

COPY RECEIVED
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TOWN CLERK'S OFFICE

MINUTES
Board of Selectmen
Tuesday, September 4, 2018 – 7:00PM
Norma Drummer Room – Seymour Town Hall

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

Members Absent: Robert Findley.

Others Present: Town Counsel, Richard Buturla; Bryan LeClerc, Al Rochelle, Chris Edwards, Clay Jurgens, Pat Lombardi and Colleen Fries; Aaron Alibrio from Johnson Controls and Aldo Mazzaferro from ECG.

ITEM #1: Call meeting to order.

Meeting was called to order by First Selectman, W. Kurt Miller, at 7:02 P.M.

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 August 21, 2018 regular meeting.

Motion to approve minutes from August 21, 2018 regular meeting.

Motion: Annmarie Drugonis

Second: Tirsha Danka

Vote: 5-Yes 0-No

1-Abstain

W. Kurt Miller – Yes

Annmarie Drugonis – Yes

Trisha Danka – Yes

Al Bruno – Yes

Stephan Behuniak – Yes

Karen Stanek – Abstain

ITEM #5: Approve minutes from August 21, 2018 special meeting.

Motion to approve minutes from August 21, 2018 special meeting.

Motion: Annmarie Drugonis

Second: Al Bruno

Vote: 5-Yes 0-No

1-Abstain

W. Kurt Miller – Yes

Annmarie Drugonis – Yes

Trisha Danka – Yes

Al Bruno – Yes

Stephan Behuniak – Yes

Karen Stanek – Abstain

ITEM #6: First Selectman's Report.

1. On behalf of CCM, I am working with Waterbury Mayor Neil O'Leary and members of the professional firefighters and police unions to create legislation to address PTSD issues that may arise in these two professions. Our goal is to have something done by the end of October to be presented jointly to the new legislature that will take office in January of 2019. The process has been slow moving but I strongly believe we will be able to create legislation that will work for our towns and cities while protecting our first responders.
2. Met in New Haven last week to discuss the role out of CCM's new IT in a Box program. This program is designed to provide IT solutions to towns and cities that may be struggling to get things off the ground. Program seems very comprehensive and should be a benefit to those who enter the program. After reviewing everything they offer, I can say that Seymour is in great

- shape with our IT and the strategic partnership with have with the Board of Ed. Many of the things discussed are things Rob has been putting in place over the last two years.
3. I have been assigned again this year to the following CCM Legislative Committees to work on recommendations for the upcoming session. The two committees are Taxes and Finance and Labor Relations. We expect to be making recommendations in the next two months to the CCM board of directors for approval. Once that takes place, these recommendations will be moved forward to the different legislative committees for review and potential action.
 4. Had the first union mediation regarding the town's change in health care providers with the Seymour Police Union. While we had a very good discussion, we unfortunately could not come to any type of agreement. I would expect this will move to arbitration in the coming months. I still feel very strongly that the town acted well within its rights and that we have fully lived up to the contract language.
 5. Met with Christine Aliman, chair of EDC to discuss the future direction of the department. They will be discussing options at this meeting tonight and I expect we will be receiving a formal report from them in the next few weeks.
 6. I will be out of the office next Wednesday through Sunday on vacation in Maine. I will have full access to email and voicemail should anyone need anything. I will send out an email to all department heads and service chief's early next week to let them know.

ITEM #7: Discussion and take possible action regarding energy savings performance contract with Johnson Controls.

Aaron passed out handouts which include a list of energy conservation measures during audit and the recommendations they came up with. The savings that all of the work will do will pay for them and will be driven by the operating budget. There are 21 different measures throughout with school buildings and the town buildings. He discussed various jobs the project will include. The total project value that is being supported by the savings is \$9 million. He discussed the financial summary. The town and school would not pay any money during the first 12-month construction cycle. He discussed the project, savings and costs. He discussed how the payment structure works. All money can be financed out of existing budget without touching the mil rate. Johnson controls has an invested interest in staying with the project. They have developed the project with both the town and schools involved.

Aldo stated Johnson Controls has provided these services for various towns in Connecticut. They know how the statutes work. They have been generating information over the past few months. He discussed the next steps moving forward.

Trisha asked if the annual savings are not met, under no circumstances are they going to walk away and turn the deficit to the town.

Aldo stated Johnson Controls would cut check to make up the difference. They will figure out the issue with why a system didn't perform and they will spend resources to fix that. They will come back and make sure what they did had worked.

Discussion ensued regarding the various projects.

Motion to authorize the First Selectman to enter into an Energy Saving Performance contract with Johnson Controls informant content satisfactory to Town Counsel.

Motion: Karen Stanek

Second: Al Bruno

Vote: 6-Yes

0-No

0-Abstain

W. Kurt Miller – Yes

Annmarie Drugonis – Yes

Trisha Danka – Yes

Al Bruno – Yes

Stephan Behuniak – Yes

Karen Stanek – Yes

Motion to accept the resolution as presented

Motion: Trisha Danka

Second: Al Bruno

Vote: 6-Yes

0-No

0-Abstain

W. Kurt Miller – Yes

Annmarie Drugonis – Yes

Trisha Danka – Yes

Al Bruno – Yes

Stephan Behuniak – Yes

Karen Stanek – Yes

ITEM #9: Discussion and take possible action regarding the final report of the Charter Revision Commission.

Bryan LeClerc has been Counsel for the Charter Revision Commission for the past 11 months. He discussed the procedure going forward. The board can either approve or reject all or some of the proposed amendments. They will vote to submit this to the voters of the Town of Seymour and pick a date. They will also vote to prepare ballot questions.

The board went through the final report as follows:

-Maximum number of members on boards and commissions set at 5: The Commission has reduced the membership of appointed boards and commissions to five. – *All agree.*

-Elimination of Town Meeting: Agreed. See draft amended Charter. – *All agree.*

-Combine Parks and Recreation: Discussed but not recommended. – *All Agree.*

-Combine Aging and Livable Communities: Discussed but not recommended. – *All agree.*

-Remove Culture & Arts Commission: Agreed.- *All agree.*

-Increase Special Town Meeting limit from \$50,000 to \$100,000: Agreed.- *All agree.*

-Discuss quorum for Town Meeting: Agreed. – *All agree.*

-Removal of positions of captain and lieutenant from Police Department: Agreed. – *All agree.*

-Discuss removal of prohibition of First Selectman holding multiple positions: Discussed but not recommended. – *All agree.*

-Elimination of requirement for publication of full text of ordinances: Agreed. – *All agree.*

-Removal of Board of Selectmen secretary: Discussed but not recommended. – *All agree.*

The Commission further recommends that the following two non-binding advisory question be placed upon the November, 2018 ballot:

“Shall the Board of Selectmen undertake a study regarding the establishment of A Town Manager form of government?”, and

“Shall the Town Charter be amended to set term limits for all elected boards?”.

-Discuss term limits: Term limits added in Section 6.1 –

Discussion: Karen stated there is a problem in town getting people to serve. She stated they may end up with no one willing to serve. Al is against it and doesn't think it is necessary. He suggested to let the voters speak out. Kurt discussed the pros and cons in his opinion. Trisha thinks that limits should be set on the Board of Finance too. Stephan agrees with what the Charter Revision Commission has put forward and suggested getting rid of the advisory question all together.

Bryan stated the board can accept this report or reject the report entirely. They cannot amend the report at this time. They could reject a portion but cannot add.

They discussed possibly getting rid of the item all together or only keeping the First Selectman term limits. Bryan discussed the concerns that were raised during the Charter Revision Commission meetings. The Charter Revision Commission proposed this issue to be a separate question for the voters.

The Board agreed to keep the following:

The First Selectman shall be elected for a term of four (4) years, and the Selectmen shall be elected for a term of two (2) years. Votes cast for the losing candidate for First Selectman shall not be considered as votes cast for a seat on the Board of Selectmen. Commencing with the election of November 2019, an individual serving as First Selectman shall be limited to serving three (3) consecutive terms.

The Board decided to get rid of the following: *Individuals serving as members of the Board of Selectman shall be limited to serving three (3) consecutive terms. In no event shall an individual serve in excess of fourteen (14) consecutive years on the Board of Selectmen.*

Motion to approve the proposed amendments set forth by the Charter Revision Commission with the exception of the provision regarding term limits for members of the Board of Selectmen.

Motion: Trisha Danka

Second: Stephan Behuniak

Vote: 6-Yes

0-No

0-Abstain

W. Kurt Miller – Yes

Annmarie Drugonis – Yes

Trisha Danka – Yes

Al Bruno – Yes

Stephan Behuniak – Yes

Karen Stanek – Yes

Motion to set the date for submission to the electors as November 6, 2018 general election.

Motion: Karen Stanek

Second: Annmarie Drugonis

Vote: 6-Yes

0-No

0-Abstain

W. Kurt Miller – Yes

Annmarie Drugonis – Yes

Trisha Danka – Yes

Al Bruno – Yes

Stephan Behuniak – Yes

Karen Stanek – Yes

The board went through the following advisory questions:

1. Shall the Town Charter be amended to change the following: (1) specify the method of appointment of Deputy Registrar of Voters, (2) reduce the size of the Board of Library Directors from seven to five, (3) limit the number of members for all appointed boards to five members, (4) provide for legal notices to be posted on the Town website, (5) elimination of the positions of Captain and Lieutenant in the Police Department, and (6) increase the amount of special appropriation requiring a Town Meeting to \$100,000.- *All agree.*
2. Shall the Town Charter be amended to replace the elected Board of Planning and Zoning with an appointed Planning and Zoning Commission? – *All agree.*
3. **Shall the Town Charter be amended to increase the term of the First Selectman from two to four years?**
4. **Shall the Town Charter be amended to set term limits for the First Selectman and Board of Selectmen?**

The Board of Selectmen agreed to combine questions 3 and 4. It will read: Shall the Town Charter be amended to increase the term of the First Selectman from two to four years and be amended to set term limits for the First Selectman and Board of Selectmen?

5. Shall the Town Charter be amended to change the budget process, including the elimination of the Annual Town Meeting so that the budget will go directly to referendum? – *All agree.*
6. Shall the Town Charter be amended to combine the Town and Board of Education vote at the referendum? – *All agree.*

7. Shall the Town Charter be amended to correct grammar, spelling, terminology, statutory references, outdated provisions of the Town Charter, renumber sections, and make other and technical changes as recommended by the Charter Revision Commission? - *All agree.*

The Commission further recommends that the following non-binding advisory questions be placed upon the November, 2018 ballot:

1. Shall the Board of Selectmen undertake a study regarding the establishment of a Town Manager form of government? – *All agree.*
2. Shall the Town Charter be amended to set term limits for all elected boards? – *All agree.*

Motion to authorize preparation of ballot questions as submitted by the Charter Revision Commission.

Motion: Trisha Danka		Second: Karen Stanek	
Vote: 6-Yes	0-No	0-Abstain	
W. Kurt Miller – Yes		Annmarie Drugonis – Yes	Trisha Danka – Yes
Al Bruno – Yes		Stephan Behuniak – Yes	Karen Stanek – Yes

Motion to add to the agenda recommendation of selected vendor bid for purchase of new tractor side arm mower.

Motion: Annmarie Drugonis		Second: Trisha Danka	
Vote: 6-Yes	0-No	0-Abstain	
W. Kurt Miller – Yes		Annmarie Drugonis – Yes	Trisha Danka – Yes
Al Bruno – Yes		Stephan Behuniak – Yes	Karen Stanek – Yes

Recommendation of selected vendor bid for purchase of new tractor side arm mower.

Kurt read the following memo from Tony DePrimo:

As you are aware, there were two Vendors to the Bid for a new Tractor/Side-Arm-Mower.
 1.) H.P. Fairfield LLC \$121,598.00
 2.) Bacher Corporation \$120,603.00
 After careful review of Bid Packages, I am recommending Bacher Corporation be the selected vendor offering a lower price purchase, meeting all terms & conditions & specifications as described in bid.
 I am always available for any questions and concerns.
 -Tony DePrimo

Motion that the Board of Selectmen award the bid for the tractor side arm mower to Bacher Corporation in the amount of \$120,603.00.

Motion: Trisha Danka		Second: Annmarie Drugonis	
Vote: 6-Yes	0-No	0-Abstain	
W. Kurt Miller – Yes		Annmarie Drugonis – Yes	Trisha Danka – Yes
Al Bruno – Yes		Stephan Behuniak – Yes	Karen Stanek – Yes

Motion to add to the agenda discussion and possible action regarding the asphalt recycler.

Motion: Annmarie Drugonis		Second: Trisha Danka	
Vote: 6-Yes	0-No	0-Abstain	
W. Kurt Miller – Yes		Annmarie Drugonis – Yes	Trisha Danka – Yes
Al Bruno – Yes		Stephan Behuniak – Yes	Karen Stanek – Yes

Discussion and possible action regarding the asphalt recycler.

Kurt read the following memo from Anthony Caserta, the Operations Manager:

In an attempt to obtain three quotes from qualified vendors for a tailgate asphalt recycler, the Town was able to identify only one vendor who could provide and service this new equipment. Tri-State Equipment Rebuilding, Inc. of Oxford, CT had submitted a quote of \$20,995.00. This price is below the Charter's \$25,000.00 bid requirement. Therefore, we would like to purchase this equipment in order to repair road damage using hot patch material that can be used in winter and provide a safer and more permanent solution.

Sincerely, Anthony Caserta

Motion that the Board of Selectmen award the asphalt recycling quote to Tri-State Equipment Rebuilding, Inc. of Oxford, CT in the amount of \$20,995.00.

Motion: Trisha Danka

Second: Annmarie Drugonis

Vote: 6-Yes

0-No

0-Abstain

W. Kurt Miller – Yes

Annmarie Drugonis – Yes

Trisha Danka – Yes

Al Bruno – Yes

Stephan Behuniak – Yes

Karen Stanek – Yes

ITEM #10: Discussion and take possible action regarding requiring the First Selectman to present a full accounting of hours worked on behalf of the Town at each Board of Selectmen meeting.

Kurt turned the meeting over to Deputy First Selectman, Annmarie Drugonis.

Kurt left the room at 8:21 P.M.

Stephan stated he had asked Rory to add this to the agenda for discussion. During election time, he feels that if you are a sitting elected official there are questions about time spent campaigning. He stated he would like to see this happen. He thinks it is a good solution to give the tax payers a peace of mind. He has no doubts but was simply requesting to discuss this to appease the residents.

Richard Buturla stated that Section 8.1 of the Town Charter stated that the First Selectman is the Chief Executive Officer of the town. He is elected by the people. To the extent this body is imposing a requirement to report he is not sure if it confirms with the charter. He is going to look into if this can be done and will get back to the board.

Stephan stated that this comes up as an issue in other towns.

The board discussed the pros and cons of possibly having this time sheet study done by the First Selectman.

Annmarie would like to see if other towns do that. Kurt also discusses what he is working on in his First Selectman's report.

Stephan would like to see some accountability.

Trisha thinks that a time study getting done every week is a lot to ask.

Stephan stated he does a time study every day at work.

Karen stated her concerns with Kurt not being around Town Hall. She stated he is spending a lot of time in Hartford. She understands there are places he needs to go but his availability is not what it used to be.

Stephan stated that it will appease residents' concerns about anyone who sits in that seat.

The board continued a lengthy discussion regarding this.

They discussed properties around town and the demographics of Seymour.

Al left at 8:43 pm and returned at 8:45 pm

Town Counsel will look into this.

Kurt returned at 8:49 P.M.

ITEM #11: Appointments.

None.

ITEM #12: Tax Refunds/Abatements.

Motion to accept the Tax Collectors September 4, 2018 report as presented.

Motion: Trisha Danka

Second: Annmarie Drugonis

Vote: 6-Yes

0-No

0-Abstain

W. Kurt Miller – Yes

Annmarie Drugonis – Yes

Trisha Danka – Yes

Al Bruno – Yes

Stephan Behuniak – Yes

Karen Stanek – Yes

ITEM #13: Transfers.

None.

ITEM #14: Correspondence.

- Check registers.
- Pumpkin Festival Association thanking the Board of Finance for approving the \$10,500.00 donation which helps with the cost of the Pumpkin Festival.
- Letter from Great Hill Hose Company voicing concerns about one of the commissioners.

ITEM #15: Public Comment.

Colleen Fries 107 Spruce Street, is one of the people who hear about the First Selectman not being around. She stated the difference this year is that Kurt is running for state office. She saw a campaign video that was filmed in front of Town Hall. She voiced her opinions and concerns regarding Item #10.

ITEM #16: Selectmen’s Public Comments.

Stephan Behuniak thanked the Charter Revision Commission for all of their hard work and their recommendations. He also thanked Bryan LeClerc for all of his hard work.

Karen Stanek thanked the Charter Revision Commission for all of their hard work. She read the document and thinks that the work was magnificent. She stated there needs to be more lines painted on the main roads. Mountain Road does not have line.

Kurt said he will check with Tony DePrimo.

Karen stated she called Kurt to discuss the Halloween issue with Culture & Arts and never received a call back. She came down twice to try to make an appointment to talk with you and no one in the office knew your schedule and couldn’t make an appointment.

Kurt will speak with Dee tomorrow.

Al Bruno thanked the Charter Revision Commission Bryan for all of their hard work. He stated he is looking forward to the Pumpkin Festival.

Annmarie Drugonis thanked the Charter Revision Commission for all of their hard work. She congratulated the Connecticut Hurricanes for placing 9th in the country. She wished everyone in Seymour Sports good luck started this weekend. She stated she will look into the striping on Mountain Road as well as Argonne Terrace at the next Board of Public Works meeting.

Trisha Danka thanked the Charter Revision Commission for their hard work. Melanie is on the Board of Directors for the Seymour Land Trust and is trying to bring back the Haunted Trails. If anyone is

interested, they can reach out to her or Alex to get involved. She discussed a fence on Pearl Street that is leaning toward the sidewalk and coming undone.

ITEM #17: Adjournment.

Motion to adjourn at 9:03 P.M.

Motion: Trisha Danka

Vote: 6-Yes 0-No

W. Kurt Miller – Yes

Al Bruno – Yes

Second: Karen Stanek

0-Abstain

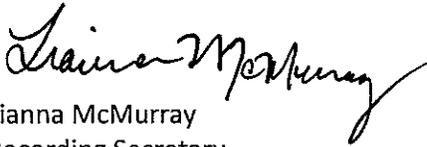
Annmarie Drugonis – Yes

Stephan Behuniak – Yes

Trisha Danka – Yes

Karen Stanek – Yes

Submitted by,



Lianna McMurray
Recording Secretary

Reviewed by,



W. Kurt Miller
First Selectman