

SUBJECT: SPECIAL TOWN COUNCIL MEETING MINUTES

DATE: June 11, 2007, immediately following the public hearing

PLACE: Town Hall Community Room

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

1. Call Meeting to Order – The meeting was called to order at 7:36 p.m.
2. Pledge of Allegiance.
3. Resignations and Appointments – MOTION: Councilman Goodwin moved to accept the resignation of Janice L. Basoli from the Human Services Commission with regret.

SECOND:

Councilwoman Scoville. DISCUSSION: Councilman Goodwin stated that Janice was a big help on that commission and it will be a loss. The Council wishes her well. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Scoville moved the Mayoral appointment with council approval of Diane Ciano to the Beautification Committee with an unlimited term. SECOND: Councilwoman Murawski. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Scoville moved to approve the Mayoral appointment of Anthony Lorenzetti, Public Works Director, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilwoman Murawski.

MOTION PASSED UNANIMOUSLY. MOTION: Councilman Goodwin moved the appointment of John Pajeski, representing the Senior Citizens, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilwoman Scoville. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Scoville moved the appointment of Carl Johnson, representing the Planning and Zoning Commission, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilman Goodwin. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Scoville moved the appointment of Lou Santos, representing the Water Pollution Control Authority, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilman Goodwin. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Scoville moved the appointment of Anthony Distasio, representing the Board of Education, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilwoman Murawski. MOTION PASSED UNANIMOUSLY. MOTION: Councilman Goodwin moved the appointment of Martin Sandshaw, representing the Fire Commission, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilwoman Scoville. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Scoville moved the appointment of Hank Poulin, representing the Plymouth Volunteer Ambulance Corps, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilman Goodwin. MOTION PASSED UNANIMOUSLY. MOTION:

Councilwoman Scoville moved the appointment of Ann Tuleja, representing the Police Commission, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilman Zagurski. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Murawski moved the appointment of William Allread, representing the School Building Committee, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilwoman Scoville. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Murawski moved the appointment of Rodney Houle, representing the Capital Improvements Committee, to the Municipal

Facilities Study Committee with an unlimited term. SECOND: Councilman Goodwin. MOTION PASSED UNANIMOUSLY. MOTION: Councilman Goodwin moved the appointment of John Pajeski, representing the Senior Citizens, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilwoman Scoville. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Scoville moved the appointment of Carl Johnson, representing the Planning and Zoning Commission, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilman Goodwin. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Scoville moved the appointment of Lou Santos, representing the Water Pollution Control Authority, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilman Goodwin. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Scoville moved the appointment of Anthony Distasio, representing the Board of Education, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilwoman Murawski. MOTION PASSED UNANIMOUSLY. MOTION: Councilman Goodwin moved the appointment of Martin Sandshaw, representing the Fire Commission, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilwoman Scoville. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Scoville moved the appointment of Hank Poulin, representing the Plymouth Volunteer Ambulance Corps, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilman Goodwin. MOTION PASSED UNANIMOUSLY. MOTION:

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Facilities Study Committee with an unlimited term. SECOND: Councilman Goodwin. MOTION PASSED UNANIMOUSLY. MOTION: Councilman Goodwin moved the appointment of Lynn White, Terryville Library Director, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilwoman Scoville. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Scoville moved the appointment of William Kuehn, Director of Planning and Economic Development, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilman Goodwin. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Murawski moved the appointment of Judi Blanchet, Nursing Administrator, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilman Goodwin. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Scoville moved the appointment of Hildegard Siemiakoski, representing the public, to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilwoman Murawski. MOTION PASSED UNANIMOUSLY. The Mayor reminded the public that there is one public vacancy on this committee and urged residents to submit applications to the Mayor's Office.

4. Take action to refund property taxes to: Steven Garceau \$1,187.76; Chase Man Auto Fin. Corp. \$332.34; National City Commercial Capital Corp. \$4,087.92; Kathleen L. Slaterry \$47.66 – MOTION: Councilwoman Murawski moved to refund property taxes to those as presented. SECOND: Councilwoman Scoville. MOTION PASSED UNANIMOUSLY.
5. Discuss and take action to apply for Neighborhood Assistance Act Program funds – MOTION: Councilwoman Scoville moved to apply for the Neighborhood Assistance Act Program in the amount of \$100,000 for a Skateboard Park . SECOND: Councilman Zagurski. DISCUSSION: Councilman Goodwin stated that he hears kids saying “there is nothing to do in town” and feels it is the Council's duty to at least attempt to get funding for a project that will give kids something to do besides play baseball or soccer. Councilwoman Scoville requested the Town apply for the maximum amount of the grant, \$150,000. She stated that there was no harm in applying for it – the worst that can happen is we do not use the money. MOTION: Councilwoman Scoville moved to amend the original motion by applying for \$150,000. SECOND: Councilman Zagurski. DISCUSSION: Councilman Goodwin asked if the Town would have to get a new estimate on the project cost. The Mayor stated that the figures would be re-checked because the estimate is a few months old and may increase accordingly with the increase in gas prices. MOTION PASSED UNANIMOUSLY. DISCUSSION on original, now amended motion: Councilwoman Scoville stated that the town offers a lot to kids who participate in traditional sports and there is no reason that the town should not offer something to non-traditional activities such as skateboarding. She further stated that based on her experience with grants, if we get the money and do not use it, we simply give the money back. She feels it would be poor judgment not to apply for this grant. VOTE TAKEN: Councilman Zagurski – yes, Councilwoman Murawski – yes, Councilman Goodwin – yes, Councilwoman Scoville – yes. MOTION PASSED.
6. Discuss and take action on Blight Fees list per Blight Abatement ordinance – Mayor Krampitz reminded the Council that they did not take action on it last year and after seventy-five days of no action, it is deemed approved. Councilman Goodwin asked if the list presented was the most current list. Mayor Krampitz answered affirmatively.

Councilman Goodwin asked why other properties were not on the list, for example, the Terryville Trust building. Mayor Krampitz stated that there has not been a complaint filed on the Terryville Trust building, but today she had asked Mr. Kuehn that the owner be contacted so the grass could at least be mowed. The Mayor stated there are some properties that have never been formally complained about and there are a couple of properties that the Building Official has not had a chance to inspect yet. The Blight Committee has been meeting almost monthly and a lot of the work has to do with complaints that are rectified and do not make it on to the list. Councilwoman Scoville asked for a summary of the blight procedure. Mayor Krampitz stated that a complaint is filed, the part-time Blight Officer who is also the Building Official inspects the complaint, and he determines if the property should be added to the list. A person's name will be removed from the list after the inspection is completed and the Building Official determines that the name should be removed from the list. Councilwoman Scoville commented that many of the names on the list have not been contacted since 2001. Mayor Krampitz stated the list the Council worked on last year is the same list presented to them this year. Councilwoman Scoville questioned the six-year time period of notification. The Mayor explained that a complaint that old would have a lien placed on the property. Councilwoman Scoville feels the chance of collecting the fees is minimal. The Mayor stated that it is difficult to collect the fees, but there is a part-time effort on this. It may be difficult for people to afford to pay their fee, but where the property is lienied, the town is first in line to collect the fee when the property is sold. Councilwoman Scoville asked if fees are ever waived. Mayor Krampitz stated that fees are not waived. Councilwoman Murawski asked why only some property owners received a letter in February. The Mayor stated that it was based on a comment by this Council to clean up Main Street . At that time EDC (Economic Development Commission) was also talking about cleaning up Main Street . Councilwoman Scoville asked what the fee structure was. Mayor Krampitz responded it was \$50.00/day per ordinance. Councilwoman Scoville asked how much money was collected on blight fees in 2006. Mayor Krampitz stated that it was minimal. Councilwoman Scoville stated that she would like to see another approach taken to solving the blight problem. The Mayor stated that the ordinance could be amended. The intent of the ordinance was to clean up properties, not the money. There has been a slow effort on the part of our Health Department, Blight Officer, Fire Marshal, Zoning Enforcement Officer and Health Director to get these properties cleaned up. Public Comment: Atty. Dean Kilbourne, Kilbourne & Tully – requested he be heard on behalf of two residents whose names are on the list, prior to the Council taking action on the list. Atty. Kilbourne sent letters to the Building Official in March, the Mayor has copies of the letters and they will be answered. Atty. Kilbourne stated that he had permission to talk about the properties belonging to Melanie Church and Thomas Kiltonic, his clients. They both received their initial blight violation in March 2000. Each claims to have made contact with the Town after cleaning their property. Ms. Church claims she made contact with Mayor Mischke and Mr. Kiltonic went through the appeals process. They did not hear anymore from the Town until February 2007. Atty. Kilbourne stated that it was at that point that the parties retained him and he then sent a letter to Clarence Atkinson, Building Inspector. Atty. Kilbourne requested that a.) their names be removed from the list before action is taken or b.) that a vote not be taken so the Council can further investigate the situation. Mayor Krampitz stated that according to the Building

Inspector's records Ms. Church's property was cleaned up in March 2007 – there was debris on the property until then. The Building Inspector has not determined that Mr. Kiltonic's property has been cleaned up. Mayor Krampitz recommended that the Council cannot take action on the two properties until the Building Inspector determines they are clean. Atty. Kilbourne referred to a note in Ms. Church's file about exterior walls. The Mayor responded that the notes in the file indicate that the shed was cleaned up, but the debris was not. Atty. Kilbourne stated that you cannot tack on new violations to the original fine. Mayor Krampitz stated that the violation has always been regarding trash, garbage and abandoned vehicles plus the structure. Melanie Church, 328 Main St. – asked the Council to look at the original pictures which showed the shed, debris and the side of a fence. She stated that all of that was cleaned up at the same time as the shed. Mayor Krampitz stated that the garbage and trash clean up happened in March 2007. Councilman Goodwin stated that the important thing was that it was cleaned up. Ms. Church told the Council to look at the original pictures. Councilman Goodwin stated that everyone drives by. MOTION: Councilwoman Scoville moved to table this item. She further stated that seven years is too long to go without further notification. Councilwoman Scoville feels the fine of \$50.00 per day over seven years is appalling and the ordinance needs to be looked at. SECOND: Councilman Zagurski. Councilwoman Scoville withdrew her motion to table and Councilman Zagurski withdrew his second in order to hear more comments. Councilman Goodwin asked how people are notified initially and subsequently through the process. The Mayor stated that letters are sent via certified mail and return receipt. In other words, the Town has the green card containing the property owner's signature. Councilman Goodwin stated that if he had an issue, he would be at town hall addressing it, not ignoring it. He also stated that once his issue was cleaned up he would be at Town Hall requesting an inspection. Councilman Goodwin stated that the purpose of the blight ordinance is to keep the community from falling into shambles. The Mayor stated that the Town has collected some money from blight fines, but they have been negotiated down. The fines over \$100,000 have not been negotiated down. Councilman Goodwin invited Ms. Church to the podium to speak. Melanie Church, 328 Main St. – Stated that the Town took nothing for the Belonik property and it was on the blight list. She also stated that the Ghio's paid \$7,000 in blight fees and their fines were much higher. MOTION: Councilwoman Scoville moved to table this item. Councilwoman Scoville stated that the ordinance is not working. There is over \$2 million in fines on the blight list. Mayor Krampitz stated that that would pay for medical insurance and Councilwoman Murawski stated it would pay for a police dog. Councilwoman Scoville stated that when the fines get so high, people feel like why bother, they're going to take my house anyway. SECOND: Councilman Zagurski. Councilwoman Scoville requested a roll call vote. Councilman Zagurski – yes, Councilwoman Murawski – no, Councilman Goodwin – no, Councilwoman Scoville – yes. Mayor Krampitz broke the tie with a "no" vote. Discussion continued – Councilwoman Murawski stated that there needs to be a plan or an idea of how to change this. Councilwoman Scoville stated that is exactly why the item should be tabled. It will give the Council time to figure out how to make it better. Mayor Krampitz reminded the Council that they took no action last year and after 75 days, the list was deemed accepted. Councilwoman Scoville felt that the Council agreed that this system is not working. Councilman Goodwin stated that the purpose of the fines is to get people to the table.

Councilman Goodwin stated that it would behoove people to follow up with the Town once they receive a certified letter. Ms. Church, from audience, stated that she followed up with Mayor Mischke. Councilman Goodwin responded that she followed up with Mayor Mischke in Back to Basics. Councilwoman Scoville suggested that after seven years people think the Town lost their letter, threw it away, or they were mysteriously removed from the list. Mayor Krampitz responded that these properties have liens on them that were placed on the property years ago. Atty. Dean Kilbourne, Kilbourne & Tully, Laurel St. , Bristol – Stated that the residents he represents made corrections and relayed that to authorities at the time. No where in the ordinance does it say that the burden is on the resident to notify the Town that the property is cleaned up. He feels that the resident should not be penalized for the Town's part-time Blight Officer and the number of people who have worked in that position. Mayor Krampitz replied that Atty. Tully's information does not agree with our records. The Mayor responded that the list will not change that much until a full-time, part-time blight official can be put into place. Mayor Krampitz responded that the Building Official has been aggressive in keeping people off the list. Councilman Goodwin stated that if a property with huge fines is finally cleaned up, the solution would be to negotiate and come to some resolution, but the primary objective is to get the property cleaned up. Councilwoman Murawski asked if the Blight Committee has had a conversation on how to improve enforcement of the blight ordinance. Mayor Krampitz stated that our ordinance has been compared to state statute. Our ordinance was modeled after many blight ordinances and it is comprehensive except for not having a full-time blight officer. The Mayor was complying with ordinance by presenting the blight list in June. Two properties have come off the list and two more are currently still listed but have been rectified. Councilman Goodwin clarified that if no action is taken tonight, it could be brought up at the next meeting. Councilwoman Scoville stated that it should be tabled so the Council can come back to it. MOTION: Councilwoman Scoville moved to table this item until the August meeting. SECOND: Councilman Zagurski. VOTE TAKEN: Councilman Zagurski – yes, Councilwoman Murawski – yes, Councilman Goodwin – yes, Councilwoman Scoville – yes. MOTION PASSED.

7. Public Comment – None.
8. Executive Session for real estate negotiations – MOTION: Councilman Goodwin moved to go into Executive Session for real estate negotiations at 8:22 p.m. and invite in Town Attorney. MOTION PASSED. Out of Executive Session at 8:50 p.m. Back In Open Session at 8:51 p.m.
9. Take action from executive session – MOTION: Councilwoman Murawski moved to take action to fulfill the Railroad Service Agreement and License Agreement regarding Tunnel Road at the Town Brush Dump and the Boston & Maine Railroad, as required for the Landfill closure plan. SECOND: Councilwoman Scoville. MOTION PASSED.
10. Adjournment – MOTION: Councilwoman Murawski moved to adjourn at 8:52 p.m. SECOND: Councilman Goodwin. MOTION PASSED.

Submitted by: Erica Nodine, Acting Council Clerk