

MINUTES

**Special Board of Selectmen Meeting
Thursday, May 17, 2018 – 7:00 PM
Norma Drummer Room – Town Hall**

Members Present: Trish Danka, Annmarie Drugonis, W. Kurt Miller, Karen Stanek & Stephan Behuniak (arrived 7:35 PM)

Members Absent: Al Bruno & Len Greene Jr.

Others Present: Town Counsel Brian LeClerc, Ashley Heintz – ECG Consulting

Item #1: Call meeting to order

The meeting was called to order at 7:05 PM.

Item #2: Pledge of Allegiance

All present stood and recited the Pledge of Allegiance.

Item #3: Public comment

There was no public comment.

Item #4: Approve minutes from April 17, 2018 regular meeting

A motion was made to approve the minutes.

Motion: Annmarie Drugonis

Second: Trish Danka

Discussion: Karen – My comment states that voting was still going on. When I brought that up, we had already won. It was still going on for other towns.

Vote: 4-0

Item #5: Approve minutes from April 26, 2018 special meeting

A motion was made to approve the minutes.

Motion: Annmarie Drugonis

Second: Trish Danka

Vote: 3-0-1 (Karen Stanek abstains)

Item #6: First Selectman's Report

We're down to 65% without power. They repaired some transmission lines coming in from Beacon Falls. Some of the other issues are related to the 3 of 5 substations that are still down. There are still some trees and wires down that we hope to have done tomorrow and Eversource has put an estimate of Friday at 11:59 PM for restoration of power. Power has been restored to downtown. Eversource has a large number of crews in town working closely with Public Works. Communication with Eversource was not great initially – our liaison didn't arrive until Wednesday afternoon. Once he arrived things improved. Our representative is new and she didn't perform as well as she should have but we'll address that after we're back to 100%. I will continue to provide information until we're back to 100%.

Item #7: Discussion and take possible action regarding Energy Savings Performance Contract RFQ

Kurt – Through the Building Committee and with the Sustainability Committee, there were general discussions about making the buildings more efficient while monetizing those savings to allow us to leverage our resources. We had some conversations informally with two companies about how the concept works but we wanted someone who could represent the Town with technical knowledge. We put out an RFQ and performed interviews and have selected a company to move forward with.

Ashley – I represent the ECG group. We are an engineering and architectural firm that specializes in technical design. We specialize in being owner’s reps for energy projects. We’ve been around for 30 years but moved into this sphere about 15 years ago when we realized Energy Service Companies (ESCOs) weren’t treating municipalities fairly. We created a system where we act as a check and balance. We question their rates and the systems they’re proposing and we stay up-to-date on the newest technology. An Energy Performance Savings Contract (ESPC) allows municipalities to take the amount they currently spend on utilities to leverage facility capital improvements and finance it with the savings while remaining cash-positive. It allows you to make necessary upgrades without going to the taxpayers or bonding. We issued the RFQ and assisted with the interviews – Johnson Controls & Ameresco, both qualified vendors who are on the State bid list. Johnson is already involved with the school and they are ready to start work immediately. It’s important to stick to a tight timeline in order to attain the LREC & ZREC credits. The turnaround time for this program is very tight and we don’t know what the timeline is so it’s important to be ready as soon as possible. You don’t need a full scope of work but you need enough for an engineer’s stamp. We’ve worked with them in Guilford and we like working with them. They participated in the ZREC/LREC there and we stamped off on the project for them. We have also worked with Thomaston and their First Selectman is a fan of ours. The former First Selectman of Monroe, who currently works with us, wishes they had moved forward with Johnson Controls. The next step is to have everyone sit down together to discuss goals and issues so that they can create project scope.

Kurt – I’ve had conversations with the municipal CEOs that were mentioned and they speak very highly of the program. We are working to dovetail this with the \$1.5 million in bonding for building improvements. We have also brought the Board of Education in on this decision and a lot of the work will take place there. We’re doing this more quickly than normal because of the time constraints. We want to put Johnson Controls in front of you so that they can get started immediately. They will come present to the Board when we have a plan in place.

Trish – I’m comfortable with Johnson but not Ameresco. Is there any reason you would select Johnson over the other company?

Ashley – We’ve worked with both. They were among the first ESCOs. They both do great work but they didn’t seem to be able to mobilize as quickly as necessary. I’ve heard through conversations with DEEP and Eversource that the deadline may be sooner than it was last year. Our fees are paid by the ESCO rather than directly by the Town. The ESCO will work to accommodate construction outside of normal school and business hours. It’s also a great time to start work since school will be out soon.

A motion was made to award the contract to Johnson Controls for the Town of Seymour’s Energy Savings Performance Contract.

Motion: Karen Stanek

Second: Trish Danka

Vote: 4-0

Item #8: Discussion and take possible action on Fire Department Carnival request

A motion was made to approve Citizen Engine Co. No. 2's request dated 4/11/18 to hold their carnival on Thursday, May 31 to Saturday, June 2nd at the Seymour Community Center and award their waiver for the sales of alcohol.

Motion: Annmarie Drugonis

Second: Trish Danka

Discussion: Karen: I don't recall allowing them to hold a carnival so I don't know how we can grant an exception on something we haven't approve.

Brian: I think the motion made accomplishes both. Inherently by granting a waiver, you are approving the carnival.

Trish: Do you want 2 separate motions?

Karen: Yes.

Annmarie: I withdraw my motion.

A motion was made to approve the carnival.

Motion: Annmarie Drugonis

Second: Trish Danka

Discussion: Karen: I have a reservation based on the conflict with Founder's Day. We had previously asked the firemen to change the dates to accommodate Founders' Day.

Trish: I heard rumors that there was an individual who influence the Police to not close Main Street. That was put to rest for me because there weren't enough vendors to warrant it. I double-checked the numbers from previous years.

Karen: I called the First Selectman and asked for clarification on who had the authority to do this. I was told the individual I was told was responsible didn't have the authority, that DOT did it. DOT had nothing to do with approving the use of Main Street.

Kurt: A decision was made by two individuals in charge that the size of the event didn't warrant application to DOT.

Trish: We've moved other events for various reasons so I wasn't concerned with that aspect.

Annmarie: From an emergency management point of view, it makes sense to consolidate the event.

Karen: When I asked the question about the authority, I was told that he wasn't responsible, but DOT was.

Kurt: I was unaware that Founders' Day was even canceled until after the fact. It's not my authority to make that decision. I was surprised they hadn't come to me. It was the decision of the Emergency Management Director.

Karen: My information was that it was the Seymour Police Department applied to DOT and that the request was submitted in January for the past several years.

Kurt: It was a decision that was made by Tom Eighmie and Paul Satkowski that there weren't enough vendors to warrant closing Main Street. That was their decision.

Trish: Did they cancel because they weren't allowed to use Main Street or because they didn't feel they had enough vendors?

Kurt: From the email I got from Linda Bellavance, I think it was based on the size of the event and the amount of effort required not making it worthwhile. I know they're down substantially

on vendors and volunteers. Founders' Day and the Carnival are unrelated. The parking issue had already been resolved by the time Founders' Day was canceled.

Karen: This carnival was planned and contracts were signed without our approval. I read the letter and it says that they only received replies from 28 people. Someone dropped the ball and I think it's a shame. I was told that a lot of vendors sign up within the last few weeks. The Town facilitated its cancelation.

Annamarie: I disagree with that characterization. Emergency Management is responsible for ensuring safety and they felt that limiting the size of the event was the best option. At that point, it is entirely the Founders' Day Committee's decision to make. Instead of checking on the facts of the situation, rumors spiraled out of control.

Kurt: We moved Smoke in the Valley as well.

Karen: I have no personal stake in Founders' Day other than having volunteered there. I just think it was good for the Town. I thought the cancelation was a knee-jerk reaction. They had to return donations and registration fees, a lot of which people told them just to donate it to the intended recipient.

Trish: When we see rumors, we have to be careful about feeding into them.

Stephan: I would like to first apologize for being late. Second, this is obviously an issue that elicited a lot of passion. To me it's strange because I've had all types of people reaching out to me while I was away on vacation. Karen's passion on it is not misguided at all. I think there are a lot of people who are upset. I tried to do my due diligence and spoke to Annmarie and Rory, among others. I think some things could have been done better. I would like to see all parties get together to talk it out, not that Tom or Paul need anyone's permission. I think the Town showing support to Founders' Day at that time could have saved the event or at least softened the blow. The members of the Committee are very upset because they have worked very hard on it and we need to be respectful of their feelings. Hopefully we can learn some lessons from this to avoid issues in the future. I would like to see the Firemen have more advanced notice ahead of time. I would like to be approving it months in advance not weeks. Planning an event like this is a big deal and approval can get lost in the mix but I would like to have more time in the future.

Kurt: I think everyone agrees on the need for earlier planning. I spoke to the Chief about it already that the Selectman would give preference to Founders' Day.

Stephan: In our last meeting, we had already stated a preference and it was the perception that there was undue influence.

Kurt: I wish Tom, Paul and the Committee had all come to me earlier. I found out about this through Facebook initially.

Vote: 5-0

A motion was made to waive ordinance 11-20 for Randall Field for the carnival.

Motion: Trish Danka

Second: Annmarie Drugonis

Discussion: Annmarie: There was some back and forth about this last year as well. If they are going to ask for alcohol consumption, I'm going to ask that they have a bullpen area and they have a Police Officer staffing it.

Bryan: They are required to get a permit and they can be shut down if they are violating liquor laws. You can restrict consumption and sale to a particular area separated by a fence or other structure and require a police officer to monitor it.

Karen: Is it alcoholic beverages in general?

Kurt: We can limit it to beer and wine. We'll do a fenced-in beer garden aged, 21 and over, with officers as required by the Seymour Police Department.

Vote: 5-0

Item #9: Discussion and take possible action on Farmer's Market request

Monday, March 19, 2018

To the Town of Seymour Board of Selectmen:

The Seymour Farmers Market would like to request permission to hold the open air weekly market in the front municipal parking lot of the Community Center on Pine Street/Broad Street on Tuesdays, 12 – 6 PM starting May 15 and ending October 30, 2018.

The Seymour Farmers Market has been home to many farmers. At times, the market has had up to 7 vendors. The Seymour Farmers Market will be working with the CT Department of Agriculture to recruit new farmers to make the market more successful.

If you have any questions please contact me.

2018 will mark the 24th season, feeding families of all surrounding Naugatuck Valley towns, as well as far away as Danbury, Milford, New Haven areas.

Thank you very much for the consideration.

Sincerely,

Alexis Gazy

Kurt: They have already met with Mary McNelis and spoken with the Congregational Church about moving the location to the lot by the Church as a matter of safety. The Community Garden was opened a few weeks ago and that will provide fresh produce to the Food Bank and maybe even sell some at the Farmer's Market with the proceeds benefitting the Food Bank.

A motion was made to approve the Farmer's Market request for 2018.

Motion: Trish Danka

Second: Annmarie Drugonis

Vote: 5-0

Item #10: Discussion and take possible action on hiring of Assistant Assessor

Priscilla Altorelli is retiring at the end of June and it will be a big loss to the Town. She is a great employee and an even better person. Rory worked with the Assessor and Priscilla to solicit applications and conduct interviews. Tara Ahearn has worked in Ridgefield in Assessment since 1999 and has worked with our Assessor in the past.

A motion was made to offer the position to Tara Ahearn pending necessary background checks.

Motion: Trish Danka

Second: Annmarie Drugonis

Discussion: Kurt: We're bringing her in earlier so she has a chance to work with Priscilla for a bit before she leaves.

Stephan: I would like to meet candidates before we hire them.

Kurt: We used to have Selectmen do the interviews but people showed up unprepared.

Stephan: Also, in union positions, it can be nearly impossible to remove someone if something goes wrong.

Kurt: We are going to be hiring a few more in the coming weeks so we will bring them before the Board.

Stephan: If we are hiring someone who reports directly to the First Selectman, Director of Finance or Director of Operations, we should be involved. We can at least have everyone else come to meetings.

Kurt: I just think it's cumbersome to be involved in the hiring process unless they're senior management but I think we can ask them to come here.

Brian: I will look into what is legally required.

Vote: 5-0

Item #11: Discussion and take possible action on Sustainable CT Resolution

Town of Seymour

Resolution Supporting Participation

In the Sustainable CT Municipal Certification Program

WHEREAS, Sustainable CT is a comprehensive, statewide, action-oriented voluntary certification program, built by and for municipalities, with the vision that: *Sustainable CT communities strive to be thriving, resilient, collaborative, and forward-looking. They build community and local economy. They equitably promote the health and well-being of current and future residents. And they respect the finite capacity of the natural environment.*

WHEREAS, Sustainable CT is designed to boost local economies, help municipal operations become more efficient, reduce operating costs, and provide grants and additional support to municipalities.

WHEREAS, Seymour embraces an ongoing process of working toward greater sustainability, selecting which actions it chooses to pursue from the voluntary menu of actions provided by Sustainable CT.

RESOLVED, by the Board of Selectmen of Seymour that we do hereby authorize Rory Burke to serve as Seymour's Sustainable CT contact person for the Sustainable CT Municipal Certification process and authorize him to complete Municipal Registration on behalf of Seymour.

RESOLVED, that to focus attention and effort within Seymour on matters of sustainability, and in order to promote the Board of Selectmen's local initiatives and actions toward Sustainable CT Municipal Certification, Seymour endorses the Sustainability Committee to serve in an advisory role

RESOLVED, that the Sustainability Team shall report annually to the Board of Selectmen on the progress of its activities toward Sustainable CT certification, with reports and presentations made publicly available.

W. Kurt Miller, First Selectman

A motion was made to approve the resolution as presented.

Motion: Annmarie Drugonis

Second: Stephan Behuniak

Discussion: Kurt: So the Sustainability Committee will have to present to us once a year and Rory will be our liaison. I worked on this Committee, I was actually their spokesman. It's modeled after a successful program in New Jersey and I think it's a great idea.

Vote: 5-0

Item #12: Discussion and take possible action on Homeland Security MOA

**AUTHORIZING RESOLUTION OF THE
Town of Seymour – Board of Selectmen**

CERTIFICATION:

I, Lianna McMurray, the Town Clerk of Town of Seymour, do hereby certify that the following is a true and correct copy of a resolution adopted by the Board of Selectmen at its duly called and held meeting on May 15, 2018, at which a quorum was present and acting throughout, and that the resolution has not been modified, rescinded, or revoked and is at present in full force and effect:

RESOLVED, that the Board of Selectmen may enter into with and deliver to the State of Connecticut Department of Emergency Services and Public Protection, Division of Emergency Management and Homeland Security any and all documents which it deems to be necessary or appropriate; and

FURTHER RESOLVED, that W. Kurt Miller, as First Selectman of Town of Seymour, is authorized and directed to execute and deliver any and all documents on behalf of the Board of Selectmen and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

The undersigned further certifies that W. Kurt Miller now holds the office of First Selectman and that he has held that office since December 5, 2011.

IN WITNESS WHEREOF: The undersigned has executed this certificate this 18th day of May, 2018.

Lianna McMurray, Town Clerk

A motion was made to approve the MOA as presented.

Motion: Annmarie Drugonis

Second: Trish Danka

Vote: 5-0

Item #13: Discussion and take possible action on capital plan

Kurt: We're going to focus on 2018 & 2019. We cut back on capital this year to get the deficit in check. We have it down to about \$175,000 so I'm comfortable moving forward with capital expenditures. We are moving forward with a new sidearm for \$120,000. We're getting a hotbox/reclaimer to improve our pothole operation by reheating millings, which will be much more efficient than the cold patch we're using. We're going to buy \$14,000 for bulletproof vests. \$9,300 for a truck for the Fire Department. We're buying new air bottles for the Fire Department. We're putting additional funding in our oil tank removal fund and \$5,000 for computer replacement. We're spending \$20,000 to repay the money borrowed from the general fund for the key fobs. We're getting a new zero-turn mower. We're improving the drainage on the Middle School baseball field.

A motion was made to approve the capital plan as presented.

Motion: Trish Danka

Second: Annmarie Drugonis

Discussion: Annmarie: Where did \$10,000 for tank removal come from?

Trish: How much will it cost and do we have enough?

Kurt: No, but this is just a sinking fund so we have money on-hand when we need it.

Trish: How long until it's accumulated?

Kurt: We don't know. It's just so it doesn't all hit at once. I can't answer that question. We don't know until it happens. We may have to do soil remediation as well. We have no deadline at the moment.

Stephan: Overall, the 5-year total column looks to be off. I hope the auxiliary building for Public Works get done soon because that's my biggest takeaway from talking with Tony.

Kurt: That money has been set aside but finding a location is the challenge. There is a question about whether it's feasible at Public Works. We looked into buying a local garage. We looked into a new facility at the transfer station.

Stephan: I would like to see us putting more money in the OPEB Trust Fund.

Kurt: Municipal funding from the State is about \$510,000 over what was estimated. That and the firetruck are what is the most pressing.

Vote: 5-0

Kurt: In 18-19, we're looking at a firetruck, a new land use printer and plotter and continuing funding priorities from 17-18.

A motion was made to accept the 18-19 capital plan as presented.

Motion: Trish Danka

Second: Annmarie Drugonis

Discussion: Stephan: Is \$5,000 enough for PC replacement?

Kurt: Yes, Rob is comfortable with it and we should be able to do them all in 5 years.

Vote: 5-0

Kurt: LOCIP (Local Capital Improvement Projects) funding has been released and we have \$1,941,724 available for roadwork. We're putting together the plan as we speak. It is projected to start Monday after being delayed by the tornado. In July, we'll have another \$150,000 available and we'll put \$75,000 to crack sealing to ensure the recently paved roads are managed properly. The building project will begin shortly. We have \$112,000 in a grant for the library and we expect approximately \$150,000 from Eversource in rebates.

Item #14: Discussion and take possible action on ordinances forwarded from Ordinance Committee:

a. Historic landmark preservation

Kurt: Our point of contention was the age of the buildings to be included. The sample was 50 years but we're looking at 100.

Stephan: I think 100 is still too few. I would be in favor of 150.

Kurt: This hasn't been reviewed by Counsel yet. Then we can move it forward in the process.

Karen: 100 years is a significant number.

A motion was made to forward the ordinance to Town Counsel for review.

Motion: Stephan Behuniak

Second: Annmarie Drugonis

Vote: 5-0

b. Communications Commission

Kurt: The suggestion is that the committee should consist of the service chiefs.

A motion was made to forward the ordinance to Town Counsel for review.

Motion: Annmarie Drugonis

Second: Trish Danka

Vote: 5-0

c. Emergency Management Director

Kurt: The Committee asked for additional testimony and is still awaiting it.

d. Debt service

Kurt: This one was created in conjunction with Town Counsel. We're recommending moving it forward to public hearing at 6:45 on June 5th.

Motion: Karen Stanek

Second: Annmarie Drugonis

Vote: 5-0

e. Inland Wetlands

Kurt: We're going to ask the Chair of the Committee and our new Development & Enforcement Director to present as well.

Item #15: Appointments

A motion was made to approve the appointments as presented.

PJ Weitzler – Inland Wetlands Commission (Alternate) – 4-year appointment expiring 05/15/2022

Annmarie Drugonis – Deputy First Selectman – 2-year appointment expiring 12/02/2019

Daniel Cooper – Board of Fire Commissioners – 3-year appointment expiring 12/21/2019

Motion: Annmarie Drugonis

Second: Trish Danka

Vote: 5-0

Item #16: Tax Refunds/Abatements

A motion was made to approve the tax refunds & abatements dated 04/27/2018

Motion: Stephan Behuniak

Second: Annmarie Drugonis

Vote: 5-0

A motion was made to approve the tax refunds & abatements dated 05/11/2018

Motion: Stephan Behuniak

Second: Annmarie Drugonis

Vote: 5-0

Item #17: Transfers

A motion was made to approve control #6 from Community Services Contingency to Assistant Director and Salary Regular Employees.

Motion: Annmarie Drugonis

Second: Stephan Behuniak

Discussion: Trish: It irks me when we do a transfer because the budget was incorrect.

Kurt: The salary was related to a miscalculation on turnover and the rest was overtime.

Vote: 5-0

Item #18: Correspondence

- Check register
- A letter to Cathy Conroy-Cass about being removed from the EDC for poor attendance.
- Legal opinion from the Police Commission based on the rule of 3 related to promotions for police.
- A letter from Town Counsel related to a case that is in litigation
- A letter from Pastor Lesiw thanking us for allowing him to use Town Hall for National Day of Prayer
- A letter from Great Hill Hose related to the Commissioner appointment we just made
- The paperwork from when we declared a State of Emergency to recoup funds if available from FEMA and allowing me to operate without the constraints of the Board of Finance and Selectmen if necessary.

Item #19: Public Comment

There was no public comment.

Item #20: Selectmen's Public Comments

Stephan: We're all very thankful for the work of our first responders and Public Works employees. I would also like to acknowledge Eversource and Comcast for doing a pretty good job. I appreciate that the majority of people seem to be patient considering the circumstances.

Kurt: The crews on the ground have been great. Our issue was with communication and our representatives.

Stephan: I think it was nice that we were able to send assistance to Brookfield, which was absolutely devastated.

Kurt: We sent a ladder truck.

Karen: I received calls regarding Code Red. One person told me she didn't receive the call until 9:30 Tuesday, others never received the call. We need to make an effort to have people register their cell phones. We should have stressed in the calls that there were emergency centers open.

Kurt: We put those out ahead of time with as much notice as possible.

Karen: There are big potholes at North Benham and Great Hill. Why can't Winters Bros. pick up our trash at the parks?

Kurt: I don't know if the truck can get into French Park. Also, we can't lock the cans down so they would disappear in short order.

Karen: I would like to commend Public Works on their reaction to the storm and also on taking care of the land in front of the Middle School.

Annmarie: Congratulations to Stephan on his engagement. Thanks to all our first responders and Public Works. Tony has really turned that department around and turned them into a team.

Trish: I wasn't here during the storm but I drove around. Are all the roads possible?

Kurt: No, there are still wires down on some.

Trish: Do homeowners have any resources available to them for trees that went down?

Kurt: No, it's where the tree lands unfortunately. If the State of FEMA makes money available, there's a possibility.

Brian: Homeowner's insurance may cover it if the tree caused damage.

Item #21: Adjournment

A motion was made to adjourn the meeting at 9:06 PM.

Motion: Annmarie Drugonis

Second: Trish Danka

Vote: 5-0

Submitted by,



Rory Burke

Recording Secretary

Reviewed by,



W. Kurt Miller

First Selectman