

**SUBJECT: SPECIAL TOWN COUNCIL MEETING MINUTES**

**DATE:** August 8, 2006. 7:00 p.m.

**PLACE:** Town Hall Assembly Room

**PRESENT** PRESENT : Mayor Krampitz, Councilman Goodwin, Councilman Zagurski,  
: Councilwoman Scoville, Councilwoman Murawski. ABSENT: Councilman  
Sekorski.

1. Call Meeting to Order - The meeting was called to order by Mayor Krampitz at 7:00 p.m. The Mayor noted that the regular meeting was cancelled last week due to vacation schedules so this special meeting was scheduled.
2. Pledge of Allegiance – Mayor Krampitz led the audience in the Pledge of Allegiance.
3. Approval of the July 18, 2006 Special Town Council Meeting Minutes – MOTION: Councilwoman Murawski moved to approve the July 18, 2006 Special Town Council Minutes. SECOND: Councilwoman Scoville. MOTION PASSED UNANIMOUSLY.
4. Resignations and Appointments – MOTION: Councilman Goodwin moved to reappoint Helen R. Nejfelt to the Housing Authority with a term to expire August 31, 2009 . SECOND: Councilman Zagurski. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Scoville moved to appoint Gary J. Gallagher to the Planning & Zoning Commission as an alternate member with a term to expire September 5, 2007 . SECOND: Councilman Zagurski. MOTION PASSED UNANIMOUSLY.
5. Take action to refund property taxes to: Martin J. Archambault \$67.32 and \$30.39; David E. Schultz \$52.29; Carmen or James Skoczylas \$23.67; Sandra or Roderick Ives \$31.51; Robert Johnson \$16.77; Paul or Dorothy Tichanski \$65.18; Ray J. Blanchette or Colleen Ferreira \$7.93; VW Credit Leasing Ltd. \$101.10; GMAC \$372.53; Rebecca or Brian Harnish \$34.78; Lionel St. Pierre \$63.60; Patel Hemang Ravji \$66.00; Brad S. Picard \$268.45; Angela A. Soden \$26.13; Warren or Brenda Weems \$24.41; Robert J. Polidoro \$58.36; Martha or Ronald Rice \$23.91; Paula or Thomas Maghini \$86.35 – MOTION: Councilwoman Murawski moved to refund property taxes as presented. SECOND: Councilman Zagurski. MOTION PASSED UNANIMOUSLY.
6. Take action to approve deficits for fiscal year 2005/2006 – Mayor Krampitz introduced Manuel Gomes, Comptroller to offer more information about the list presented. Mr. Gomes explained the process as an appropriation of money to cover deficits in line items. This serves as an internal control mechanism for spending approved at last year's town meeting and does not affect the year-end surplus. The surplus will always be what the town spent compared to the total revenue brought in. Mr. Gomes named a variety of problems that led to some of the deficits. The last pay period of fiscal year 04-05 was posted to this fiscal year which impacts fund balance. New line items were added such as for sergeants in the police department. However, no monies were ever taken from that line item. The pensions are the only projected item in the report and were mis-posted from last year. Adjustments were made that make no sense. Mr. Gomes stated that he is confident that all the payments were for legal bills but that these problems were a result of mis-posting. The process had broken down. Councilwoman Scoville commented that she thought the comptroller was referring to bad bookkeeping. Mr. Gomes said that these problems came to light when he tried to balance the books. Councilman Goodwin stated that there was a breakdown before Mr. Gomes arrived but he was also concerned about department heads monitoring monthly

budget reports. Mr. Gomes stated that the breakdown has been taken care of and an emphasis is being placed on reviewing the budget reports each month. The Board of Finance is also going to do a review because of the three percent increase and they want to keep a close eye on each line item. Mayor Krampitz informed the Town Council that twenty five percent of the deficits are utilities and that the total is 1.35% of the budget which is less than what it has been in the past. Councilwoman Scoville noted that the town audit was rather large. Mayor Krampitz confirmed with Mr. Gomes that last year's audit cost the town approximately \$30,000 more. Councilman Goodwin asked about the surplus and Mr. Gomes said that conservatively it would be approximately \$300,000. Mayor Krampitz also noted that this budget was inherited in November and a lot of activity happened between July and November of last year. The Budget Deficits Report for Fiscal Year 2005-2006 submitted by the comptroller is as follows:

**Mayor** - Administrative Assistant \$14,288; Advertising \$1,384 **Comptroller** – Staff \$1,610; Salary O/T \$9,827; Advertising \$514 **Central Office** – Tech Support \$8,244; P/T Flex Workers \$2,902; Service Contracts \$8,049; Mileage \$1,784 **Registrars** - Salary Registrars \$1,681; Wages-Election Workers \$2,734; Maintenance& repairs \$1,409 **Board of Finance** – Salary-Meeting Secretary \$200; Expenses \$2,450; Town Audit \$31,400 **Tax Collector** – Salary Staff \$10,667; Service Contracts \$4,725; Tax Refunds \$20,415 Legal Fees – Labor Attorney \$40,750 Employee Benefits – Pensions \$30,000 (projected); Unemployment Compensation \$4,843; Wage/Benefits Adjustment \$46,443; Educational Incentives \$4,000 Additional Appropriations – **Tax Assessor** Computer Grant \$1,954 **Fire Marshal** - \$863 **Police Department** - Salary-Police Chief \$2,006; Dues & Fees \$674; Repairs & Supplies \$2,843; Electrical Repairs & Supplies \$1,253; Physicals \$344 **Fire Department** – Fire Hydrants \$9,370; Physicals \$2,512 Terryville Station – Heat \$1,619; Elec., Gas & Water \$3,384 Plymouth Station – Heat \$1,270; Elec., Gas & Water \$613 Fall Mountain Station – Heat \$4,791 Facilities – Repairs & Supplies \$870; Sewer User Fees \$3,765; Heat \$22,649; Electricity \$900; Street Lights \$9,738 Highway – Wages F/T \$39,719; Wages O/T \$8,540; Electricity \$1,112 **Public Works Director** – Salary-Secretary \$1,819; Overtime/P/T Help \$7,188 **Maintenance Garage** – Wages-Assistant \$1,513; Wages Overtime \$1,165; Heat \$777; Gas & Oil \$42,782 **Building Inspector** – Salary-Building Inspector \$13,720 **Human Service** – Human Services Commission \$178; General Assistance \$1,465 **Public Health** – Salaries-F/T \$3,211; HHA Scheduler \$2,188 **Ambulance Corps** – Electricity \$4,311 Library – Salary P/T \$1,829; Repairs & Supplies \$2,736; Electricity \$5,643 **Planning & Zoning** – Salary – Enforcement Officer \$4,046; Contract Services \$3,193. The Grand Total for these deficits is \$468,880.

MOTION: Councilwoman Scoville moved to recommend the 2005/2006 budget deficits to the Board of Finance for approval. SECOND: Councilman Goodwin. MOTION PASSED UNANIMOUSLY .

7. Discuss and take action on proposed ordinances titled Fees for Plan Review by the Fire Marshal and Retirement and Pension Oversight Board – Mayor Krampitz stated that the packets included the information from June 6 th and the new draft for tonight and that Fire Marshal Jack Schubert was available for questions. Councilman Zagurski asked if a plan gets rejected do the applicants have to pay the fees again and Mr. Schubert told him only the fees for the specific changes. Councilwoman Scoville stated that if it is coming out of their

pockets, maybe they will become aware of the code first. Councilman Goodwin asked what would constitute a violation per section five. He was told that would be if someone did not pay the second time. There was concern about the Fee Schedule as it would affect new business construction. The Town Council wanted to maintain a fee schedule but keep it more business friendly. There was discussion about establishing a step system for fees or other more equitable options. MOTION: Councilman Goodwin moved to approve ordinance titled "Fees for Plan Review by the Fire Marshal". SECOND: Councilwoman Scoville. Mayor Krampitz pointed out that because the Town Council had already indicated that it was going to table the fee schedule portion of the ordinance to create a better method of charging applicants, the Town would delay publication of the ordinance so that the deadline dates would not become an issue. The ordinance will be published when the fee schedule is determined. MOTION PASSED UNANIMOUSLY. Councilman Zagurski wanted to note that the service is still free until a fee schedule is set. MOTION: Councilman Goodwin moved to table the "Fee Schedule for Permits and Plan Reviews by the Fire Marshal" until the next meeting. SECOND: Councilwoman Scoville. MOTION PASSED UNANIMOUSLY. Councilman Goodwin volunteered his time to work with the Fire Marshal to develop other fee schedule options.

(The following draft was approved by the council.)

#### ARTICLE VI. FEES FOR PLAN REVIEW BY THE FIRE MARSHAL

##### **Sec. 2-101. Purpose.**

The purpose of the Fees for Plan Review by the Fire Marshal is to reduce the number of plans that are received for a specific project and to offset the expense incurred in the review of these plans.

##### **Sec. 2-102. History.**

Previously, when there are new construction plans for new buildings or plans submitted for renovations to existing buildings, the owner/contractors have been submitting plans that are reviewed by the office of the fire marshal. Many times these plans need to be revised as they do not have the required information needed to do the review. The people submitting these plans are using the office as a free plan resource. This ordinance should reduce the number of re-submittals by making the submitter make sure the plans are complete before sending them in for review, therefore reducing the number of hours spent by the office in plan review. It will also generate revenue to offset the cost of the plan review.

##### **Sec. 2-103. Fees for permits and plan reviews by the fire marshal.**

(1) Effective October 1, 2006 , the office the Fire Marshal of the Town of Plymouth shall charge a fee for all requests for permits and registration required by:

1. The Connecticut Flammable and Combustible Liquid code,
2. The Connecticut Liquefied Petroleum Gas & Liquefied Natural gas code, and
3. The code for the storage, transportation and use of explosives and blasting agents,

as the same may be amended from time to time, or required under any similar codes hereafter adopted, as the same may be amended from time to time. The fees to be charged for such permit and registration shall be indicated in the fee schedule.

(2) Effective October 1, 2006 , the office of the Fire Marshal of the Town of Plymouth shall charge a fee for all plan reviews required by the Connecticut Fire Safety Code, as the same may hereafter be amended from time to time, or for plan reviews required under any similar Fire Safety Code hereafter adopted, as the same may be amended from time to time. The fees to be charged for such plan reviews shall be based on the final value as disclosed by the Town of Plymouth Building Department permits for construction, extension, removal or alteration. This is subject to the schedule on file in the Fire Marshal and Town Clerk's offices.

The applicant shall file an initial statement of value with Office of the Fire Marshal at the time the plan review is requested. If the value of the construction, extension, removal or alteration increases from that disclosed in the initial statement of value, a supplemental statement of value shall be filed and any increased fee shall be paid at the time a certificate of occupancy is required, or at the time the construction, extension, removal or alteration is completed.

(3) No application for such plan review shall be deemed to be received until such fee shall have been paid to the Office of the Fire Marshal. ~~for which shall issue a numbered receipt.~~ The Office of the Fire Marshal shall provide each applicant for a permit, registration or plan review with a numbered payment receipt which shall contain an itemization of the fees received, the date of the receipt, the payer's name and address, the nature of the permit, registration or plan review and the physical location at which the construction or other activity will take place.

All monies received by the Office of the Fire Marshal for such permits and registrations and plan reviews shall be remitted to the tax collector on a weekly basis. With each monetary remittance, the Office of the Fire Marshal shall provide the comptroller with a duplicate original of the numbered receipt provided each applicant. ~~which receipt shall contain an itemization of the fees received, the date of the receipt, the payer's name and address, the nature of the permit, registration or plan review and the physical location at which the construction or other activity will take place.~~

(4) The Town Council of the Town of Plymouth shall adopt a fee schedule based upon recommendations of the Fire Marshal's Office and review the fee schedule, if needed, on a yearly basis. ~~as a part of its budget deliberations and any recommendations for a change in the fee schedule shall be submitted to Fire Marshal and Comptroller.~~

(5) Violations of the provisions of this ordinance shall be punishable by a fine of Twenty-Five Dollars (\$25.00) ~~per day the violation continues.~~ each day that a violation continues shall constitute a separate violation. Citations for violation of the provisions of this ordinance shall be issued by the Fire Marshal. Such penalties shall exist as a lien against the

premises wherein said violation exists and may be recorded upon the land records of the Town of Plymouth . Such liens shall be perfected and be in effect in accordance with the provisions of the Connecticut General Statutes, as amended, relating to the collection of taxes on real estate.

## **FEE SCHEDULE FOR PERMITS AND PLAN REVIEWS BY FIRE MARSHAL**

Permit and registration \$20.00

<b>VALUE</b>	<b>FEE</b>
0 TO \$4000	- \$20.00
In excess of \$4000	- \$20. plus \$7.00 per \$1000. or portion thereof in excess of \$4000.

Mayor Krampitz introduced Manuel Gomes, Comptroller to answer any questions concerning the Retirement and Pension Oversight Board ordinance and explained to the council the changes recommended by the attorney. Councilwoman Scoville asked if the comptroller already works with a broker. She was told that the town would advertise for consultants. Mr. Gomes said that we would have to adopt an investment policy for the assets and a schedule for quarterly and annual reviews. We'll follow what other communities have done and fit it to our town. Councilman Goodwin asked what would happen when contracts are negotiated. Mr. Gomes said that it should be stated in the procedures that any changes to the pension language needs to be approved or at least potential costs need to be run by that board for approval or disapproval. This gives it the oversight. The other question was the Board of Education and the assets are segregated. They have their own report separate from ours. MOTION: Councilwoman Scoville moved to approve the ordinance title "Retirement and Pension Oversight Board". SECOND: Councilwoman Murawski. MOTION PASSED UNANIMOUSLY.

(The following draft was approved by the council.)

## **ARTICLE VII . RETIREMENT AND PENSION OVERSIGHT BOARD**

Sec. 2-111. Created.

There is hereby created a Retirement and Pension Oversight Board which shall serve as the administrator of the pension plan(s) for Town employees in accordance with Section 7-450 of the Connecticut General Statutes, Revision of 1958, as amended and maintain current knowledge of pension plan design, investment strategies and statutory responsibilities. It shall plan, direct and monitor investment performance to maximize returns consistent with the prudent management of Plan assets. to ensure employee benefit commitments.

Sec. 2-112. Composition.

The membership of the Retirement and Pension Board shall consist of the Mayor, Treasurer, Comptroller, a Town Council member, a member of the Board of Finance and an elector of

the town. The Town Council shall select one of its members to serve, the Board of Finance shall select one of its members to serve and the Mayor shall appoint an elector. The term of each shall terminate on the same date as the term of the Mayor, provided that each member shall continue to serve until the member's successor is appointed and qualified. Any vacancy shall be filled in the manner of original appointment. Any member of the Board may be removed by the appointing entity for cause. The members of the Board shall receive no compensation for their services.

#### Sec. 2-113. Duties.

The Board shall keep records of its meetings and other activities. The Board shall submit an annual report to the Town Council and the Board of Finance during their February meetings on the status of the pension plan and its fund, including a current the most recent actuarial report describing the Pension Plan actuarial assumptions based on the plan assumptions and the adequacy of the fund to meet the obligations of the plan. The report should analyze the Pension Plan, explain its competitiveness, explore investment strategies and recommend changes, if any. The Board shall have all the powers conferred on it and perform all the duties required of it by law.

#### Sec. 2-114. Meetings.

The Mayor or the Mayor's designee will serve as Chairman of the Board. Annually at its first meeting the Board will select from its members a Vice-Chairman. Regular meetings will be held quarterly and special meetings may be scheduled by the Mayor or the Mayor's designee as necessary if necessary. Three (3) members shall constitute a quorum.

8/8/06 Draft

8. Public Comment – Mayor Krampitz read from the Council Rules and Procedures that the speakers must be recognized by the Chair, state their names and addresses, and be concise in their comments in consideration for others who wish to speak. Speakers must have courtesy and respect for the opinions of others and behave in a manner appropriate to the Council Chambers. No response should be expected from the Chair, Council, attorney, Public Works Director or any Town Official. Melanie Church, 328 Main St. – stated that departments should ask for special appropriations instead of having year-end deficits. She also wants the council to consider hiring another police officer. Councilwoman Murawski responded by stating that we have had openings and had a very difficult time finding qualified candidates. Councilman Zagurski agreed with that statement but added that the process should be started if we are short-handed. Councilwoman Murawski added that we had a person in the academy at the moment. Mayor Krampitz reminded everyone that we would have had another police officer if the budget passed. It is simply not in the budget and we do not have money for medical insurance to cover adding staff. If the budget had passed, we could have done this. We have to abide by our budget. Cathy Paskus, 4 Arrow Dr. – wanted to compliment the administration and town council because it inherited a lot of these financial problems and you have done a good job resolving them. She also wanted to know if she could have some information on the back to school parade that was being organized. Mayor Krampitz informed her it was scheduled for August 26 th and this was a result of the State

asking us to celebrate Connecticut Family Day. Melanie Church, 328 Main St. – asked why there has not been more progress concerning the police dog. Mayor Krampitz explained that the care of that dog has to be negotiated and the police union has cancelled the last three meetings.

9. Executive Session for pending litigation/claims James Dubowsky vs. Town of Plymouth and Clement Paskus vs. Town of Plymouth - MOTION: Councilman Goodwin moved to go into executive session at 8:17 p.m. for pending litigation/claims James Dubowsky vs. Town of Plymouth and Clement Paskus vs. Town of Plymouth and invite in Attorney Joseph McQuade. SECOND: Councilwoman Murawski. MOTION PASSED UNANIMOUSLY. WENT OUT OF EXECUTIVE SESSION AT 9:30 p.m. BACK IN OPEN SESSION AT 9:35 p.m.
- 10 Take action from executive session if necessary – MOTION: Councilwoman Scoville moved . to recommend to the Board of Finance the appropriation of \$35,722.44 from the town's budget line item 101-01-019-60 for the purposes of paying permanent partial disability benefits to James Dubowsky in connection with his claim filed pursuant to Connecticut General Statutes 7-433c. SECOND: Councilwoman Murawski. MOTION PASSED UNANIMOUSLY.
- 11 Adjournment – MOTION: Councilwoman Scoville moved to adjourn the meeting at 9:36 . p.m. SECOND: Councilman Goodwin. MOTION PASSED UNANIMOUSLY.

Submitted by: David M. Denis, Council Clerk