

Town of Seymour ~ Board of Selectmen
MINUTES

Regular Meeting

Tuesday, August 18, 2020 at 7:00pm

Zoom Teleconference - Call #646-558-8656 – ID# 820-112-18646

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

Members Absent: None

Others Present: Richard Buturla, Malia McCool

Item #1 – Call Meeting to order

First Selectman Kurt Miller called the meeting to order at 7:09pm.

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 July 21, 2020 Regular Meeting

Motion to approve Minutes from July 21, 2020 Regular Meeting

Motion: Annmarie Drugonis

Second: Trisha Danka

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

1. Don't have any final numbers yet on FY 2020. The numbers are changing but not for the positive.
2. We received an unexpected claims request for both the Town and the Board of Education from Cigna. This will push the municipal side deficit UP and the Board of Education surplus down. We hope to have the final numbers by the end of the month once we get through the 60-day accruals. But we had been looking at a number in the neighborhood of \$90,000. We think that number is going to be more in the neighborhood of \$200,000 (overall deficit for the Town).
3. Tax Receipts for FY 2021 are \$200,000 behind where they were as of the end of July for FY 2020. We are continuing to monitor the situation but will keep the spending freeze in place until we have more of an understanding of the situation – many people hold off paying their taxes until August. We will have a better picture as to where we stand at the end of this month. Expect an update at our first meeting in September on that.
4. Rich (Buturla) has been working on our options for the Eversource situation. He sent me a memo the other day with three different options. We will talk through those to determine

which will be the best course of action. At our next meeting, that memo will be on the agenda for discussion; I will bring forth all the options that he has come up with. At that point we will make a recommendation. There is a class-action lawsuit that has been filed and also the City of Danbury has filed a suit and looking for other towns to join in with them. So, we will review all those options and Rich and I will give an update to you at the next meeting.

Item #6 - Discussion & Take Possible Action Regarding STEAP Grant Resolution

- Kurt Miller said that there has not been a STEAP Program with the State over the last few years due to budgetary concerns. Governor Lamont (said Malloy) has restarted the STEAP Program. Seymour is eligible for a grant up to \$128,205. Generally, STEAP Grants we can apply for up to \$500,000, but this year they have placed caps on municipalities based on their size. We had a project in place that we have been discussing. We do not have enough space at Public Works. In the FY 2020 budget we had put aside \$18,000 to rent space to be able to have some cold storage. We were unable to find anything that would be appropriate. We kept the line item in the budget for FY 2021 with the thought of purchasing a building that would be placed in the Public Works Yard. We had all of the engineering done, we picked out a building, and were considering ways we might pay for this. The Grant appeared at the same time. We had discussions with Brian Nesteriak and Doug Thomas and thought the STEAP Grant would be a good use of these funds. Dee Caruso did do some research and buildings like this have been approved for STEAP Grants in the past. This Board needs to pass this Municipal Certification of Resolution which is in your packets. I will read the Resolution into the record:

MUNICIPAL CERTIFICATION OF RESOLUTION

Below is the suggested format for the municipal certification of the town's resolution which authorizes the Chief Executive Officer of the municipality to accept a STEAP grant and enter into any required contracts/agreements necessary to facilitate such grant. The title of the Chief Executive Officer can be changed to reflect the appropriate title with respect to your municipality's form of government (i.e., Mayor, Town Manager, First Selectman, etc.).

A copy of the relevant resolution shall accompany the below certification. The below certification must be printed on the municipality's letterhead and must bear the official seal of the town/town clerk. For embossed seals with no ink, please darken the impression with graphite so it will be visible on the scanned document.

Required language to be included in the town's resolution appears in the indented portion of the certification below.

Municipal Certification of Resolution - STEAP 2020

I, Lianna McMurray, Town Clerk of the Town of Seymour, a municipality organized and existing under the laws of the State of Connecticut, hereby certify that the following is a true copy of the resolution adopted at the Representative Town Meeting of said municipality at the Regular Monthly Meeting held on Tuesday, August 4, 2020:

"RESOLVED, that First Selectman W. Kurt Miller be, and hereby is, authorized to accept on behalf of the Town of Seymour, a 2020 Connecticut STEAP Grant in the amount of \$128,205.00 for Seymour Public Works Cold Storage Building; and

FURTHER RESOLVED, that First Selectman W. Kurt Miller is hereby authorized to enter into and execute any and all agreements, contracts and documents necessary to obtain said 2020 STEAP Grant with the State of Connecticut."

AND I DO FURTHER CERTIFY that the above resolution has in no way been altered, amended or revoked, and is in full force and effect.

AND I DO FURTHER CERTIFY that W. Kurt Miller is the first selectman of the town of Seymour, CT and has been since December 5, 2011.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of _____ this ____ day of _____, 2020.

Motion to approve the above Resolution as read

Motion: Robert Findley

Second: Trisha Danka

DISCUSSION:

- Annmarie Drugonis said that they have been out of room now for over a year at the Public Works Department. We really can't expand our building with the river being there. We have been asking for two years for ideas of where we could go, we've been looking at buildings. We thought about going up on Skokorat Street. We just need to keep our equipment all in one place, we don't want to be spread out all over town so this would be the best place to be. We talked about getting more equipment at our last Public Works meeting – another payloader. This storm was very troublesome. If we had another payloader would have been much easier. The more equipment we get, and the more efficient we get, the more room we need. Kurt Miller said that because our Public Works has been doing such a good job and updating their equipment, its very difficult to fit everything in the garage. Some equipment is still outside. This garage would be designed to house all of our big dump trucks and plow equipment throughout the summer so we'd be able to keep all of that inside and then in the winter, flip flop and put summer used equipment into that building and put the winter equipment in the garage. We are making good investments into our Public Works infrastructure. This is a necessity to help maintain our equipment, help it last a little longer. If you look at the budget, it was put together by Brian Nesteriak – he did reach out to other towns to compare cost. His budget is around \$198,000. If we get this STEAP Grant for \$128,205 and add in the \$18,000 in this year's budget and the \$18,000 from last year's budget, we are looking at a shortfall of only \$34,000. If we were to receive this Grant, \$34,000 would be placed into the Capital Plan for FY 2021. This way we would be able to pay for this in cash and be able to get this completed as soon as possible. I would not expect that it would be this fall, most likely will start in Spring 2021. I'm not sure how quickly this STEAP Grant would be approved and not sure how much we can do this fall. Public Works would be doing much of the work.
- Chris Bowen just wanted to confirm it was Governor LAMONT, not Malloy, who started this program up again. Kurt Miller said yes, Governor Lamont.

- Rich Buturla said that we have required them to name the Town as an additional insured. We required them to produce a copy of the policy. There is no pandemic exclusion in the policy. We put a specific provision in that the premises are to be operated in accordance with the guidance for Centers & Child Care Homes during the COVID pandemic as issued by the State of CT Office of Early Childhood dated August 5th, 2020 (social distancing, cleaning, caps in terms of the number of kids). It would get this place back up and running and provide some relief to the parents in the Town of Seymour. We have also added to the "Hold Harmless and Indemnification Provisions" of the license with respect to COVID-19 so this is about as much as we can do to protect the Town and have them operate within the State requirements which they have agreed to do. It hasn't gone to their board yet, we wanted to bring it here first. They will be open in accordance with the first day of school.
- Kurt Miller said we do not have the final License Agreement yet. There still need to be a few more tweaks between Rich Buturla and Dominic Thomas (attorney for the Boys & Girls Club). Tonight, we are looking for the authority to continue this process and ultimately sign this license agreement.
- Trisha Danka said that she understands that services the Boys & Girls Club offers are important and there are families in need and kids need the socialization but my understanding is that COVID requires an adequate amount of ventilation and I have heard in the past that the only area at the Community Center that has that is the gym that you said will have limited use for them. Kurt Miller said that this is correct. Trisha Danka said that I don't believe that the rest of the Community Center, because of its age and our inability to keep it up to date and invest in it as we should have over the years, its not properly ventilated in the other rooms. If that is the case, I think it is too high a risk to allow it. Unless we can do something within the gym for everyone exclusively. What they wanted to do they cannot do in the gym because of the way the rules are. Kurt Miller said that they are aware of the situation that the Community Center offers, they understand the rules and regulations that Rich has discussed with Dominic and they feel that they will be able to meet those requirements. Rich Buturla said that they have to fully comply with the requirements from Early Childhood and they have given us an indemnity for COVID-19 as well as the insurance policy. Trisha Danka said that she understands legally we are covered, but I think we have to weigh, as the Board of Selectmen, whether it is a good idea. We have some responsibility as individuals if we think it is a smart idea and to allow it. Kurt Miller said that Tom Eighme has voiced some concerns that he has, and they are aware of those concerns and they feel they will be able to meet the standards that Rich has mentioned. Trisha Danka asked who has said they will meet the requirements. I understand it's a needed program, they do a good job, and it does tend to be a younger group that supervises the group at the Community Center and that concerns me as well. How well will they be able to adhere to these requirements? Who will be checking in to see that they are in compliance with the staff at hand? The big issue is the ventilation, but that, quite honestly is a secondary concern. Kurt Miller said that responsibility would be with the Executive Director. She is comfortable with the process, the Unit Director is comfortable with the process and ultimately the Boys & Girls Club Board of Directors is comfortable with the process, assuming that they vote to move forward with this. It will not be our place to come in and say they are doing a good job. Trisha Danka agreed but said it was our responsibility to say whether we think it's a good idea.
- Robert Findley asked if there will be a sanitizing schedule and a certain number of kids allowed in a room and the building as part of the Licensing Agreement. Rich Buturla said that the number allowed to be in each room and the building is set by the State guidelines. They also have to do the cleaning required. They also are required to follow any updates to the State guidelines. Right now, the number of kids is 14 per room, so they will have about 52 kids. This is about half of their usual amount.
- Chris Bowen said that the Board of Education had their meeting yesterday and they are implementing a hybrid model for school opening. Keeping kids home is not an option. My question is could there potentially be a greater need for their services? I do share Trisha's concerns, but also am concerned for

the many parents in Town who may have to quit their jobs in order for their kids to go to school. Rich Buturla said 14 is the maximum number allowed per room per the State guidelines. There may be a need for more people to use their services, but this is all that is allowed. Rich said this is the best we can do. Chris Bowen said that he has serious doubts about whether we can pull this off. If we are the final checkpoint, we should think very carefully before approving. Kurt Miller said that it is not us who have to pull this off, it's them (B&GClub). They are the ones who have to follow the guidelines. They are going into this with eyes wide open. The question for us is whether we want to amend this license agreement or not. We need to weigh the need versus what may happen. It's not an easy decision. I think the benefit to the families outweighs any risks – at least on the Town side. Chris Bowen said that this is very short notice for a vote that is fairly consequential.

- Rob VanEgghen said that he works with the Boys & Girls Club a lot and I understand Trisha's differentiation between the higher-ups and volunteers, but I know from their history in that building, they are familiar, I'm sure that anything we're thinking about they have been agonizing over leading up to this. If they are doing this, they are not doing it lightly. To Chris' point, we all wish we could do more safely, but if this is the maximum we can do to help out at this point, I fully believe that the people involved in making this decision are taking on the full weight of the decision and understanding the possibilities.
- Al Bruno said he thinks that if the Boys & Girls Club has examined this, and Rob said he knows the individuals there and that they are not taking it lightly, then it is not our issue. We have a Town need for this type of service in the current situation. The more families we can help, the better. If things go south, they will address it, but for the time being assuming all things go forward, the families who need to have two people working need the help.
- Annmarie Drugonis said that families need the help. The Boys & Girls Club will do the best they can so that there will be no outbreak. Everything will be kept clean. I say go ahead with it. Kurt Miller said he has a little less reservation with it given how they performed over the summer in Ansonia & Shelton with their Summer Camps. They had less kids than anticipated. The need for our residents is great in this pandemic. I think that the rewards outweigh the risks.

Vote: 6 – Yes	0 – No	1 – Abstain	
Trisha Danka – Abstain	Robert Findley – Yes	Annmarie Drugonis – Yes	Kurt Miller - Yes
Al Bruno – Yes	Robert VanEgghen – Yes	Chris Bowen – Yes	

The vote was conducted by individual roll call. The recording has each individual speaking his/her vote.

Item #7 - Discussion & Take Possible Action Regarding WPCA Budget

- Kurt Miller said that the initial budget we got was substantially lacking in information. The WPCA Board, through its chairman, Jim Cretella, sent this memo to us which provides some breakdown and understanding for the different lines. This is substantially better than it was before, but there is still a lot of information lacking. There have been several conversations between WPCA and Veolia.
- First page has some information about why certain line items haven't changed. Not a tremendous amount of detail.
- Page two talks about revenue and why that has changed. Fairly simple terms.
- Additional summary at the end talking about revenue.
- The main issue is that their Collection % is absolutely atrocious. (87%) Rich Buturla and Ben Proto (attorney for WPCA) have had discussions and they are working on putting things in place that will help their collection rate. Even going up 2 or 3 % would equate to a good amount of money. No definitive

plan in place yet. I recommend that we accept this budget as presented and then address the other outstanding items in the next agenda item.

Motion to accept the 2020/2021 WPCA Budget as presented by Jim Cretella, Chairman of the WPCA

Motion: Robert VanEgghen

Second: Robert Findley

DISCUSSION:

- Trisha Danka said that there is a Capital line in the Budget, and they haven't done much with it in the past. Can we ask for a breakdown of what they plan to do with these funds in the current budget? Kurt Miller said that this will be discussed further in our next agenda item, but they do have a Capital Plan. It's a plan of about \$5 million. Their plan is to address it through this line item @ about \$200,000 per year. Which we can all agree is not enough. The WPCA did have their engineer, Jim Galligan, put this plan together at Annmarie's urgent requests. They do have the needs identified; the issue is just the funding mechanism which is woefully inadequate. The need to fund the Capital Plan would not change this budget presentation.
- Trisha Danka commented that it looks like they are having a \$12.00 across the board increase which under their current reputation is abominable that they are increasing it at all. Kurt Miller agreed.
- Rob VanEgghen commented that the expected collection rate of 87% will remain unchanged in anticipation of possible COVID related impacts. So instead of trying to go after more money, we are just going to jack up the price on the people who are paying. Kurt Miller said people are paying eventually, just late. We will address this in the next agenda item. Rob said he was upset with the initial presentation – just give us more. I'm happy to see more detail in this, it's just a shame that it takes such prodding to get this.
- Rich Buturla wanted to remind everyone that we are only voting that the current budget has sufficient backup information. The fiscal decision is not ours/yours to make. It is the decision of the WPCA per the charter.
- Chris Bowen asked if there is a specific date we need to accept this budget by. Kurt Miller said that there were years that we never accepted a budget. Rich Buturla said no response is required formally. Since we rejected the budget for insufficient information, they needed to respond. If we reject again, they could provide more information. The bills will still be collected regardless of our (BOS) approval.
- Bob Findley said he is happy that they provided more information. There are some areas such as maintenance that were generic statements with no depth to it. I'm willing to accept it as is, but can we get more of a breakdown of the Capital Plan and breakdown of the load increases? Kurt Miller said they can send this for the Capital Plan, not the load.
- Annmarie Drugonis said she does not have information on the load increases. The WPCA is not even @ 50% capacity. Even if it was possible to have all of Seymour on water and sewer, we wouldn't even be @ ¾ of our capacity. That is why the State, through the EPA, has decided to do a regionalization. They are looking at area towns (Ansonia, Oxford, Beacon Falls, etc.) coming to us, but in our last meeting with the COG that went down the drain because our equipment is older than 20 years and has never been updated and was used when it was brought in. So, we may not be able to take in any more people to get more money for ourselves. We may need to go to another town – if this happens, we will lose that revenue. I agree that there was a lot of prodding just to get this information and we should have more information. The WPCA engineer as well as WPCA Attorney Mr. Proto was working very closely with me prodding the Board and Veolia to get as much information as we can possibly and reasoning why. The last meeting I had with them I asked them to provide more information as to why, what chemicals went up, what chemicals went down. They have their State of CT license fee – went down 60% - we apply for

a license every 5 years. We have to start our licensing fee 6 months before it is due. Pricing could have gone down elsewhere. Maintenance should have gone up. If there were more dollars in that maintenance line – per our contract there must be a certain amount – we wouldn't be in half the trouble we are in. With the change of chairs, I have gotten much more information from this chairman.

- Chris Bowen said that even though this explanation is better, its still not good. Annmarie Drugonis agreed that the collection rate is horrible. The elderly people (and many people now) are on a fixed income, and the State sets the interest rate at 20% (the Town has no way to set that rate) it is very hard for people to catch up. It never should have been allowed to get that far. They should have been sending letters way before it got to thousands of dollars. Kurt Miller agreed that this is true and said more would be discussed on this in the next agenda item.
- Al Bruno said that what was provided is inadequate, but it passes muster for this situation. We will need more information going forward for the budget. Perhaps they need some training in how to put together a budget. We have many people who can point them in the right direction. Kurt Miller said that offers have already been made. Annmarie said that Veolia has always put the budget together for them.

Vote: 5 – Yes

1 – No

1 – Abstain

Trisha Danka – Yes

Robert Findley – Yes

Annmarie Drugonis – Abstain

Kurt Miller - Yes

Al Bruno – Yes

Robert VanEgghen – Yes

Chris Bowen – No

Item #8 – Executive Session - Seymour WPCA (Attorney-Client Privileged Document)

Kurt Miller said that we will invite Richard Buturla and Malia McCool will stop recording and walk away not listening. Monica Dimon will be in the waiting room.

Motion to go into Executive Session (Richard Buturla said that the basis for this Executive Session is found under Section 1-200 C 6 (b) "Discussion of a matter which would result in a disclosure of public records for the information contained therein" as described in Section 1-210 of Connecticut General Statutes which deals with attorney-client privileged communications, amongst other things) at 8:10pm.

Motion: Chris Bowen

Second: Annmarie Drugonis

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

Executive Session ended at 8:36pm and Kurt Miller stated that no motions or actions were taken in Executive Session.

Item #9 – Appointments

Motion to approve the Appointment List dated 8/4/20 included in the packet as presented.

Motion: Trisha Danka

Second: Annmarie Drugonis

years. So, instead of unnecessarily overtaxing the people, we kept the rates at the lower rate but built some contingencies in our budget to be able to address those. When we approve a transfer, it goes to the Board of Finance for final approval.

Motion to approve Control #5 as presented above and discussed

Motion: Trisha Danka

Second: Robert Findley

DISCUSSION: Kurt Miller commented that it is absolutely ridiculous and disgusting that the State thinks it makes more sense to force the cities and towns to pay more for this retirement plan as opposed to making changes to it. The MERF Plan has NEVER had a change to it. It was set up to mirror the State Employee Retirement Plan. The State Employee Retirement Plan is on its sixth iteration. But we cannot even have a discussion in the Labor Committee with regards to making changes to the MERF Plan. These numbers are going to keep going up. When we finish, we will be paying 25% each year for each police officer. This is ridiculous, stupid, and insane.

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 #12 – Correspondence

- We have the check registers.
- Results for the 2020 Katharine Matthies Grants Submissions. The Town of Seymour received every single grant that it applied for. The list was included in the packets. This is run by Dee Caruso in my office and I wanted to give her a little shout out for the hard work and effort that she put in to get this done. We have certainly come a long way. One year we actually got shut out by the Matthies Foundation because they didn't like the way we did our grant process. Over the last seven years we have come a long way thanks to Dee and the members of our Finance Department.

Item #13 – Public Comment

None

Item #14 – Selectmen's Public Comment

- Trisha Danka – Continue to stay healthy & safe!
- Bob Findley – The Town is doing well – social distancing – keep up the good work!
- Annmarie Drugonis –
 - The track & field up at the High School – people are leaving trash there – water bottles, masks, etc. even though the trash cans are right there. I have asked Tony to put up signs to pick up your trash. It's sad that we have to tell adults, young adults, teens and kids to pick up your trash. This should be taught at home.
 - Thank you to Public Works – I didn't get a chance in our Eversource meeting to say it. Public Works did a great job in cleaning up the roads. Also, Alex, Tom, and all the people who helped everyone get what they needed. EMS did a great job as well! They took a lot of crap from disgruntled people in Town. But they were right there to help everyone out!
- Al Bruno –
 - I can attest to the garbage issue at the High School track & field. We have a lot of middle school and high school aged kids that leave their trash everywhere up there. It's the same group of

- about 10-15 of them. We have asked them to clean up their trash. There are many garbage cans scattered throughout the area up there. I have not seen adults or teams littering.
- Regarding the CIAC – I hope that the CIAC has not stopped for political reasons for permitting our fall teams to go forward. I’m all for safety, but if we have an issue, we can hit the pause button and stop it at any time. My daughter has played in her summer conditioning league for the girls’ High School soccer team for the past 8 weeks and they have not had one issue. Football is a contact sport, so I understand that. But we shouldn’t punish other sports.
- Kudos to the Public Works Department. I know they took some flack from people. They worked very hard. They can’t work on trees with live wires.
- Chris Bowen –
 - to comment on the trash issue – it is also at Chatfield Park. There still seem to be water bottles and trash, but also MASKS! Here we are six months into this pandemic and people are still leaving masks – a health hazard – on the ground. It is mostly older kids. We try to be polite when reminding them to throw out their trash. But they are putting the Public Works department at risk. There are garbage cans all over the place! Thank you, also to Public Works for putting up the new signs at Matthies Park and the walking track. It’s just common courtesy to go 10 feet and put your trash in the bin. Everyone that works for the Town whether you’re elected, professional staff, I am noticing that people are venting frustrations to whomever is there. I ask that people please remember to be respectful to our employees, Board members, elected members. We are all doing our best. If you have a disagreement, by all means let us know, but please be respectful.
 - Congratulations to the VanEgghen family, Rob and Audra, on the birth of their first child!
- Rob VanEgghen –
 - Thanks to Public Works department – they did an amazing job!
 - This morning I was at Basement Systems for the Bozzuto’s food truck donating to 5 Food Banks every month. On the 29th there will be a food drive sponsored by the DTC.
 - On this Friday there will be a Blood Drive at the Land Trust; please go online to schedule your appointment. They need people with the COVID antibodies.
- Rich Buturla – It has been a pleasure to be with you all tonight! Congrats to Rob and Family!

Item #15 – Adjournment

Motion to adjourn at 8:56pm

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

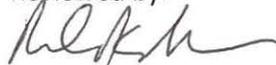
Al Bruno – Yes

Robert VanEgghen – Yes

Chris Bowen – Yes

Submitted by:

Reviewed by:



Monica Dimon
Recording Secretary

W. Kurt Miller
First Selectman