

1. The Special Meeting of the Town of Plymouth Town Council, **April 3, 2008 was called to order at 7:03 p.m.** by Mayor Vin Festa in the Assembly Room, Town Hall. In attendance: Councilwoman Jacqui Denski, Councilman Peter Giancesini, Councilwoman Jeannine Jandreau, Councilman David Sekorski, Mayor Vin Festa, Robin Gudeczauskas, Council Clerk and Sal Vitrano, Town Attorney. Excused absent, Councilwoman DiAnna Schenkel.
2. Fire Exits – Noted for the record.
3. Pledge of Allegiance
4. Council Rules and Procedures - None
5. Public Comments on Non Agenda Items – No comments
6. Farmington River Watershed Conservation Compact – Due to lack of quorum Tuesday there was to be a presentation by Jeffrey Rupaka re packet documents and commitment to Farmington River and tributaries. Mr. Rupaka has been asking various towns to adopt Compact as per his email dated February 12, 2008. Mayor Festa stated this item can be tabled and Mr. Rupaka will come to discuss or by reading through Compact, the Council can decide to adopt the Compact.  
**MOTION:** To table by Jacqui Denski; second Dave Sekorski and the vote unanimous.
7. Babe Ruth Recognition, Joseph Sekorski – Due to change of meeting date, Mr. Sekorski could not be present tonight.  
**MOTION:** To table by Dave Sekorski; second Jeannine Jandreau and unanimous.
8. **Mayor's report** – Correspondence/Discussion
  1. Terryville Fire Department Disaster Drill – People who participated received notification of certification for attending drill. Mayor Festa stated this was one of the most interesting and informative events and he is grateful the fire department put it on with assistance of community volunteers. There are several components to put together a disaster team and suggestion given when the drill is developed for another go around that we allow participants to bring one or two citizens from town as audience to see first hand on what is involved putting together a disaster team. It was a wonderful presentation.
  2. Board of Education: Education Cost Sharing (ECS) Grant – letter in packet which is self explanatory and indicates the Chairman is writing to request ECS money be allocated directly to the Board of Education (portions read into record). This letter was followed up with an email requesting information as to what action had been taken concerning the letter sent. No action on part of Town Council and/or the Board of Finance. The BOE budget presentation to the BOF will be Monday at and at that time discussion on this issue. Also information relative to State interpretation and formula used to share this cost sharing money between BOE and town side is in packet noting the town side share is for property tax relief.
  3. Bristol Hospital, Blue Ribbon Campaign – selling ribbons for \$3 and paper blue ribbon for \$1 each and goal is to sell all pins to cover cost re child abuse. They have scheduled an open house to recognize national child abuse prevention month which will be held at 9 Prospect Street, Bristol, April 8 th from 10 – 3 and all are invited to attend.
  4. “No Thru Trucks” Signage Issues – Received two letters from individuals living

- in Harwinton/North Harwinton area stating increase in traffic due to high school construction and now there is every day traffic on side roads including Seymour, Bemis, North Harwinton and through industrial park noting concern is putting signs back up to have notice that no thru trucks. When signs came down asked Public Works why and told legally you cannot post no thru truck traffic signs; trucks have direct location to go to and they have right to go on every street in community. Looking into status through Public Works and Police.
5. All Terrain Vehicles (ATV) Issues – Correspondence received concerning issues/complaints on Seymour Road/Ridge Road area and request that the town look into matter; and will get more information on this to Council
  6. CT Rural Development Council – Sent information from previous visit and would like to start meetings; Councilwomen Jandreau and Denski will set up dates to begin process of rural development help with grants and securing funding for community projects.
  7. Update on Solid Waste Curbside Trash Collection – very lengthy document; sealed bids thru Mayor's office for residential will be accepted until 10 a.m. on 5/2 and then opened and read aloud. Specifications in Public Works and a number of individuals are coming in for packages. Will provide copy to Council.
  8. Letter to Feasibility Study Committee Chair – Overview of letter dated 3/31/08 given noting some preliminary estimates on prices to do renovation to some buildings and value of school buildings if market for sale. In letter are some personal opinions or suggestions; overview given. Any ideas or suggestions from Council will be carried forward from the Mayor if so desired. Recommendation to Town Council must be made in June
  9. Optional Increase In Veteran's Property Tax – Information in packet out of concern from Iraqi war veteran for additional tax relief to veterans. Assessor has knowledge in this and will answer any questions; tax relief is also a loss in taxation.

#### 9. Appointments/Resignations

- To rescind the appointment of George Andrews to WPCA; original appointment expires 1/21/09; originally name on list strictly as Chairman of the board and his term expires January 09.

**MOTION:** To rescind the appointment of George Andrews to WPCA as original appointment expires 1/21/09; by Councilwoman Jandreau; second Councilman Sekorski and the vote unanimous

- To reappoint Sean Doran as a regular member to the Inland Wetlands Commission through 9/1/2010. It was noted Mr. Doran is already on commission and needs reappointment and absence noted as he is serving in Iraqi war and commission would like him reappointed.

**MOTION:** To reappoint Sean Doran as a regular member to the Inland Wetlands Commission through 9/1/2010, by Councilwoman Jandreau; second Councilwoman

Denski and the vote unanimous.

- To appoint Ms. Katherine Peterson from alternate to regular member of the Inland Wetlands Commission

**MOTION:** To appoint Ms. Katherine Peterson from alternate to regular member of the Inland Wetlands Commission, by Councilwoman Jandreau; second Councilwoman Denski. Discussion: Councilwoman Jandreau noted she attends meetings once a month and Katherine is always there and very good. Vote: unanimous.

- To accept the resignation of Richard Lazarski from the Charter Revision Commission. Letter from Mr. Lazarski dated 3/11/08 read into record.

**MOTION:** To accept the resignation of Richard Lazarski from the Charter Revision Commission with regret by Councilwoman Jandreau; second Councilman Sekorski and the vote unanimous

- To appoint Matthew Tellier to the Capital Improvements Committee Through 2/7/2010

**MOTION:** To appoint Matthew Tellier to the Capital Improvements Committee Through 2/7/2010 by Councilman Sekorski; second Councilwoman Jandreau and the vote unanimous.

- To reappoint Wayne Norton and Francis Langer to the Hillside Cemetery Committee through 7/1/09; and to reappoint Leonard Morgan through 7/1/2011
- **MOTION:** To reappoint Wayne Norton and Francis Langer to the Hillside Cemetery Committee through 7/1/09; and to reappoint Leonard Morgan through 7/1/2011 by Councilwoman Jandreau; second Councilman Ganesini and the vote unanimous.

10. Take Action to Refund property taxes: Gerrado Paez, \$19.49; Rejean Ouellette, Jr. \$27.69

**MOTION:** To refund property taxes to Gerrado Paez in the amount of \$19.49, by Councilwoman Jandreau; second Councilwoman Denski and the vote unanimous

**MOTION:** To refund property taxes to Rejean Ouellette in the amount of \$27.69, by Councilwoman Jandreau; second Councilman Sekorski and the vote unanimous.

11. To Introduce By Resolution A Request To Approve A Tax Incentive Grant To Modelcraft – Jeannine Jandreau read the Financial Assistance Agreement Into Record.

**MOTION:** “RESOLUTION WHEREAS, Modelcraft Co., Inc. will be doing business at 50 Altair Ave. within the Town of Plymouth; and WHEREAS, Modelcraft Co. Inc. has requested financial assistance to help relocate manufacturing equipment from two locations in Thomaston, CT to the site; and WHEREAS the Tax Incentive Committee has determined that the applicant meets the policy criteria and has recommended financial assistance as a development incentive. NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF PLYMOUTH TOWN COUNCIL: That the Mayor be and is hereby authorized to enter into an agreement with Modelcraft Co., Inc. for the provision of a

grant in the amount \$20,000 from the Economic Development Fund to assist in the relocation of manufacturing equipment to 50 Altair Ave. by Councilwoman Jandreau; second Councilman Sekorski. Discussion: Councilwoman Denski asked (a) how many jobs will be made available; Mayor Festa stated the business is expanding and the reason why they are moving to the industrial park and due to expansion, they will be need for additional employees; (b) how long have they been in business; Mayor Festa stated quite some time in Thomaston and have extensive inventory of personal property tax that indicates very lucrative business but he does not know how long. (c) If they go bankrupt are they liable for money; Mayor Festa stated yes. Councilwoman Jandreau noted they are established and not a new business. Councilman Sekorski asked if they are located in Thomaston now. Councilwoman Jandreau stated they are in Thomaston and have gone through all of our boards and commissions for approval. They are going into an existing building on Altair Ave. Vote: unanimous.

12. To Introduce By Resolution A Request To Approve A Financial Assistance Agreement For The Woodmill

**MOTION:** by Councilman Sekorski who read into record “Financial Assistance Agreement THIS AGREEMENT made this \_\_\_\_date of \_\_\_\_\_ 2008, by and between the TOWN OF PLYMOUTH and THE WOODMILL, LLC, (The Company) a corporation organized and existing under the laws of the State of Connecticut; and WHEREAS, the Town Council of the Town of Plymouth has authorized the Mayor to make certain financial assistance available in the amount of six thousand dollars (\$6,000) to the Company for the purpose of assisting in the relocation of its operations to 25 Gear Drive, Terryville, from Naugatuck, CT and the creation of new jobs in Plymouth; and WHEREAS, as a condition of the financial assistance, the Town of Plymouth requires certain specific terms and conditions which the company is willing to carry out. NOW, THEREFORE, in consideration of the mutual promises and goals established, the parties agree as follows: 1. \$6,000 shall be paid to the Company with the signing of this agreement based upon a request for financial assistance dated January 15, 2007 and in recognition of relocation expenses incurred based upon correspondence and supporting documentation dated November 14, 2007. 2. The Company shall maintain substantially all of its operations in the Town of Plymouth for a period of five (5) years from the acceptance of the financial assistance. 3. The Company agrees to make best efforts to hire qualified Plymouth residents. 4. In the event that the Company becomes overdue on property taxes to the Town of Plymouth during the five (5) year period following the date thereof, the Company shall have ninety (90) days from notification in writing by the Town of Plymouth to bring taxes current or the Company shall immediately repay the entire grant amount to the Town, without interest, together with a reasonable attorney’s fee, if necessary, to collect said amount. 5. The Company attests that the information and representations made in its application and business plan are substantially correct. 6. In the event that the Company ceases operating at 25 Gear Drive during the five (5) year period following the date of this agreement, the Company shall immediately repay the grant amount to the Town without interest together with a reasonable attorney’s fee, if necessary, to collect said amount according to the following schedule: 100% during the first year; 80% during the second year; 60% during the third year; 40% during the forth year; and 20% during the fifth year. 7. The Town of Plymouth encourages all new and expanding businesses to be involved in their community. The Chamber of Commerce and

charitable causes are important. The Company is asked to give serious consideration to annual participation on a planned or ad hoc basis. 8. In consideration of the grant by the Town of Plymouth, the Company guarantees the repayment provisions of this agreement. 9. The Company agrees that any litigation will be under Connecticut law, waives the right to a jury trial, and agrees that if any part of this agreement is found invalid that the remaining portion shall be severed and remain in full force and effect. TOWN OF PLYMOUTH by: Vincent Festa Jr., Mayor and THE WOODMILL, LLC by: Hiram Morales II dated and witnessed”; second by Councilwoman Jandreau and the vote unanimous.

13. To Introduce By Resolution The Town of Plymouth’s Commitment To State And Federal Fair Housing Laws

**MOTION:** “TOWN OF PLYMOUTH FAIR HOUSING RESOLUTION Whereas, All American citizens are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and Whereas, State and Federal Fair Housing laws require that all individuals, regardless of race, color, religion, sex, national origin, ancestry, marital status, age, mental or physical disability, lawful source of income, sexual orientation, familial status, be given equal access to rental and homeownership opportunities, and be allowed to make free choices regarding housing location; and Whereas, The Town of Plymouth is committed to upholding these laws, and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice. NOW THEREFORE, BE IT RESOLVED, That the Town of Plymouth hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase and obtain financing for adequate housing of their choice on a non-discriminatory basis; and BE IT FURTHER RESOLVED, That the Mayor of the Town of Plymouth or his/her designated representative is responsible for responding to and assisting any person who alleges to be the victim of an illegal discriminatory housing practices in the Town of Plymouth. NOW THEREFORE, BE IT RESOLVED, That the Town of Plymouth hereby endorses a Fair Housing Police to ensure equal opportunity for all persons to rent, purchase and obtain financing for adequate housing of their choice on a non-discriminatory basis; and BE IT FURTHER RESOLVED, That the Town Planner of the Town of Plymouth or his designated representative for responding to and assisting any person who alleges to be the victim of an illegal discriminatory housing practice in the Town of Plymouth; and BE IT FURTHER RESOLVED, That the Mayor be and is hereby authorized to sing, execute and/or endorse those policy statements and documents necessary to reaffirm the Town of Plymouth’s commitment: to Fair Housing Compliance with the Title VI of the Civil Rights Act of 1964; ADA Compliance; and, Affirmative Action. By Councilwoman Jandreau; second Councilwoman Denski and the vote unanimous.

14. To Introduce By Resolution The Acceptance Of A \$19,099.00 Maintenance Grant For The Dial-a-Ride Van And A Policy To Support Nondiscrimination Agreements

**MOTION:** “Be It Resolved: That Mayor Vincent Festa, Jr. is authorized to negotiate and execute all necessary agreements/contracts on behalf of the Town of Plymouth with the Department of Transportation of the State of Connecticut and to affix the corporate seal. This is in regards to the \$19,099.00 Maintenance Grant for the Dial-A-Ride van.” By Councilwoman Denski; second Councilman Sekorski and the vote unanimous.

**MOTION:** “BE IT RESOLVED: That the Town of Plymouth hereby adopts as its policy to support the nondiscrimination agreements and warranties required under Conn. Gen. Stat. §4a-60(a)(1) and § 4a-60(a)(1), as amended in State of Connecticut Public Act 07-245 and sections 9(a)(1) and 10(a)(1) of Public Act 07-142, as those statutes may be amended from time to time.” by Councilwoman Denski; second Councilwoman Jandreau and the vote unanimous.

15. To Set A Date For A “Hearing” To Accept And Review Applications For The Neighborhood Assistance Act – Mayor Festa stated this particular program is sponsored through the State which allows 501-3-c rating who can receive donations to make applications for programs to enhance activities within the community. In order to provide opportunity to submit applications for monetary assistance they go through process which is Town Council. Applications must be received by 7/1/08 and a public hearing must be held. Councilman Sekorski verified that this is not a hearing but a submission process. Mayor Festa stated the Council must approve in normal meeting or special and once application is approved they submit for a grant. Discussion held with Councilman Sekorski recommending meeting be held at 6:30 before regular meeting in June.

**MOTION:** To schedule a public hearing for the Neighborhood Assistance Grant at 6:30 p.m. prior to the Council’s regular June meeting, by Councilman Sekorski; second Councilwoman Jandreau and the vote unanimous.

16. To Introduce By Resolution A Request Appropriating \$385,000 For The Acquisition And Construction Of A Prefabricated Garage And Acquisition Of Equipment For The Water Pollution Control Authority Of The Town of Plymouth And Authorizing The Issuance Of \$385,000 Bonds Of The Town To Meet Said Appropriations And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose

**MOTION:** To take a 5 minute recess at 7:45 p.m. for the Town Attorney to come up as he is at the Board of Finance meeting, by Councilwoman Jandreau; second Councilman Sekorski and the vote unanimous.

Mayor Festa called the meeting back to order at 7:50 p.m. with the presence of the Town Attorney.

Attorney Vitrano noted this item needs to be handled carefully on how proceeding and will ask for three motions.

**MOTION:** To waive the reading of the Resolution by Councilwoman Jandreau; second Councilman Sekorski and the vote unanimous.

**MOTION:** Councilman Jeannine Jandreau introduced the following resolution entitled “Resolution Appropriating \$385,000 For The Acquisition And Construction Of A Prefabricated Garage And Acquisition Of Equipment For The Water Pollution Control Authority Of The Town of Plymouth And Authorizing The Issuance Of \$385,000 Bonds Of The Town To Meet Said Appropriations And Pending The Issuance Thereof The Making Of Temporary Borrowings For Such Purpose”, a copy of which is attached hereto in its entirety. Duly seconded by Councilwoman Denski. Discussion: Councilwoman Jandreau noted \$385k will acquire not just a prefabricated garage but a grit washing machine and rag shredder. Attorney Vitrano noted the Resolution is technical to implement the bond; Councilman Sekorski questioned whether a description is

somewhere of equipment and include attachment the description of equipment at least for the record of the meeting if people requested information we have that. Vote: Councilman Giancesini, yes; Councilwoman Denski, yes; Councilwoman Jandreau, yes; Councilman Sekorski, yes. Motion carries unanimously.

**MOTION:** That the Mayor be authorized and directed to call a public hearing on the proposed resolution to be held in the Community Room, Town Hall at 6:30 p.m. on Tuesday, May 6, 2008, by Councilwoman Jandreau; second Councilman Sekorski.

Discussion: none. Vote: Councilman Giancesini, yes; Councilwoman Denski, yes; Councilwoman Jandreau, yes; Councilman Sekorski, yes. Motion carries unanimously.

**MOTION:** That the proposed resolution be submitted to the Board of Finance for its recommendation by Councilwoman Jandreau; second Councilman Giancesini. Discussion: none. Vote: Councilman Giancesini, yes; Councilwoman Denski, yes; Councilwoman Jandreau, yes; Councilman Sekorski, yes. Motion carries unanimously.

Attorney Vitrano stated the details of the project should be dealt with at the public hearing and after that the Council and public will handle specifics of it at that time.

17. To discuss and set dates for workshops for the following: Public Works Commission, Historical Property Commission, Sidewalk Ordinance, Local Vendor Preference, Blight Ordinance, Code of Ethics. Discussion held that Council will need Mr. Kuehn and Mr. Lorenzetti for input. Councilman Sekorski noted some are already ordinances on the books and he had questions for staff and Council for clarification:

**MOTION:** To hold workshop for Public Works Commission, Historic Property Commission and Local Vendor Preference at 7 p.m. on April 15<sup>th</sup> at some available room at town hall; by Councilman Sekorski; second Councilwoman Jandreau.

Discussion: Councilwoman Denski asked if her input is necessary as she will not be here. Councilman Sekorski stated his questions are with Town Council. Mayor Festa stated each of those commission have been approved by previous council and not enacted. Vote: unanimous.

**MOTION:** To hold a workshop for Sidewalk Ordinance, Code of Ethics on April 22, 2008, 7 p.m. at room available in Town Hall by Councilwoman Jandreau; second Councilman Sekorski and the vote unanius.

**MOTION :** To hold a workshop for Blight Ordinance on May 29, 2008 at 7 p.m. at Town Hall in room available, by Councilwoman Jandreau; second Councilwoman Denski.

Discussion: Councilman Sekorski stated the Council did make an honest effort at former council to bring best of some ordinances into draft format and does not know if produced and if not, respectfully asked the Mayor to work with Council to look at existing ordinance as there are specific items, non enforceable and/or in contradiction with state statutes and where we could reference local laws and statue. Attorney Vitrano stated he provided general information and copy of Bristol blight ordinance and procedure, and will look at present Plymouth ordinance and suggest Council look at ordinance in packet for ideas to foster discussion. Discussion held. Vote: unanimous.

18. To Set A Date For Budget Referendum; Board Of Finance Chairman Requesting Saturday, May 10, 2008 – Mayor Festa stated a change in suggested date to Tuesday, May 6, 2008; discussion held.

**MOTION:** To set the budget referendum for Tuesday, May 6, 2008 by Councilwoman Jandreau; second Councilwoman Denski and the vote unanimous.

#### 19. Council Comments:

- Councilwoman Jandreau asked to give her liaison report; followed by Councilwoman Denski, Councilman Giancesini.
- Councilman Sekorski questioned inquiries about timing of existing projects and should those go through mayor's office or can he call Mr. Lorenzetti. Mayor Festa stated he can call Mr. Lorenzetti direct as he has an obligation to constituents and has every right to move forward for answers through mayor's office or any other department.
- Councilman Giancesini stated the aeration equipment at Lake Winfield should be fixed so that when warmer weather comes it is operational. The fountain should be checked out and run at night when air is cooler.

#### 20. Adjournment

**MOTION:** To adjourn by Councilwoman Jandreau; second Councilwoman Denski and the vote unanimous.

Meeting adjourned at 8:40 p.m.

Respectfully submitted,  
Robin Gudeczauskas, Council Clerk