

**MINUTES**  
**Board of Selectmen**  
**Tuesday, January 16, 2018 – 7:00PM**  
**Norma Drummer Room – Seymour Town Hall**

**Members Present:** W. Kurt Miller, Al Bruno, Stephan Behuniak, Len Greene, Jr., Annmarie Drugonis, Karen Stanek and Trisha Danka.

**Others Present:** Town Counsel, Brian LeClerc; John Costello, Jim Baldwin, Bill Paecht, Bob Koskelowski, Sr., Bryan Nesteriak and Alex Danka.

**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 Avenue, discussed his issue with the lack of communication for the work he completed at Town Hall. He feels like he was treated disrespectfully and dishonestly. He was not able to have a meeting to discuss his issues and he has yet to be paid. He has contacted legal counsel.

Motion to recess the meeting at 7:06 P.M.

Motion: Annmarie Drugonis	Second: Al Bruno	
Vote: 7-Yes	0-No	0-Abstain
W. Kurt Miller – Yes	Al Bruno – Yes	Annmarie Drugonis – Yes
Trisha Danka – Yes	Len Greene, Jr. – Yes	Karen Stanek – Yes
Stephan Behuniak – Yes		

The board came out of recess at 7:12 P.M.

**ITEM #4: Approve minutes from December 20, 2017 regular meeting.**

Motion to approve minutes from December 20, 2017 regular meeting.

Motion: Annmarie Drugonis	Second: Al Bruno	
Vote: 7-Yes	0-No	0-Abstain
W. Kurt Miller – Yes	Al Bruno – Yes	Annmarie Drugonis – Yes
Trisha Danka – Yes	Len Greene, Jr. – Yes	Karen Stanek – Yes
Stephan Behuniak – Yes		

Trisha pointed out a typographical error: Item #123 should read Item #12.

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

- Kurt read the following email from Rick Belden regarding the oil tank situation at Bungay:  
Just an update about the oil tank situation at Bungay School. Joe called me just now and he has a company coming in to take a look at the tank and the vent piping to see the options available to us. The area near the vent pipe was cleaned up by an outside company and the classroom has been reopened. We may need to do some minor additional remediation when the ground warms up. We can dig but we will combine this with any tank vent repairs or remediation. If Joe finds anything as a result of the company he will let us know.  
-Rick Belden

- The Fiscal Year 2019 budget process is ongoing. I have met with Department Heads in preparation of them presenting their budgets by the end of the month. My budget is just about complete. I am expecting my budget to keep the mil rate at 36 mils for the third year in a row.
- The Fiscal Year 2018 budget is still in flux. Currently we have about a \$287,000 hole in our budget. We are keeping a spending freeze kept in place and only targeted positions will be filled until we receive notification from Hartford. The Budget deficit is now in \$270,000,000 range.
- Trash and recycling pickup for tomorrow has been suspended due to the weather.

**ITEM #6: Discussion and take possible action regarding Code Compliance Department restructuring.**

With the assistance of Bryan Nesteriak, Jim Baldwin the Seymour Building Inspector created an outline of a structure of land development and Building Code Enforcement under one umbrella. Under the new structure they are looking to adequately control the process for land development in all classified zoned areas in Seymour. They are looking to coordinate all of the areas of the Connecticut State Building Code and the land use enforcement actions and compliance for all projects that are ongoing including enforcement of the Ordinances.

The goal would be to affectively administer the application and the enforcement proceedings. The department would be able to develop and provide all information to the applicable land use boards on every project for that board or commission to make their determination in a timely fashion. They would follow all projects to keep the enforcement in place. They would coincide with the Economic Development Director.

Staffing would be as follows: Director of Land Use & Building Code Enforcement (Full Time position), Administrative Assistant for that department (Full Time), looking to add a Part Time Clerical Assistant, Consulting Town Engineer and Town Planner (Bryan Nesteriak), Zoning Enforcement Officer, Inland Wetlands Enforcement Officer and a Blight Enforcement Officer. He briefly discussed the responsibilities of each staff member that are outlined as well as a chart that shows how everything coincides. When the applications come in, they would be looked at as one entity and would be reviewed and automatically sent out to the applicable boards, as well as, the Town Engineer, the Fire Marshall, Public Works, Board of Selectmen and Economic Development Commission for review. They will determine if the Valley Health District and WPCA would be involved and how the Connecticut State Building Codes are applied. When the process is completed, they would receive their certificate of Occupancy. The Clerical position's responsibilities would be to create the agendas for the boards, keeping of the records, filing and keeping track of the bonds. This will allow all of the code enforcement officers to be on the same page with each project. This will also provide training for the officers so they can discharge their duties correctly.

Bryan Nesteriak, Town Engineer, has been doing this for two years and he has seen a lot of confusion and complaints with the process to obtain a permit. The biggest advantage of this is it will allow better direction which will make it easier and will help for future development.

Al asked if they will also be looking into changing the permit fee structure. He has heard some complaints from residents that the permits are too high.

Bryan asked if there was a particular complaint about a fee. Al said it was a number of different fees. Wetlands revised their fees and have come down significantly for minor applications. They will be happy to look at the other fees.

Jim stated the towns building fees are right where the other towns are. They restructured about four years ago. Our fees are exactly the same as Oxford and are lower than Beacon Falls and Ansonia. Some of their proposed review processes will be helpful to clear up the confusion and help with unnecessary fees. He suggested having the fees reexamined.

Bryan stated the commission would ultimately vote on and make the decisions after a Public Hearing and adopt the new fees.

Kurt stated the main goal of this is to help make operations more efficient and more effective. He discussed the staffing. For the new structure the Administrative Assistant position remains at \$45,500 (Union position), the Code Compliance Building Official will become a Full Time position at \$70,000, the Clerical Assistant would be a Part Time position at 15 hours a week \$15.00 per hour - \$11,500. The total is \$129,000 and he did not take into consideration any fees for Inland Wetlands and Planning & Zoning Commissions.

Stephan asked if the Town Planner position is gone.

Kurt stated it isn't gone and will be a position in town but it won't be funded. Bob Looker has been winding down and will be hitting full retirement in the next month or so. He envisions the position being refunded in 2-3 years.

Stephan asked if this would change who the first point of contact is for people looking to develop in town and if it would free up time.

Jim stated it is part of the goal and discussed an example of a project in town right now.

Stephan asked how much this would affect the powers and responsibilities of the elected and appointed boards. Kurt said it should not affect them at all. When residents or developers get to the boards, they will be prepared.

Town Counsel, Brian LeClerc, stated you can't change the Charter or statutory requirements by the restructuring. If anything, this will facilitate the volunteers on the boards. Bryan Nesteriak stated the flow will be easier for developers and commissioners.

Kurt expects to come back to the board with a final update for the first or second meeting in February.

**ITEM #7: Discussion regarding Police Chief Succession.**

After 30 years, Chief Metzler will be retiring effective June 30, 2018. The Board of Police Commissioners is charged with choosing a new Police Chief and will be starting the process soon.

Town Counsel, Brian LeClerc, stated under the Seymour Charter Section A-8, the Board of Police Commissioners has the sole authority and jurisdiction to select the successor Chief. The Charter provides that the candidates are subject to oral testing as well as evaluation by a competent outside group that will be created. That group would check background requirements. There has to be 10 years' experience as a certified officer, 5 years' experience in a command level position, Bachelor's Degree, must pass a medical examination, etc. The outside group would come up with a list of no more than 10 candidates. Those candidates would be presented to the Police Commissioners to choose. Brian will be at the Board of Police Commissioners meeting tomorrow night to go over next steps.

Kurt stated those are the minimum requirements that are in the Charter. The Board of Police Commissioners can make the requirements stricter or tougher if they choose. They will determine the type of candidate they think is best for Seymour and will tailor the requirements and restrictions. Kurt met with Bob Koskelowski today to discuss timelines. They hope to have this person in place in the middle of May. Bob's goal is to give the new person an opportunity to work with Chief Metzler. Once the Board of Police Commissioners make the decision as to who the next Chief will be, Bob and Kurt would meet with the candidate and come up with a contract. The contract would be brought to the Board of Selectmen for approval and then on to the Board of Police Commissioners for approval.

**ITEM #8: Discussion and take possible action regarding hiring of Assistant Custodian.**

Kurt read the following memo from Anthony Caserta, Director of Operations regarding hiring of Assistant Custodian Position:

January 16, 2018

I ask that the Board of Selectmen offer the Assistant Custodian position at Step One to Tom Eighmie, with an effective date of Wednesday, January 17, 2018. We received 18 applications and selected 4 candidates to interview for the position. We found that Tom's experience and knowledge of equipment and regulations made him the best candidate for the position.

Sincerely, Anthony Caserta, Director of Operations.

Motion to follow the recommendation of Director of Operations Anthony Caserta and hire Tom Eighmie as the Assistant Custodian effective Wednesday, January 17, 2018 at Step One per Union contract.

Motion: Len Greene, Jr.

Second: Al Bruno

Vote: 7-Yes

0-No

0-Abstain

W. Kurt Miller – Yes

Al Bruno – Yes

Annmarie Drugonis – Yes

Trisha Danka – Yes

Len Greene, Jr. – Yes

Karen Stanek – Yes

Stephan Behuniak – Yes

**ITEM #9: Discussion and take possible action regarding Strategic Plan approval.**

Motion to accept the 10-year Strategic plan for 2018 as presented by the Strategic Planning Committee.

Motion: Len Greene, Jr.

Second: Annmarie Drugonis

Vote: 7-Yes                      0-No

0-Abstain

W. Kurt Miller – Yes

Al Bruno – Yes

Annmarie Drugonis – Yes

Trisha Danka – Yes

Len Greene, Jr. – Yes

Karen Stanek – Yes

Stephan Behuniak – Yes

**ITEM #10: Executive Session (Contract – Administrator Union).**

Motion to enter into Executive Session (Contract - Administrator Union) at 7:58 PM with Town Counsel, Brian LeClerc.

Motion: Len Greene, Jr.

Second: Al Bruno

Vote: 7-Yes                      0-No

0-Abstain

W. Kurt Miller – Yes

Al Bruno – Yes

Annmarie Drugonis – Yes

Trisha Danka – Yes

Len Greene, Jr. – Yes

Karen Stanek – Yes

Stephan Behuniak – Yes

Motion to exit Executive Session at 8:35 PM with no motions or actions taken.

Motion: Len Greene, Jr.

Second: Annmarie Drugonis

Vote: 7-Yes                      0-No

0-Abstain

W. Kurt Miller – Yes

Al Bruno – Yes

Annmarie Drugonis – Yes

Trisha Danka – Yes

Len Greene, Jr. – Yes

Karen Stanek – Yes

Stephan Behuniak – Yes

**ITEM #11: Appointments.**

Kurt found out from Brian LeClerc that every appointment on the list doesn't need approval from the board members. In reviewing the Charter, each one states "appointed by the First Selectman."

Motion to approve the First Selectman's recommendations for appointments dated January 16, 2018 with changes highlighted and removing Fred Messore to Brownfield Studies.

Motion: Len Greene, Jr.

Second: Annmarie Drugonis

Discussion: Stephan asked where in the Charter it explains the procedure for filling a position.

Brian LeClerc stated in section 3.4 of the Charter is captioned 'Vacancies and Elected Offices'.

Subparagraph b states the following: "A vacancy occurring on the Board of Education and the Board of Finance shall be filled by vote of the remaining members of the board on which the vacancy occurs, provided the person selected shall be of the same political party as his predecessor, but if the vacancy is not filled within thirty (30) days from the time such office becomes vacant, the First Selectman shall within thirty (30) days thereafter, fill the vacancy by appointment from the same political party." In the case of the Board of Finance, they did not fill a vacancy required by the Charter.

Stephan said the vacancy was held by a Democrat and asked if a Democrat should fill it.

Kurt stated there were not enough people put forward on the ballot and there is an opening because of that.

Brian is going to take a look at this and get back to the board.

Len amended his motion to reflect changes: remove Gary Popiliesz.

Motion: Len Greene, Jr.

Second: Annmarie Drugonis

Vote: 7-Yes                      0-No

0-Abstain

W. Kurt Miller – Yes  
 Trisha Danka – Yes  
 Stephan Behuniak – Yes

Al Bruno – Yes  
 Len Greene, Jr. – Yes

Annmarie Drugonis – Yes  
 Karen Stanek – Yes

City Resident	Board/Committee	Appointment	Term	Expiration
Todd Andrews, Clay Jurgens, Pete Sampiere	Board of Fire Commissioners	Appointment	3 Years	Exp. 12/20/2020
Darlene Keeffe	Culture & Arts Commission	Appointment	3 Years	Exp. 1/16/2021
Claudia Thomas	Economic Development Commission	Appointment	3 Years	Exp. 1/16/2021
Rich Demko	Zoning Board of Appeals	Appointment	4 Years	Exp. 1/16/2022
Jeff Hanewicz	Zoning Board of Appeals	Appointment	4 Years	Exp. 1/16/2022
Robert Enquist Jr.	Conservation Commission	Reappointment	4 Years	Exp. 1/16/2022

**ITEM #12: Tax Refunds/Abatements.**

Motion to accept the Tax Collectors report as presented.

Motion: Len Greene, Jr.

Second: Annmarie Drugonis

Vote: 7-Yes

0-No

0-Abstain

W. Kurt Miller – Yes

Al Bruno – Yes

Annmarie Drugonis – Yes

Trisha Danka – Yes

Len Greene, Jr. – Yes

Karen Stanek – Yes

Stephan Behuniak – Yes

**ITEM #13: Transfers.**

None.

**ITEM #14: Correspondence.**

- Check register.
- Letter from Citizen’s Engine No. 2 requesting Clay Jurgens and Todd Andrews be appointed to the Board of Fire Commissioners.
- Official Retirement Letter from Susan DeBarber the Town Clerk.
- Letter of resignation, effective January 28, 2018, from the Economic Development Director, Fred Messoro.

**ITEM #15: Public Comment.**

None.

**ITEM #16: Selectmen’s Public Comments.**

Stephan Behuniak paid compliments to First Selectman Miller and the Public Works Department. On Saturday he emailed Kurt regarding a bad pothole and within 4 hours it was fixed.

Karen Stanek thanked Susan DeBarber for her years of service as Town Clerk. She thinks Sue has been a tremendous asset to this town. She wished Sue all the best and congratulated her in her retirement.

Len Greene, Jr. had the opportunity to work with Susan quite a bit when he was a title searcher. She was always extremely helpful. He wished her all the best in her retirement. He thanked Public Works for all their hard work during the most recent storm. They did a great job.

Al Bruno wished Sue DeBarber a wonderful retirement. He commended Public Works on a job well done. They are doing a fantastic job; keep up the good work.

Annmarie Drugonis wished Sue DeBarber the best in her retirement. She has been a valuable asset to the town. She commended Public Works on a job well done with the last storm. Kurt stated Public Works has been spending time before the storms pretreating the roads and it is making huge difference.

Trisha Danka wished Sue a happy retirement. Tony DePrimo is doing a great job and is very interested in trying to improve things. She had a conversation with him and is interested in any feedback.

**ITEM #17: Adjournment.**

Motion to adjourn at 8:47 P.M.

Motion: Annmarie Drugonis

Vote: 7-Yes                      0-No

W. Kurt Miller – Yes

Trisha Danka – Yes

Stephan Behuniak – Yes

Second: Karen Stanek

0-Abstain

Al Bruno – Yes

Len Greene, Jr. – Yes

Annmarie Drugonis – Yes

Karen Stanek – Yes

Submitted by,



Lianna McMurray  
Recording Secretary

Reviewed by,



W. Kurt Miller  
First Selectman