

COPY RECEIVED  
DATE: 12-14-2010  
TIME: 3:00 P.M.  
TOWN CLERK'S OFFICE

MINUTES  
Board of Selectmen  
Tuesday December 7, 2010 @ 7:30PM  
Norma Drummer Room / Seymour Town Hall

Members present: First Selectman Paul Roy, Philip Wilhelmy, Karl Trybus, Sandra Gesek, Annmarie Drugonis, John Conroy, W. Kurt Miller, and Town Counsel Colleen Fries.

Other present: Ed Pollack, Chris Motasky, Mark Thompson, Sean Walsh, Ed Strumello.

ITEM # 1 – Call meeting to order.

The First Selectman calls the meeting to order at 7:32PM.

ITEM # 2 – Pledge of Allegiance.

Everyone salutes the flag and states the Pledge of Allegiance.

At this time the First Selectman asked for a moment of silence in remembrance of the Anniversary of the Attack on Pearl Harbor.

ITEM # 3 – Approve minutes from Board of Selectmen Meeting on 11/16/10.

Motion to approve minutes from Board of Selectmen Meeting on 11/16/10.

Motion: Phil Wilhelmy

Second: John Conroy

Vote- 6 – Yes (Paul Roy, Karl Trybus, Annmarie Drugonis, John Conroy, Phil Wilhelmy, Sandra Gesek) 0-No 1-Abstain (W. Kurt Miller)

ITEM #4- First Selectman's Report.

Attended a seminar at Murtha Cullina in Hartford on energy savings and financing for businesses and municipalities

Attended a presentation by Derby Historical Society on the development of the bicycle in Ansonia

Christmas Parade was held on Saturday November 27. Parade was well attended as there was a large crowd along Main St. and many people said it was one of the best ever.

Attended a ribbon cutting ceremony at All State Cremation and Funeral Service a new business associated with Chepulis Funeral Home on Washington Ave

Met with Superintendent of Schools MaryAnne Mascolo and Assistant Rick Belden to discuss moving Board of Education Offices to the High School.

Attended the Pop Warner Football Banquet held on Sunday at Villa Bianca. All players and cheerleaders and their families attended.

Seymour Land Trust will be holding its annual "Santa's Visit to Legion Pool" which will feature Santa Claus and fireworks. It is scheduled for Saturday Dec. 11 at 6:30 pm at the Land Trust on Chatfield Street.

ITEM # 5- Public Comment.

Ed Pollack, Walnut St: Questioning status of his complaint about ongoing water problem on his property, handed out folders containing information he found in the Town Clerks office from as far back as 1982 about Steele Brook. He said he would like to know what is being done about his flooding problem.

Karen Rickel, 13 Edgehill Terrace: Brought in bamboo samples to show how her property has been invaded by bamboo shoots and rhizomes from neighboring bamboo plants. Handed out folders to Selectmen of information she has compiled. Bill Paecht has been out to investigate the problem, checking storm drains and said that plant is not invading them at this time. He also mentioned that the Bamboo tree is not on Connecticut's list of invasive plants.

ITEM # 6- Recommendations from the Fire Department on Rescue Truck Bid. (Take possible Action)

Gene Atkas, Chairman Fire Commission: Received only one bid, and is recommending that the BOS accept it. He had with him information for financing. Recommendation is 2.66% on 5 years.

Kurt would like Board of Finance to provide an analysis of how this is going to work coming from our debt service. Al Rochelle will get a four week extension from the truck manufacturer (Yankee Fire and Rescue) to be able to review Board of Finance analysis.

Motion to table recommendations from the Fire Department on Rescue Truck Bid until December 22, 2010, Town Meeting after reviewing Board of Finance analysis.

Motion: Philip Wilhelmy

Second: John Conroy

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 7 – Acceptance of Jennifer Lane, Nickelmine Brook Estates Sub-Division. (Take Action)

Motion to Accept Jennifer Lane, Nickelmine Brook Estates Sub-Division, acceptance to be conditioned on provision of a maintenance bond in an amount of ten percent of the estimated cost of construction of Jennifer Lane to be in effect for one year following the date of acceptance.

Motion: Philip Wilhelmy

Second: W. Kurt Miller

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 8- F.O.I. Response Policy. (Take possible action)

**FREEDOM OF INFORMATION RESPONSE POLICY**

Effective October 7, 2010 the following policy is to be followed by all employees, board and commission members within the Town of Seymour without exception.

Anyone who receives a request under the Freedom of Information Act should forward a copy of said request to Deirdre Caruso, First Selectman Assistant in the First Selectman's Office within 24 hours of receipt. Deirdre will then acknowledge receipt of the request within the statutory four day period. However, it is still the responsibility of the person receiving the request to compile the information and advise Deirdre thereafter when the request has been complied with. The Freedom of Information Act requires prompt response and anyone who does not properly comply with the request is subject to a \$1,000 fine.

If anyone has any questions, please do not hesitate to contact me.

Paul created this policy to make sure correct steps are taken when any employee, board and commission member receive a F.O.I. request.

John Conroy stated two things were not addressed:

- 1). Whoever receives the request should make sure all appropriate Board members are aware of request.
- 2.) Any town employee assists Board members with documents or any other research material they may need in addressing this request.

Paul explained as F.O.I. requests come into First Selectman's Office, they are logged. He will oversee the log. He explained since the policy went into effect it has worked well. Paul agreed to distribute the policy to all Town employees and have them sign that they received it.

No action taken.

ITEM # 9 Discussion of WPCA information as provided by Board of Finance.

It is estimated that the Town is paying over \$1 million per year for the WPCA's total debt service costs. The Town can construct an ordinance to get funds to go toward the WPCA debt. The Town's Bond Counsel, Doug Gillette was asked to research state statutes, the Town Charter and other pertinent documents needed to assist the BOF for a repayment to the Town for any portion of the debt payments made for the WPCA.

NO action taken

ITEM # 10- Grant Private Property License to Comcast for Wakeley Street Parking Area. (Take Action)

Motion to Grant Private Property License to Comcast for Wakeley Street Parking Area.

Motion: John Conroy

Second: W. Kurt Miller

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 11- Resolution to approve First Supplemental Agreement for Derby Avenue Resurfacing Project. (Take Action)

State Project No. 124-168

Federal Aid Project No. 1124 (001)

**RESOLUTION**

RESOLVED, that the Honorable Paul Roy, First Selectman, is hereby authorized to sign the Agreement entitled: "First Supplemental Agreement to the Original Agreement dated September 15, 2009 between the State of Connecticut and the Town of Seymour for the Construction, Inspection and Maintenance of the Reconstruction and Resurfacing of Derby Avenue Utilizing Federal Funds under the American Recovery and Reinvestment Act of 2009 Public Law 111-5 (hereinafter "Act"). ADOPTED BY THE BOARD OF SELECTMAN OF THE TOWN OF SEYMOUR, CONNECTICUT, ON THE 7<sup>th</sup> DAY OF DECEMBER, 2010.

Motion to approve First Supplemental Original Agreement dated September 15, 2009 between the State of Connecticut and the Town of Seymour for the Construction, inspection, and maintenance, of the reconstruction and resurfacing of Derby Avenue.

Motion: John Conroy

Second: W. Kurt Miller

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

Motion to place on table Broad Street Park Lease Resolution.

Motion: John Conroy

Second: Philip Wilhelmy

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify



Motion to approve Chatfield Park STEAP Grant # 2011-04.

Motion: Philip Wilhelmy

Second: Annmarie Drugonis

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

ITEM #12 – Appointments

Motion to appoint Melissa SmithPoynton to the Zoning Board of Appeals Alternate for a 4-year term expiring 12/7/14.

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

Motion to appoint Stephen Chucta to the Water Pollution Control Authority for a 4-year term expiring 12/12/14.

Motion: W. Kurt Miller

Second: Annmarie Drugonis

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 13 – Tax Refunds/Abatements

Motion to approve tax refunds in the amount of \$135.77.

Motion :Philip Wilhelmy

Second: Annmarie Drugonis

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 14 – Transfers

NONE

ITEM # 15 – Correspondence

-Check Registers.

W Kurt Miller: Tracey's Garage - \$14,165.12. What is that for?

Paul will find out and get back to him.

-Letter from Emergency Management and Homeland Security

ITEM # 16 – Other Business

None

ITEM # 17 – Public Comment

None

ITEM # 18 – Selectmen's Public Comment.

John Conroy: In regard to Mr. Pollack and his ongoing flooding problem, he feels we do owe him an answer, hopefully by the first meeting in January to put the matter on the agenda and discuss this once and for all.

W. Kurt Miller: Seymour Pride Committee wants to thank Ted Holly for cleaning effort at Seymour Historical Society.

Annmarie Drugonis: Website needs updating. Paul mentioned his office has been short-handed recently, web will be updated ASAP.

ITEM # 19 – Executive Session (Pending Litigation – Seymour v. Fletcher Thompson, pending litigation).

Motion to go into Executive Session at 9:15Pm with Town Counsel Colleen Fries, Rick Belden, MaryAnne Mascolo, Ed Strumello, and Board of Selectmen for pending litigation for Seymour v. Fletcher Thompson.

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

Motion to come out of executive session at 9:43PM with no motions or actions taken.

Motion: Philip Wilhelmy

Second: Karl Trybus

Vote: 7-Yes

0-No

0-Abstain

0-Disqualify

ITEM # 20 – Adjournment

Motion to adjourn at 9:44PM.

Motion: W. Kurt Miller

Second: Philip Wilhelmy

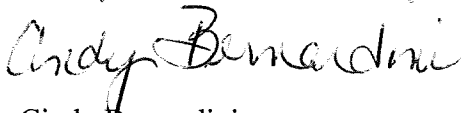
Vote: 7-Yes

0-No

0-Abstain

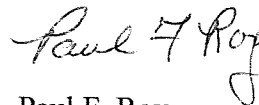
0-Disqualify

Submitted by,



Cindy Bernardini  
Recording Secretary

Reviewed by,



Paul F. Roy  
First Selectman