

MINUTES
Board of Selectmen
Tuesday, September 5, 2017 – 7:00PM
Norma Drummer Room – Seymour Town Hall

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

Others Present: Richard Buturla, Town Counsel and Brian Nesteriak, Town Engineer; Michael Flynn and John Costello.

ITEM #1: Call meeting to order.

Meeting was called to order by First Selectman, W. Kurt Miller, at 7:01 PM.

ITEM #2: Pledge of Allegiance.

Everyone saluted the flag and recited the Pledge of Allegiance.

ITEM #3: Public Comment.

John Costello, 8 Swan Ave, has a business at 252 Bank Street. He stated that at the last Board of Selectmen meeting he discussed an issue regarding a lack of communication on the expectation for the flooring project. He stated he was promised a meeting with Mr. Miller. He brought this issue to the Police Station and nothing has been done. John stated the town owes him \$5,960.00. He has submitted 3 bills and has still not been paid. He isn't happy with how this situation was handled and feels disrespected.

Kurt explained that the selectmen cannot comment during public comment.

Motion to recess the meeting at 7:05 P.M.

Motion: Stephan Behuniak

Second: Nicole Klarides-Ditria

Vote: 7-Yes 0-No

0-Abstain

W. Kurt Miller – Yes
Annmarie Drugonis – Yes
Stephan Behuniak – Yes

Nicole Klarides-Ditria – Yes
Karen Stanek – Yes

Al Bruno – Yes
Len Greene, Jr. – Yes

Motion to come out of recess at 7:07 P.M.

Motion: Nicole Klarides-Ditria

Second: Stephan Behuniak

Vote: 7-Yes 0-No

0-Abstain

W. Kurt Miller – Yes
Annmarie Drugonis – Yes
Stephan Behuniak – Yes

Nicole Klarides-Ditria – Yes
Karen Stanek – Yes

Al Bruno – Yes
Len Greene, Jr. – Yes

Karen made a motion for the Selectmen's consideration to add this matter based on a desire to gain further evidence to rectify the situation where money is owed to a taxpayer.

Motion: Karen Stanek

Second: Len Greene, Jr.

Town Counsel, Richard Buturla, stated as a matter of pending litigation, the Town completely and vehemently denies the allegations and comments made by Mr. Costello. We intend to handle this matter in a vigorous fashion. It is not appropriate to comment during public session beyond that.

Perhaps at an appropriate time in the future when necessary, this can be discussed during executive session.

Len Greene, Jr. withdrew his Second motion.
The Motion did not move forward.

Kurt stated it will be discussed in executive session during the October 3rd meeting.

ITEM #4: Approve minutes from August 15, 2017 regular meeting.

Motion to approve minutes from August 15, 2017 regular meeting.

Motion: Len Greene, Jr.

Second: Annmarie Drugonis

Vote: 6-Yes

0-No

1-Abstain

W. Kurt Miller – Yes

Nicole Klarides-Ditria – Yes

Al Bruno – Abstain

Annmarie Drugonis – Yes

Karen Stanek – Yes

Len Greene, Jr. – Yes

Stephan Behuniak – Yes

ITEM #5: First Selectman's Report.

- Charter Revision Commission had their initial meeting and started to formulate plans for how they would move forward. They have roughly one year to complete their task. They were given some general instructions by myself and Rich to use as a guide. Either Rich or Bryan LeClerc will be at each meeting they have. We will discuss later in this meeting how the board would like to proceed with making recommendations to the commission on things we might like to see.
- State budget issues are now entering their 3rd month. As of tonight, I have no new information to share regarding any type of movement. The Legislature is scheduled to come back into session on Sept. 14th, but that does not mean a budget will be voted on. The Governor's budget is showing a cut of \$8 million to Seymour or roughly 80% of our state aide. The Democratic house budget that came out recently initially showed a cut of \$366k but that has changed due to pressure from multiple sources. The number has now risen. At this point, we are preparing for the worst and hoping for the best. I have met with our financial team to review options and we feel that we have a plan in place that will address any major cuts to the budget with some impact to the residents. What that impact will be will be determined by the size of the cuts. The town had planned to do a bond refunding this year prior to this budget crisis, and this plan will not change. I will provide you updates in the coming weeks as I have them.

ITEM #6: Discussion with Town Engineer regarding road program.

Brian Nesteriak discussed the updated/modified spread sheet of the road program. Every road except two have been completed other than striping. Most have been billed out and will be paved within the next month.

He discussed the columns as follows: the middle column is what was originally budgeted for the roads. The next column is an adjusted amount based on what the bids came back as and most are much less than what they originally budgeted. The column on the right is what it actually cost. Some were higher and some went lower. He stated they are right on budget. One of the two roads that haven't been done is Kulas Terrace because it is right off Rimmon and it is ripped up. The town might not have to do Kulas Terrace because the state is cutting into half of the road. They will reassess next year. The other road that hasn't been done is part of Mountain Road near the Middle School; near the intersection of Botsford Road.

Brian stated that there is work scheduled for the end of the month. He has been adjusting the priorities based on the complaints that have been made in the past year. They were hoping to do more work this year with A&J but they couldn't commit. They will focus on a few of the items on the second tier of 2017 roads. Right now the targets are Bungay Road - below Bungay School (two years from being done with LOTCIP grant); Mountain Road just up from Starbucks, around the big turn (one year from

being done with LOTCIP grant); and they will be doing Davis Road. Whatever money is left over, they will be doing Bungay Road from the intersection by the High School down by Derby Avenue.

Next year, they will target the remaining of the roads which include the downtown area, Old Ansonia Road, Rider Avenue, Fox Drive, Chucta Road and West Street.

Kurt stated that Holbrook Road is in third party review. Their hope is that engineering will be going out to bid and work will hopefully start in the spring. Once that project is up and running, they will be able to put Mountain Road in the queue for funding.

Rimmon Street is a two year project and the last update Kurt received was that they are hoping to complete the bottom of Old Drive and completely asphalt that. In spring time, they will be starting to do the sidewalks. The engineers are on top of the project and provide updates frequently.

Al asked why some bids come in above or below what is estimated.

Brian stated that there are many different factors. He gave the following examples: Curry Hill Road was originally supposed to be a full reclamation but they made the determination that they can get away with shimming to smooth it out and put two inch overlay on top. It made more sense and they will still be able to get 10-15 years out of it. Emma Street came in \$75,000 more. They hit two catch basins that were very old. They had a lot of extra work on Emma Street. They also had to put in two new catch basins on Roberts Street. They were forced to design around the elevation of the curbs.

Kurt feels that the road program process has gone substantially smoother than in the past. Brian or someone from his team has reached out to residents that have called in.

ITEM #7: Discussion regarding Town Charter changes and recommendations from the board.

Kurt handed out a copy of the Town Charter in Word format. This was given to all the members of the Charter Revision Commission. The Board of Selectmen did not give the Charter Revision Commission any charge. They didn't give them specific sections to look at. If the board would like to make specific recommendations, they can do so. Charter Revision commission does not have to take up our actions they simply need to report on them. Kurt asked everyone to go through the Charter so they can have a discussion at their meeting in October to narrow things down.

There will be a Town Hearing on September 27th at 7:00 PM at a place to be determined so that residents can comment. After that meeting they will start their specific work.

ITEM #8: Appointments.

Motion to reappoint Mike Marganski as an Inland Wetlands Enforcement Officer for a term of two (2) years expiring on September 15, 2019.

Motion: Len Greene, Jr.

Second: Al Bruno

Vote: 7-Yes 0-No

0-Abstain

W. Kurt Miller – Yes

Nicole Klarides-Ditria – Yes

Al Bruno – Yes

Annmarie Drugonis – Yes

Karen Stanek – Yes

Len Greene, Jr. – Yes

Stephan Behuniak – Yes

Motion to reappoint Bill Paecht as an Inland Wetlands Enforcement Officer for a term of two (2) years expiring on September 15, 2019

Motion: Len Greene, Jr.

Second: Al Bruno

Vote: 7-Yes 0-No

0-Abstain

W. Kurt Miller – Yes

Nicole Klarides-Ditria – Yes

Al Bruno – Yes

Annmarie Drugonis – Yes

Karen Stanek – Yes

Len Greene, Jr. – Yes

Stephan Behuniak – Yes

Motion to appoint Rich Demko to the Board of Public Works for a term of two (2) years expiring on September 5, 2019.

Motion: Len Greene, Jr.

Vote: 7-Yes 0-No

W. Kurt Miller – Yes
Annmarie Drugonis – Yes
Stephan Behuniak – Yes

Second: Nicole Klarides-Ditria

0-Abstain

Nicole Klarides-Ditria – Yes Al Bruno – Yes
Karen Stanek – Yes Len Greene, Jr. – Yes

Motion to appoint Bill Stowe to the Board of Public Works for a term of two (2) years expiring on September 5, 2019

Motion: Len Greene, Jr.

Vote: 7-Yes 0-No

W. Kurt Miller – Yes
Annmarie Drugonis – Yes
Stephan Behuniak – Yes

Second: Annmarie Drugonis

0-Abstain

Nicole Klarides-Ditria – Yes Al Bruno – Yes
Karen Stanek – Yes Len Greene, Jr. – Yes

Motion to appoint Bill Sawicki to the Building Committee for a term of two (2) years expiring on September 5, 2019.

Motion: Len Greene, Jr.

Vote: 7-Yes 0-No

W. Kurt Miller – Yes
Annmarie Drugonis – Yes
Stephan Behuniak – Yes

Second: Karen Stanek

0-Abstain

Nicole Klarides-Ditria – Yes Al Bruno – Yes
Karen Stanek – Yes Len Greene, Jr. – Yes

Motion to appoint Pat Lombardi to the Building Committee for a term of two (2) years expiring on September 5, 2019

Motion: Len Greene, Jr.

Vote: 7-Yes 0-No

W. Kurt Miller – Yes
Annmarie Drugonis – Yes
Stephan Behuniak – Yes

Second: Nicole Klarides-Ditria

0-Abstain

Nicole Klarides-Ditria – Yes Al Bruno – Yes
Karen Stanek – Yes Len Greene, Jr. – Yes

ITEM #9: Tax Refunds/Abatements.

Motion to accept the Tax Collectors report as presented.

Motion: Karen Stanek

Vote: 7-Yes 0-No

W. Kurt Miller – Yes
Annmarie Drugonis – Yes
Stephan Behuniak – Yes

Second: Nicole Klarides-Ditria

0-Abstain

Nicole Klarides-Ditria – Yes Al Bruno – Yes
Karen Stanek – Yes Len Greene, Jr. – Yes

ITEM #10: Transfers.

None.

ITEM #11: Correspondence.

- Check Registry.
- Letter from Region 2: Regional Mental Health Board thanking the Town for their annual donation of \$857.00
- Letter from Priscilla Altorelli regarding her retirement on June 29, 2018. She wants to make sure we have plenty of time to find her replacement. Kurt stated he will be working on that in the next coming months.
- Letter of resignation from John Conroy stepping down from the Permanent Building Committee.
- Legal opinion from Richard Buturla requested by Rory regarding Seymour Street Excavating Ordinance.

ITEM #12: Public Commetn:

Mike Flynn, 85 Skokorat Street, asked to add burning chimeneas as a topic for the ordinance committee as they are hazards.

ITEM #13: Selectmen’s Public Comments.

Len Greene, Jr. inquired about an update from the Lake Housatonic Authority. Kurt stated that Rory had gotten information but is not here to answer questions.

Len asked if it is appropriate for members of the board to make a point of order with regard to a contentious situation that may arise during public comment. He asked what can be done.

Town Counsel, Richard Buturla, stated that it is a grey area. He stated one tries to preserve order, decorum and civility at all times. The First Selectman does a good job doing that. Occasionally, there will be a member of the public who crosses all of those lines and sometimes beyond that. If something outrageous should transpire, law enforcement would have to get involved. He stated the First Selectman did a fine job tonight trying to get a speaker to adhere to the time limit. Sometimes it is appropriate to interrupt. As a practical matter, you are elected officials and there is a public comment period but there are limits on time. The First Selectman did a fine job in pointing out that a particular speaker was going over the time limit. He has consistently advised his public sector clients to refrain from comment when a matter is pending as a matter of good practice and policy. I appreciate the restraint the First Selectman showed tonight in adhering to that policy.

Al Bruno inquired about updates from department heads for future meetings.

Kurt stated they plan to have a department head at every meeting. Rory is creating a schedule. If there is a specific board or commission you want to see, let him know. He stated he will probably have Tony DePrimo come to a meeting to discuss upcoming seasons at Public Works.

Annamarie Drugonis stated that August 27th Fanfare was held at Seymour High School. It was a wonderful outcome. She stated there was standing room only. She stated there were so many bands involved from inside and outside Connecticut. She thinks that it would be wonderful for Seymour to host again next year.

Kurt stated that Fanfare is usually held at Kennedy Stadium in Bridgeport but the building is getting work done. The Hurricanes reached out to the school system to help with parking. He stated that next year hopefully will be that much better. Next year the Hurricanes will practice at different areas each week.

Kurt will not be at the next meeting in two weeks. He will be at the GFOA conference. Len will be handling the meeting.

ITEM #14: Adjournment.

Motion to adjourn at 7:44 P.M.

Motion: Annmarie Drugonis

Vote: 7-Yes 0-No

W. Kurt Miller – Yes
Annamarie Drugonis – Yes
Stephan Behuniak – Yes

Second: Karen Stanek

0-Abstain

Nicole Klarides-Ditria – Yes
Karen Stanek – Yes

Al Bruno – Yes
Len Greene, Jr. – Yes

Submitted by,



Lianna McMurray
Recording Secretary

Reviewed by



W. Kurt Miller
First Selectman