

COPY RECEIVED
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TOWN CLERK'S OFFICE

**Town of Seymour
Board of Selectmen
MINUTES
Regular Meeting
Tuesday, February 18, 2020 at 7:00pm
Norma Drummer Room, Seymour Town Hall**

Members Present: Trisha Danka, Robert Findley, Annmarie Drugonis, Kurt Miller, Al Bruno, Rob VanEgghen, and Chris Bowen

Members Absent: None

Others Present: Richard Buturla, Veronika Jelenik (Voices), Rory Burke, Halit Basuljevic, Tom Eighmie

Item #1 – Call Meeting to order

First Selectman Kurt Miller called the meeting to order at 7:01pm.

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 February 4, 2020 Regular Meeting

Motion to approve Minutes from February 4, 2020 Regular Meeting

Motion: Annmarie Drugonis

Second: Robert Findley

Vote: 7 – Yes

0 – No

0 – Abstain

Trisha Danka – Yes

Robert Findley – Yes

Annmarie Drugonis – Yes

Kurt Miller – Yes

Al Bruno – Yes

Robert VanEgghen – Yes

Chris Bowen – Yes

Item #5 – First Selectman's Report

- We have our meeting with Standard & Poors tomorrow morning.
- For FY20 we are planning for a small deficit of about \$67,000. The primary driver for this is that we were expecting \$300,000 in revenue for the closeout of Chatfield/LoPresti School and we will not receive it in this fiscal year but expect to receive it next fiscal year in August or September.
- There is a spending freeze currently in place. Doug Thomas and I identified about \$20,000 in savings today to continue to close this gap. Kurt will keep us updated.
- The two big things that S&P look at when we have this presentation as part of our Strategic Plan are:
 - 1) Fund Balance growth – in 2015 our Fund Balance was 8.60% or \$4,674,014; as of 7/1/2019 we stand at Fund Balance was 12.10% or \$6,751,984 which is up about \$700,000 from the year before. So, our Fund Balance is definitely headed in the right direction. Our goal is to get to 15% but I don't think that's attainable for us. It is a very large number. But if we continue to slowly increase the number every year, we should be in great shape.Our Strategic Plan has certain caveats in there that once we cross certain levels, we need to make sure that we lock in. We will be presenting to the Strategic Planning Committee in April. I

Management would be executing it, but that is not an entity capable of contracting, so we made it with the Town.

- Tom Eighmie, 50 Laurel Lane, Chairman of the Communications Commission – the SCRWA was very gracious several years ago when we were down to one receiver unit on Rt.34; a year ago this was identified as an area that had a lot of accidents and had a few searches into the woods into Ansonia. There was a problem with portable coverage, not mobile. We reached out to Woodbridge because they have a tower site in that area too. We did some propagation studies & some electronic surveys – didn't turn out too positive. Went to this area and it proved very positive. The Regional Water Authority welcomed us with open arms. We installed some equipment there already, before the agreement was even on paper. They have been very gracious. This is another area now that we have portable coverage. We were able to get some loaner equipment for the Police Department up there. This is a win-win for the Town. Regional Water has their own primary frequencies, but they have radios that go onto our frequencies. We granted them permission. In case they are in the reservoir area and their frequencies are down, they can use our frequencies. There are no issues whatsoever with the Police Department, past or present.

Motion to approve the Revocable License Agreement between the South Central Regional Water Authority and the Town of Seymour, and to allow the First Selectman to sign any and all documents necessary, providing they are approved by Town Counsel.

Motion: Robert Findley

Second: Al Bruno

Vote: 7 – Yes

0 – No

0 – Abstain

Trisha Danka – Yes

Robert Findley – Yes

Annmarie Drugonis – Yes

Kurt Miller - Yes

Al Bruno – Yes

Robert VanEgghen – Yes

Chris Bowen – Yes

Item #10 - Discussion & Take Possible Action Regarding NEMBA

Rory Burke received the following e-mail from our insurance broker regarding insurance for the bike trails:

Hi Rory,

Per our conversation, adding mountain bike trails on Town owned open space property is an increased liability exposure for the Town. Transferring this exposure to the NE Mountain Bike Association, the designers and maintainers of the trail system, through insurance is recommended. Per our conversation however, NEMBA will only provide insurance for their own events and not for the trail system at any other times. The Town's General Liability policy does not exclude the Liability or charge an additional premium for these trails, but possible losses as a result of these trails could increase the Town's insurance premium. Please contact me if you have any questions.

Thank you,

Nancy B. Cosgrove, CPCU, AAI, CPIW

Vice President Public Entity

- Kurt Miller said that basically, we could add the trails to our policy at no additional premium, however, this would expose the Town to potential claims which would then increase our premiums.
- Richard Buturla said that we would be facing an increased liability exposure if you do this. Also, I attended the meetings where NEMBA said that they would provide the insurance. They now say they are unable to do this. The final decision on this is up to this Board, but I would not recommend that the Town do this. You are going to have trails that are in remote property that have been created by volunteers, and we will not have a regular on-going maintenance of these trails by Town personnel. So,

we would be using Town property with very little control over the activity over a period of time. Of course our liability exposure is going to increase. It sounds like an interesting and fun activity, but it increases our liability and I would not recommend doing.

Motion to approve the Town of Seymour entering into an agreement with NEMBA for the creation of mountain bike trails

Motion: Rob VanEgghen

Second: Annmarie Drugonis

Discussion:

- Chris Bowen asked if there would be any use to putting up signs saying that people use the trails “at their own risk”. Richard Buturla said no. You assume risks with all type of sporting activities. What makes this different, and gives insurance companies pause, is that you have these trails in a remote area, created by volunteers, maintained in the beginning by volunteers. You are in a wooded area, tree could come down, after a storm could be flooding, etc. Who is going police these? I don’t see Public Works being able to maintain these trails over any length of time. So, I am being cautious.
- Chris Bowen asked if the correct term is that NEMBA “renege” on this contract. Richard Buturla said that he thinks the term “renege” implies that they knew what they were saying was not true. I think that they believed they could provide the coverage. They even showed me some (OLD) contracts that did have insurance on them. Chris said that if they can’t fulfill their legal obligations in order, they won’t be able to maintain these trails. Richard Buturla said that he does not have a high degree of confidence that they will, over a long period of time, manage our risk appropriately.
- Rob VanEgghen asked if we could have people come to Town Hall and sign waivers. Richard Buturla said we do have versions of these for Town events, we have indemnity provisions in there, but we require insurance so that event is insured. This is a trail that will be there whether it’s maintained or not; there may be storm events that make it dangerous; no one may be policing it. It is not a reasonable risk for us to assume at this time.
- Al Bruno said that it sounds like increased liability, no policing. I vote no.

Vote: 0 – Yes 7 – No 0 – Abstain
Trisha Danka – No Robert Findley – No Annmarie Drugonis – No Kurt Miller - No
Al Bruno – No Robert VanEgghen – No Chris Bowen – No

Motion fails, 0-7.

Item #11 – Appointments

None

Item #12 – Tax Refunds & Abatements

Motion to approve the Tax Collector Refunds Report dated February 18, 2020 as presented by Dana Flach

Motion: Chris Bowen Second: Robert Findley

Vote: 7 – Yes 0 – No 0 – Abstain
Trisha Danka – Yes Robert Findley – Yes Annmarie Drugonis – Yes Kurt Miller - Yes
Al Bruno – Yes Robert VanEgghen – Yes Chris Bowen – Yes

Item #13 – Transfers

None

Item #14 – Correspondence

- Check Registers
- Received a letter from Richard Buturla following up on 95 Haddad Road issue.
- Received a Letter from Atty. Fred Stanek thanking us for appointing him to the Community Center Building Committee and included his current e-mail.
- Received a Letter from Clay Jurgens from the Board of Fire Commissioners requesting a change in Section 6-21 thru 6-25 of the ordinances. There will be a meeting of the Ordinance Committee on March 3rd @ 5:30pm in the Norma Drummer Room. Rory Burke will put this on the Agenda.
- There is no official paperwork on this yet, but the Cities of Ansonia & Derby, through the Boy Scouts of America are having a what they call a Mayors Breakfast – it is a fundraiser for the Housatonic Council. They have had them for the past few years. Seymour and Oxford are now going to do one. Seymour will have our inaugural one on Tuesday, March 3rd @ 8am (location TBD). Rory and I were asked to choose a person we thought best represented a commitment to youth. We thought the best person would be Karen Stanek. We hope that you can all come. Fred Stanek will receive the award for her. Details will be forthcoming.

Item #15 – Public Comment

None

Item #16 – Selectmen’s Public Comment

- Chris Bowen – Congratulations to the Emmett O’Brien Girls Basketball Team – qualifying for States. Boys are close. Also, people should check out Café 141. The Culinary Department runs an actual restaurant run by the students. Everyone is invited to come and enjoy! Kurt Miller said he has been there, and it is very good.
- Rob VanEgghen – Sunday April 19th is an Indoor Mini-Golf Event @ the Ansonia Boys & Girls Club, 28 Howard Avenue, Ansonia. Sponsored by the Shelton Exchange. It is Luau themed. The money goes to many Valley non-profits. Tickets are \$100/person.
- Al Bruno – The Town is looking very clean. Public Works has been doing a great job.
- Annmarie Drugonis
 - The Town does look good. Last Monday we had our Public Works meeting and representatives from Oak Ridge Management came out and sat down with us regarding collections. They said that they do have a plan of action in place. They are tracking their trucks, they have GPS in them, and if there is a problem, they are calling Tony (DePrimo). They are changing out their bins, so they are a little bit sturdier. We have had complaints, and they have been very receptive to our residents – getting back to them very quickly. I feel that there is a good line of communication with them and do not anticipate any more problems. If there are, I know they will be addressed quickly.
 - Seymour CARES Walk for Hope had their meeting last Tuesday for Mission 22. We have another meeting coming up on February 25th at the Citizen Engine Company. We could use any and all helpers. Please come.
 - Congratulations to the Seymour High School Cheerleaders on winning First Place and Grand Champions. Very proud of them. Keep putting Seymour on the map!

- Robert Findley – Noticed that we are getting a much better response from Oak Ridge and getting a much better container as well. Kurt Miller said that they have a truck designated on Fridays – that’s all they do is switch out containers. Eric Huffnager is our contact and responds to Rory or me within about 10-15 minutes. They will reach out to the residents almost immediately.
- Trisha Danka - Not calling any entities or names out because I don’t think that’s fair, but it has gotten back to me, and I’m just going to express my opinion and if anyone on this Board disagrees, that’s fine. But there are some, I don’t care if it’s a committee or an individual or a Board coming for a donation, but if you are going to request or use Town funds, I feel very strongly that you need to work WITH the Town and not “battle” against them and not want to provide information or answer questions asked. It is just not good “team spirit” or in good form. If you are going to ask to use taxpayer money, I feel very strongly that you should be very open and willing to answer any questions that are asked of you and be a team player. I think that volunteering for the Town is very special, in any capacity. I completely understand people have their own ideas and are doing things for very good reasons and have ideas that they think are wonderful and excellent and why be challenged on that. I completely respect that. But again, if you are going to come to the Town and request money for something, you should consider that there might be some questions or information asked of you for that very purpose.

Item #17 – Adjournment

Motion to adjourn at 7:39pm

Motion: Annmarie Drugonis

Second: Chris Bowen

Vote: 7 – Yes

0 – No

0 – Abstain

Trisha Danka – Yes

Robert Findley – Yes

Annmarie Drugonis – Yes

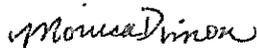
Kurt Miller - Yes

Al Bruno – Yes

Robert VanEgghen – Yes

Chris Bowen – Yes

Submitted by:



Monica Dimon

Recording Secretary

Reviewed by:



W. Kurt Miller

First Selectman