procedure to respond to complaints of noncompliance from the public;
5. the town's transition plan for accessibility; and
6. where this information is located and its format to facilitate review by interested citizens.

Thank you for opportunity to provide Public Comment.

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Joseph A. Luciano

*Independent Advocate for Elderly, Persons with Disabilities, Universal Design,
& Livable Communities through Full ADA compliance & Enforcement*

FOUNDER: Disability Rights Action Group of Connecticut DRAGconnecticut@yahoo.com

<http://www.nhregister.com/opinion/20140928/editorial-still-a-tough-road-for-americans-with-disabilities>

<http://www.rep-am.com/news/local/931134.txt>