

**SUBJECT: SPECIAL TOWN COUNCIL MEETING MINUTES**

**DATE:** August 14, 2007 7:00 p.m. immediately following the [public hearing](#)

**PLACE:** Town Hall Community Room

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

1. Call Meeting to Order – Mayor Krampitz called the meeting to order at 6:55 p.m.
2. Pledge of Allegiance - Mayor Krampitz led the audience in the Pledge of Allegiance.
3. Approval of the July 10, 2007 Regular Town Council Meeting Minutes – MOTION: Councilwoman Murawski moved to approve the July 10, 2007 Regular Town Council Meeting Minutes. SECOND: Councilwoman Scoville. Councilman Zagurski stated that even though the comments indicated that the word “not” was missing in the Local Vendor Preference ordinance, he thought it should have been included in the language on page 10. This was noted for the record by the Mayor. MOTION PASSED UNANIMOUSLY.
4. Resignations and Appointments – MOTION: Councilwoman Scoville moved to accept the resignation of Henry E. Kolakoski from the Housing Authority with regret. SECOND: Councilman Goodwin. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Murawski moved to appoint Karen E. Kulesa to the Plymouth Board of Education to fill the vacancy left by Velma McConnell that expires November 11, 2007 . SECOND: Councilman Sekorski. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Scoville moved the Mayoral appointment of William W. Hawley to the Municipal Facilities Study Committee with an unlimited term. SECOND: Councilwoman Murawski. MOTION PASSED UNANIMOUSLY. MOTION: Councilman Goodwin moved the Mayoral reappointment of Joseph M. Green to the Capital Improvements Committee with a term to expire February 7, 2010 . SECOND: Councilwoman Scoville. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Scoville moved to reappoint Barbara Orsini to the Housing Authority with a term to expire August 31, 2012 . SECOND: Councilman Zagurski. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Scoville moved the Mayoral reappointment of David J. Zukauskas to the Conservation Inland/Wetlands Commission with a term to expire September 1, 2010. SECOND: Councilman Sekorski. MOTION PASSED UNANIMOUSLY. MOTION: Councilman Goodwin moved the Mayoral reappointment of Gary J. Gallagher to the Planning & Zoning Commission with a term to expire September 5, 2010. SECOND: Councilwoman Murawski. MOTION PASSED UNANIMOUSLY.
5. Take action to refund property taxes to: Julie or Philip Perry \$357.50; Elmon E. Smith \$44.01; Carleen Limmer \$9.51; Genevieve or Chester Drzewiecki \$5.17; Raymond Chevrier \$156.70; Sharon Masse \$103.00; Michael R. Turner \$475.57; Glen Mfg Co. Inc. \$32.27; Paul Witik \$133.80; Warren or Barbara Grant \$36.18; Angelo or Georgia Rose \$47.74; Patrick or Madylin Speranza \$8.01; Keith T. Falkner \$156.59; Geoff H. Miller \$18.55; John or Helene Bycoski \$83.98; Bruce or Robert Szoldra \$12.94; Daniel C. Perbeck \$14.18; Leaond H. Noble \$228.16; Richard L. Caron \$5.35; Brian N. Barnes \$37.87; Adam E. Croteau \$10.74; William or Deanna Wood \$86.99 – MOTION: Councilwoman Scoville moved to refund property taxes to those as presented. SECOND: Councilman Sekorski. MOTION PASSED UNANIMOUSLY.
6. Discuss and take action to adopt General Order #07-22 “Animal Control Operations” as

presented by the Police Commission – Mayor Krampitz said Chief Krasicky was available for questions and was asked by Councilwoman Murawski to what extent did the order cover the pick up and disposal of dead animals from Town roads. The chief responded that it would be all animals except for deer which is covered by the DEP. Councilman Sekorski asked if the animal control officers were in the bargaining unit and the chief told him they were not. Councilman Sekorski also asked if this will be part of the officer's understanding of their duties as he referred to Section II and the Chief explained that it is also covered in Section III as well. The chief said that the union reviewed the general order and was in agreement with it. Councilman Zagurski questioned "Procedures" B 3. and was concerned if an incident required immediate police action. He wondered if a police officer would be dispatched first while trying to get an animal control officer. The chief said that if it was a dangerous or life threatening situation, a police officer would be sent and they could dispatch the animal if they had to. MOTION: Councilman Sekorski moved to adopt General Order #07-22 "Animal Control Operations" as presented by the Police Commission. SECOND: Councilwoman Murawski. MOTION PASSED UNANIMOUSLY.

7. Discuss and take action to recommend to the Board of Finance an appropriation of \$9,917 from Homeland Security Grant Program money for the purchase of an ATV - Mayor Krampitz said Paul Schwanka, Emergency Management Director, was available to answer questions and was asked by Councilwoman Scoville how the ATV became the priority for these funds. Mr. Schwanka explained that a rescue sled had been donated to the fire department by the Highrider's Club. The Homeland Security funds were split between general purchases and the Police Department and the emergency departments decided to pool the resources and buy the ATV so that it could pull the sled. Mr. Schwanka used an example of a rescue at Mt. Tobe airport where it took over an hour on foot to carry a person because of the area. The ATV and rescue sled would have been more efficient. It will also be good on ice rescues. MOTION: Councilwoman Scoville moved to recommend to the Board of Finance an appropriation of \$9,917 from Homeland Security Grant Program money for the purchase of an ATV. SECOND: Councilman Zagurski. MOTION PASSED UNANIMOUSLY.
8. Take action to introduce and set a public hearing on a resolution appropriating \$2,150,000 in funds for costs of replacement of the Town Line Road Culvert Bridge (Bridge No. 110013) over Hancock Brook, road and drainage improvements in the Fall Mountain Lake area of the Town, acquisition, construction and installation of related improvements and appurtenances, and the financing of the project; and authorizing the issuance of bonds, notes and other obligations to finance the appropriation – Mayor Krampitz highlighted the issues necessitating the appropriation method from Special Town Meeting to Referendum. MOTION: Councilwoman Murawski moved the following resolution:  
**RESOLUTION APPROPRIATING \$2,150,000 FOR TOWN LINE ROAD CULVERT BRIDGE REPLACEMENT, FALL MOUNTAIN LAKE AREA ROAD AND DRAINAGE IMPROVEMENTS, RELATED IMPROVEMENTS AND APPURTENANCES, AND PROJECT FINANCING COSTS; AND AUTHORIZING THE ISSUE OF BONDS, NOTES AND OTHER OBLIGATIONS TO DEFRAY SUCH APPROPRIATION**

RESOLVED,

Section 1. That the Town of Plymouth appropriate TWO MILLION ONE HUNDRED FIFTY THOUSAND DOLLARS (\$2,150,000) for costs of: (1) replacement of the Town Line Road Culvert Bridge (Bridge No. 110013) over Hancock Brook; (2) road and drainage improvements in the Fall Mountain Lake area of the Town; (3) acquisition, construction and installation of related improvements and appurtenances; (4) the financing of the project. The appropriation may be spent for design, acquisition, installation and construction costs, equipment, materials, right-of-way or easement acquisition, engineering and consultant fees, legal fees, administrative and printing costs, net interest on borrowings and other financing costs, and other expenses related to the project. The Mayor is authorized to determine the scope and particulars of the project, and may reduce or modify the scope of the project, and the entire appropriation may be spent on the project as so reduced or modified. The Town anticipates that it may receive grants to defray in part the appropriation for the project from the United States Department of Agriculture, Rural Development, and from the State of Connecticut pursuant to the Local Bridge Program (Chapter 240, Part IIb of the General Statutes of Connecticut, Revision of 1958, as amended).

Section 2. That the Town issue its bonds, notes or project loan obligations in an amount not to exceed TWO MILLION ONE HUNDRED FIFTY THOUSAND DOLLARS (\$2,150,000) to finance the appropriation for the project. The amount of bonds, notes or project loan obligations authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds, notes or project loan obligations shall be issued pursuant to Sections 7-369 of the General Statutes of Connecticut , Revision of 1958, as amended, and any other enabling acts. The bonds, notes or project loan obligations shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town.

Section 3. That the Town issue and renew its temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds, notes or project loan obligations for the project or the receipt of grants for the project. The amount of the notes outstanding at any time shall not exceed TWO MILLION ONE HUNDRED FIFTY THOUSAND DOLLARS (\$2,150,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut , Revision of 1958, as amended. The notes shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The Town shall comply with the provisions of Section 7-378a of the General Statutes if the notes do not mature within the time permitted by said Section 7-378.

Section 4. The Mayor is authorized to determine the amount, dates, interest rates, maturities, redemption provisions, form and other details of the bonds, notes, project loan obligations or temporary notes; to designate one or more bank or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds, notes, project loan obligations or temporary notes; to provide for the keeping of a record of the bonds, notes, project loan obligations or temporary notes; to designate a financial advisor to the

Town in connection with the sale of the bonds, notes, project loan obligations or temporary notes; to sell the bonds, notes, project loan obligations or temporary notes at public or private sale; to deliver the bonds, notes, project loan obligations or temporary notes; and to perform all other acts which are necessary or appropriate to issue the bonds, notes, project loan obligations or temporary notes. The Mayor and the Treasurer of the Town shall sign the bonds, notes, project loan obligations or temporary notes by their manual or facsimile signatures. The law firm of Day, Berry & Howard LLP is designated as bond counsel to approve the legality of the bonds, notes, project loan obligations or temporary notes.

Section 5. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Comptroller, or the Comptroller's designee, is authorized to pay project expenses in accordance herewith pending the issuance of such reimbursement borrowings, and is further authorized to amend such declaration of official intent as the Comptroller deems necessary or advisable.

Section 6. That the Mayor and the Comptroller are authorized to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes, project loan obligations or temporary notes authorized by this resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

Section 7. That the Mayor and the Comptroller are authorized to make representations and enter into written agreements for the benefit of holders of the bonds, notes, project loan obligations or temporary notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds, notes, project loan obligations or temporary notes.

Section 8. That the Mayor, or any other proper officer or official of the Town, on behalf of the Town, is authorized to apply for and accept any available state or federal grants or loans to finance the project, and to enter into any grant or loan agreement prescribed by the grantor or lender, and that further, without limitation, the Mayor and other proper officers and officials of the Town are authorized to take any other actions necessary to obtain grants or loans pursuant to the Local Bridge Program (Chapter 240, Part IIb of the General Statutes of Connecticut, Revision of 1958, as amended), or to any other present or future legislation, and to implement such grant or loan agreements.

Section 9. That the Mayor, the Treasurer, the Comptroller and other proper officers and officials of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds, notes, project loan obligations or

temporary notes or obtain grants to finance the aforesaid appropriation.

Section 10. That this Resolution shall become effective upon its approval at referendum held in accordance with Chapter VII , Section 9b of the Town Charter. SECOND: Councilwoman Scoville. VOTE TAKEN: Councilman Zagurski – yes, Councilwoman Murawski – yes, Councilman Goodwin – yes, Councilwoman Scoville – yes, Councilman Sekorski – yes. MOTION PASSED UNANIMOUSLY.

Mayor Krampitz referred the Town Council to the calendar that was provided for them with the goal of scheduling the Public Hearing during the last week in August and being able to choose a date when everyone will be able to attend so that a Special Council meeting could immediately follow to take action to schedule a referendum date. The possible dates of August 27 th through the 30 th appeared plausible for all the council members and by consensus they agreed on Tuesday the 28 th.

Mayor Krampitz then called for the introduction of the resolution to set a public hearing on the aforesaid bond resolution. MOTION: Councilman Goodwin read and moved “RESOLVED, that a Public Hearing be held in the Community Room of the Plymouth Town Hall on Tuesday August 28, 2007 at 7:00 p.m. on the aforesaid bond resolution entitled: “RESOLUTION APPROPRIATING \$2,150,000 FOR TOWN LINE ROAD CULVERT BRIDGE REPLACEMENT, FALL MOUNTAIN LAKE AREA ROAD AND DRAINAGE IMPROVEMENTS, RELATED IMPROVEMENTS AND APPURTENANCES, AND PROJECT FINANCING COSTS; AND AUTHORIZING THE ISSUE OF BONDS, NOTES AND OTHER OBLIGATIONS TO DEFRAY SUCH APPROPRIATION.” “FURTHER RESOLVED that the Mayor is authorized and directed to post and public notice of said Public Hearing.” SECOND: Councilman Sekorski. VOTE TAKEN: Councilman Zagurski – yes, Councilwoman Murawski – yes, Councilman Goodwin – yes, Councilwoman Scoville – yes, Councilman Sekorski – yes. MOTION PASSED UNANIMOUSLY.

9. Take action to approve deficits for fiscal year 2006/2007 – Mayor Krampitz introduced Manuel Gomes, Comptroller to answer questions and offer more information about the information submitted. Mr. Gomes explained that the report is submitted to the Town Council at the night of the meeting because of a number of reasons. The first was that health insurance co-pays for employees are paid by the town and the TPA’s numbers arrived on Monday and had to be included in this report. The other reason is that many of the line item deficits are utilities and because of the billing cycle, these numbers can not be determined until the last moment. The third reason is that all of the deficits are now actual numbers. In the past, the status for some of these deficits was projected. Mr. Gomes explained that these need to be approved in order to proceed with the audit. He also said that the department heads did a very good job staying within their budgets. Mr. Gomes projected between \$300,000 and \$400,000 in surplus above these numbers presented. He explained that this is an exercise that makes sure that you are aware of what is going on with the line items in the budget but it still will be a simple case of what the town generates for revenue compared to how much it spent from the budget. The process would be to recommend the deficits to the Board of Finance and they have the authority to approve. The general ledger was reviewed page by page and Councilwoman Scoville

asked about the deficits for the registrars on page 2. Mr. Gomes answered that it was not discretionary and had to be spent to cover referenda and other election requirements. There were also issues with the new voting machines. The Councilwoman also asked about the salary deficit on page 3 and was told that was for the laid-off employee. The tax refund deficit depends on what the people overpay and is already approved by the Town Council. Councilman Zagurski asked about the property and casualty deficit and was told that it was a result of the new high school being added to the insurance. Councilwoman Scoville asked about the health insurance deficit on page 4. Mr. Gomes said that this is the amount that we owe the TPA for the co-pays. Councilman Goodwin asked if part of this cost was from Anthem. Mr. Gomes said four months was from Anthem and eight months is from Oxford. Councilman Sekorski reiterated that the TPA is being reimbursed for money that it already spent and the Comptroller concurred. The Councilman also noted that the 3% cap on the budget will continue to create utility problems for the fire houses on page 8. Mr. Gomes explained that on page 13 the library and recreation salary line items showed deficits because of the retirements and the accrued sick time that had to be paid. The Budget Deficits Report submitted for Fiscal Year 2006-2007 was as follows:

Central Supply – mileage \$3,402 Registrars - salary registrars \$2,325; salary deputy registrars \$238; wages election workers \$4,194; maintenance & repairs \$1,933; voting machine inspection \$1,035 Board of Finance – town audit \$4,594 Tax Collector – salary staff \$12,788; tax refunds \$10,255 Legal Fees – labor attorney \$44,730 Property & Casualty – Workers Compensation \$9,997; property & casualty \$21,454 Employee Benefits – pensions \$12,273; health insurance \$68,983; unemployment \$1,452 Fire Department – physicals \$3,820 Terryville Station – heat \$2,853; elec., gas & water \$3,539 Fall Mountain Station – heat \$2,689; elec., gas & water \$2,264 Facilities – repairs & supplies \$1,783; sewer user fees \$1,260; heat \$20,059; electricity \$11,578 Street Lights & Hydrants – hydrant rentals \$18,292; street lights \$11,984 Highway Department – heat \$936; electricity \$815 Maintenance Garage – gas & oil \$30,164 Public Health – heat \$903 Ambulance Corps- heat \$2,006; electricity \$2,668 Terryville Library – salary librarian \$12,960; electricity \$3,488 Recreation – salary director \$19,507 Land Use – salary enforcement officer \$2,186. The Total is \$355,407.

MOTION: Councilman Goodwin moved to recommend the 2006/2007 budget deficits to the Board of Finance for approval. SECOND: Councilman Zagurski. MOTION PASSED UNANIMOUSLY.

10. Discuss and take action to adopt proposed Public Works Commission Ordinance - Mayor Krampitz explained that now that the hearing has been held, the Town Council would need to take final action to amend and/or adopt. If adopted, the Town Clerk would publish in the newspaper within ten days of final passage, then the ordinance becomes effective on the 21 st day after such publication. MOTION: Councilwoman Scoville moved to adopt the Public Works Commission ordinance. SECOND: Councilwoman Murawski. AMENDMENT: Councilman Goodwin moved to amend line 13 to add after “salaried town office” the words “or employment” before the end of the sentence. SECOND: Councilwoman Murawski. Councilman Goodwin stated he was concerned that if this language was not added that a public works employee could be appointed to this commission. Mayor Krampitz asked for a vote on the amendment. Councilman Zagurski

– yes, Councilwoman Murawski – yes, Councilman Goodwin – yes, Councilwoman Scoville – yes, Councilman Sekorski – no. MOTION PASSED. Councilman Sekorski stated that he disagreed with the proposal and felt it would cause confusion with how complaints should be handled. Councilwoman Murawski said that it was mentioned at that hearing that this was taken up by the charter revision commission and no action was taken but the previous charter revision commission did approve of this idea and brought it forward to the town council who voted it down at that time. Mayor Krampitz asked for a vote on the main motion. Councilman Zagurski – yes, Councilwoman Murawski – yes, Councilman Goodwin – yes, Councilwoman Scoville – yes, Councilman Sekorski – no. MOTION PASSED.

11. Discuss and take action to adopt proposed Historic Properties Commission Ordinance – MOTION: Councilwoman Scoville moved to adopt the Historic Properties Commission Ordinance. SECOND: Councilman Goodwin. Mayor Krampitz stated that the town will be thanking the committee for getting us to this point and inviting them to be part of the commission. MOTION PASSED UNANIMOUSLY.
12. Discuss and take action to adopt proposed Local Vendor Preference Ordinance – MOTION: Councilwoman Murawski moved to adopt the Local Vendor Preference Ordinance. SECOND: Councilman Goodwin. Councilman Zagurski said that he still had problems with line 21. Instead of a person delegated by the Mayor, it should be specified ahead of time. Councilman Goodwin interjected that it is because different people do the bids. It could be the public works director one time and then the comptroller the next. The Mayor said that the person to contact for the specific bid could be part of the legal ad. Councilwoman Scoville added that if a local vendor wants to know what to do they will just make a phone call. Councilman Zagurski also had concerns with lines 3 through 5 on page two relating to contracts for professional services. Mayor Krampitz offered that was not a commodity. MOTION PASSED UNANIMOUSLY.
13. Executive Session for pending claims – Church, Kiltonic, Bharara, Cain, Labelle, et al – MOTION: Councilman Goodwin moved to go into executive session at 8:15 p.m. and invite in the Town Attorney. SECOND: Councilwoman Murawski. Councilman Sekorski had a concern about going into executive session because he was under the impression that the town did not have a claim against it. Attorney Conlin stated that this does not have to be claims that are against the town. Pending claims can in fact be whether the town should pursue its claims under the blight abatement ordinance. This could be very useful because at a prior meeting some members wanted to discuss that issue. Councilman Sekorski clarified that it was Attorney Conlin’s opinion that the Town Council could go into executive session because the town had legal claims against individuals. Attorney Conlin confirmed that opinion. Councilwoman Scoville asked if the only people discussed would be those on the agenda. Attorney Conlin answered that “et al” was included to encompass the entire list. AMENDMENT: Councilwoman moved to amend the motion by allowing the public to speak before going into executive session. AMENDMENT DIES FOR LACK OF A SECOND. There was a brief discussion concerning parliamentary procedure when a councilman wanted to second the amendment after it had already been declared failed by the chair. MOTION: Councilwoman Murawski moved to recess at 8:25 p.m. SECOND: Councilman Goodwin. MOTION PASSED UNANIMOUSLY. BACK IN OPEN SESSION AT 8:31p.m. Mayor Krampitz

asked if there were any amendments. AMENDMENT: Councilwoman Scoville moved to amend the motion by allowing the public to speak before going into executive session. SECOND: Councilman Zagurski. Councilman Zagurski – yes, Councilwoman Murawski – no, Councilman Goodwin – no, Councilwoman Scoville – yes, Councilman Sekorski – yes. MOTION PASSED. Attorney Conlin advised the Mayor and Town Council not to respond in any way. Five residents from the blight list spoke about their own concerns. Hearing no other public comments Mayor Krampitz asked the Town Council to vote on the main motion. MOTION PASSED UNANIMOUSLY AT 8:50 P.M. OUT OF EXECUTIVE SESSION AT 9:40 p.m. BACK IN OPEN SESSION AT 9:42 p.m.

14. Take action from executive session if necessary – MOTION: Councilman Sekorski moved to remove from the table the blight list from June. SECOND: Councilwoman Murawski. MOTION PASSED UNANIMOUSLY. MOTION: Councilwoman Scoville moved to reject the current blight list and instruct the Mayor to remove all blight liens existing at this time. The Council will revisit the current Blight Ordinance starting at its September 2007 regularly scheduled meeting. For the next 90 days, no notices of blight violation will be filed on land records. SECOND: Councilwoman Murawski. Councilman Sekorski asked if any comment could be made about the Hart property that the Town now owns that is in disrepair. Attorney Conlin stressed that there are environmental issues with the DEP and EPA that are tied to the Town's grant application process. The Town is actively engaged in working with these agencies to get these structures down as quickly as possible. MOTION PASSED UNANIMOUSLY.
15. Public Comment – Jeanine Jandreau, 34 S. Main St. – was concerned about comments made pertaining to misappropriation of funds of the previous administration. Ralph Zovich, 4 Knight Ln. – gave his interpretation of the events that led to funds not being properly appropriated. Jim Murdock, 44 Minor Rd. – expressed concerns about the local vendor preference ordinance. Melanie Church, 328 Main St. – wants to see a police dog.
16. Adjournment – MOTION: Councilwoman Murawski moved to adjourn the meeting at 10:05 p.m. SECOND: Councilwoman Scoville. MOTION PASSED UNANIMOUSLY.

Submitted by: David M. Denis, Council Clerk