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TOWN CLERK'S OFFICE

**MINUTES**  
**Board of Selectmen**  
**Tuesday, November 1, 2016 – 7:00PM**  
**Norma Drummer Room – Seymour Town Hall**

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

**Members Absent:** Len Greene.

**Others Present:** Town Counsel, Brian LeClerc; Richard Demko and Rory Burke.

**ITEM #1: Call meeting to order.**

Meeting was called to order by First Selectman, W. Kurt Miller, at 7:00 PM.

**ITEM #2: Pledge of Allegiance.**

Everyone saluted the flag and recited the Pledge of Allegiance.

**ITEM #3: Public Comment.**

None.

**ITEM #4: Approve minutes from October 18, 2016 regular meeting.**

Motion to approve minutes from October 18, 2016 regular meeting.

Motion: Nicole Klarides-Ditria

Second: Karen Stanek

Vote: 6-Yes                      0-No

0-Abstain

W. Kurt Miller – Yes

Karen Stanek – Yes

Al Bruno – Yes

Nicole Klarides-Ditria – Yes

Annmarie Drugonis – Yes

Stephan Behuniak – Yes

**ITEM #5: First Selectman's Report.**

- Kurt reminded everyone that the Strategic Planning Committee will be presenting their semiannual review tomorrow, November 2, 2016 at 7:00 PM in the Norma Drummer Room.

**ITEM #6: Determining lack of quorum at Town Meeting not due to inclement weather.**

Kurt read the following resolution:

WHEREAS, the Moderator of the Special Town Meeting held on November 1, 2016 at 6:30 p.m. determined that a quorum of 50 persons was not present and therefore adjourned the Special Town Meeting; and

WHEREAS, the Town Charter permits the Board of Selectmen to meet thereafter and transact the business of said Special Town Meeting if the lack of quorum was not due to inclement weather;

NOW, THEREFORE, RESOLVED, that the Board of Selectmen pursuant to Section 13.1(f) of the Town Charter hereby determines that the failure of the Special Town Meeting held on November 1, 2016 at 6:30 p.m. to obtain quorum was not due to inclement weather.

Motion to accept the resolution as presented.

Motion: Al Bruno

Second: Karen Stanek

Vote: 6-Yes                      0-No

0-Abstain

W. Kurt Miller – Yes

Karen Stanek – Yes

Al Bruno – Yes

Nicole Klarides-Ditria – Yes

Annmarie Drugonis – Yes

Stephan Behuniak – Yes

**ITEM #7: In the event that the Special Town Meeting to be held on November 1, 2016 fails to have a quorum, to introduce a resolution approving an appropriation and the authorization of borrowing for costs with respect to the 2017 Town Roadway and Drainage Reconstructions, Replacements and Improvements Program, as further described in item 1 of the notice of said Special Town Meeting, which resolutions, following the close of discussion thereon, will be submitted to the voters of the Town at referendum to be held on Tuesday, November 8, 2016 in conjunction with the election to be held on that date.**

Kurt read the following resolution:

RESOLVED, that the Board of Selectmen, pursuant to Section 13.1(f) of the Town Charter, authorized to transact the business of the Special Town Meeting called on November 1, 2016 as said Special Town Meeting failed to obtain a quorum and such failure has been determined by the Board not to be due to inclement weather, on motion duly made and seconded hereby introduces the following resolution, which resolution, following the close of discussion thereon, will be submitted to the voters of the Town at referendum to be held on Tuesday, November 8, 2016 in conjunction with the election to be held on that date:

**RESOLUTION OF THE BOARD OF SELECTMEN OF THE TOWN OF SEYMOUR ACTING IN LIEU 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.

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

Karen Stanek – Yes

Al Bruno – Yes

Nicole Klarides-Ditria – Yes

Annmarie Drugonis – Yes

Stephan Behuniak – Yes

**ITEM #8: In the event that the Special Town Meeting to be held on November 1, 2016 fails to have a quorum, to introduce a resolution approving an appropriation and the authorization of borrowing for costs with respect to the 2017 Town and School Facilities Repairs and Renovations Program, as further described in item 2 of the notice of said Special Town Meeting, which resolutions, following the close of discussion thereon, will be submitted to the voters of the Town at referendum to be held on Tuesday, November 8, 2016 in conjunction with the election to be held on that date.**

Kurt read the following resolution:

RESOLVED, that the Board of Selectmen, pursuant to Section 13.1(f) of the Town Charter, authorized to transact the business of the Special Town Meeting called on November 1, 2016 as said Special Town Meeting failed to obtain a quorum and such failure has been determined by the Board not to be due to inclement weather, on motion duly made and seconded hereby introduces the following resolution, which resolution, following the close

of discussion thereon, will be submitted to the voters of the Town at referendum to be held on Tuesday, November 8, 2016 in conjunction with the election to be held on that date:

**RESOLUTION OF THE BOARD OF SELECTMEN OF THE TOWN OF SEYMOUR ACTING IN LIEU 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 shall 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



- Letter from Joseph A Luciano for his public comment. He expressed appreciation for the sidewalks getting redone downtown and discussed issues with the handicap curb cuts which is being addressed with the paving that is being worked on.
- Legal opinion from Town Counsel to the Town Clerk regarding explanatory text.
- Letter to the Selectmen from Seymour Oxford Food Bank thanking them for the hospitality at Community Center.

**ITEM #15: Public Comment.**

None.

**ITEM #16: Selectmen's Public Comment.**

Karen Stanek complimented on the changes being done downtown. She thinks it looks great. Kurt stated A & J are doing the paving and J & Pic are doing the sidewalks.

Nicole Klarides-Ditria stated she was able to attend the Halloween Parade downtown and it was a great event. She stated she also attended the Trunk-or-Treat at the Seymour Middle School. The event was well attended. She was fortunate enough to judge the competition along with Ernie DeStasi, Assitant Principal of the middle school, and Representative Theresa Conroy. Seymour Ambulance won the contest.

Kurt stated the event rose close to \$4,000.00.

Al Bruno urged folks to get out and vote

Annamarie Drugonis complimented the Strategic Planning Committee's presentation from last week.

Kurt stated the Strategic Planning Committee will be presenting their semiannual report tomorrow night at 7:00 PM in the Norma Drummer Room.

**ITEM #17: Adjournment.**

Motion to adjourn at 7:15 PM.

Motion: Annmarie Drugonis

Vote: 6-Yes                      0-No

W. Kurt Miller – Yes  
Nicole Klarides-Ditria – Yes

Second: Nicole Klarides-Ditria

0-Abstain

Karen Stanek – Yes                      Al Bruno – Yes  
Annamarie Drugonis – Yes                      Stephan Behuniak – Yes

Submitted by,



Lianna McMurray  
Recording Secretary

Reviewed by,



W. Kurt Miller  
First Selectman

Monday, October 24, 2016

**To:** ▶ **Board of Selectman**, Town of Seymour CT  
▶ First Selectman **Kurt Miller**  
▶ **Rory Burke**, Administrative Assistant

**Cc:** ▶ Bonnie Wilkes et al., Advisory Committee for Livable Communities, Town of Seymour CT  
▶ Deirdre Caruso, ADA coordinator

**From:** Joseph A. Luciano *Disability Rights Action Group of Connecticut*  
[DRAGconnecticut@yahoo.com](mailto:DRAGconnecticut@yahoo.com) 33 DeForest street, Seymour CT 06483-2894 203/463-8323

**SUBJECT:** my Public Comment and Correspondence for the next BOS meeting

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Dear Board of Selectmen:

The following text represents my Public Comment and Correspondence for the next BOS meeting. This document is transmitted via email and USPS Class 1 snailmail as I may not be able to appear in person.

On behalf of persons of all abilities and ages, I express appreciation and thanks for sidewalk improvements in progress in our downtown historic district.

As photos show, recent sidewalk improvements (upgrades to meet ADA 1990 mandates) now provide safe access routes on Wakeley and DeForest Street sidewalks. This is the infrastructure a Livable Community should and must have. Visitors and residents of all abilities now have ADA-compliant access routes from downtown to the Fishway Park, Fishway parking, and Fallview Apts.

Please be mindful that some brand-new curbcuts do not meet ADA specifications as they are obstructed by a "vertical rise or drop" (step requiring a ramp, curbcut or elevator). Transitions from one traveled surface to another must be tapered smoothly, without discontinuity.

And, as photos show, signs have been erected (or are absent) presenting danger or injury to persons with disabilities including those with blindness. Issue: their height, measured from their bottom edge to pavement.

Finally, downtown businesses and their employees are desperately in need of education on compliance with ADA access law. Their education is way overdue. The appropriate Town Hall department or person should assume leadership to hold in-service educational workshops and distribute free USDOJ/ADA publications. Examples are at <https://www.ada.gov/smtown.pdf> and [https://www.ada.gov/rees2010/titleII\\_2010/title\\_ii\\_primer.html](https://www.ada.gov/rees2010/titleII_2010/title_ii_primer.html)

Thank you for opportunity to express my opinion and for accepting it as a matter of public record.

Authorities cited:

- "Chapter R4: Supplementary Technical Requirements," United States Access Board, R402.2 Protrusion Limits. <https://www.access-board.gov/guidelines-and-standards/streets-sidewalks/public-rights-of-way/proposed-rights-of-way-guidelines/chapter-r4-supplementary-technical-requirements>  
a) ADA Standards §§ 4.1.3(2), 4.4.2; 42 U.S.C. §§ 12101 et seq.

Joe Luciano

