

1. The Special Meeting of the Town of Plymouth Town Council, **August 11, 2008 was called to order at 7:01 p.m.** by Mayor Vin Festa in the Assembly Room, Town Hall. In attendance: Councilman Peter Giancesini, Councilwoman Jeannine Jandreau, Councilwoman DiAnna Schenkel, Councilman David Sekorski, Mayor Vin Festa, Robin Gudeczauskas, Council Clerk, Tony Lorenzetti, Director of Public Works, Dave Bernagel, Interim Comptroller. Excused absent, Councilwoman Jacqui Denski.
2. Fire Exits – Noted for the record.
3. Pledge of Allegiance
4. Town Council Rules and Procedures – Councilwoman Jandreau asked that Council Liaison Reports be listed on meeting agendas in the future.
5. Public Comments on Non-Agenda Items
 - a. Melanie Church, 328 Main Street, would like to comment on topics listed under mayor's report and should she do so now or wait. Mayor Festa responded that she can speak as items are brought forward.
6. Mayor's Report – Correspondence/Discussion:
 - a. Update on Demolition of Buildings at 268 Main Street – have Request for Bids to take care of demolition, but due to hazardous material the town needed an environmental study and can move forward with razing with outfit involved with hazardous material. Within the next month there should be a change in site.
 - b. Department Supervisor's Meeting – have begun process of holding meetings on a regular basis and will establish weekly meeting with supervisors to discuss particular department needs and concerns.
 - c. Establishment of Safety Committee – Human Resources, William Bellotti, has held two safety committee meetings. These meetings are separate from meetings held by State Statue that are held 4 times per year with individual of each town department with risk management person who comes in. Safety committee meetings are interaction between Mr. Bellotti's office and department representatives. The objective is to look at workers compensation claims and bring down to reasonable number.
 - d. Curbside Pick-Up Referendum 8/12/08 – reminder tomorrow is referendum on trash pickup. Two public hearings were held on issue and vote will decide voice of the people.
 - e. Public Works Department/Bushnell Street, Chestnut Street, Tomlinson Avenue – have been working on Bushnell and wonderful job on drainage itself; Chestnut and Tomlinson work done with drainage and asphalt.
 - f. Chip Seal Road Program – Has begun again and any concerns should be taken to Public Works. Melanie Church, 328 Main Street, chip seal road program, is the town using the same company as last year as there was nothing but complaints. We are banging our head doing the same thing and expecting different outcome and spoke with Mr. Lorenzetti about this today. Streets were done last year and there is not one good street. Questioned is it a waste of money, is there a guarantee with it, will we have people upset as with former streets. This is a major issue and the town should have looked at

another company when there was that much of a mess. Other thing was demolition and when mentioned it on buildings, are you saying there will be two contractors. Mayor Festa responded it will be the outfit that handles hazardous waste that does the demolition.

g. VNA (Visiting Nurses Association) update – next month tell tale sign as to move forward or not and have been doing policy review and changes in procedures. Money issue has changed and are coming forward with good funding. Census is still down.

h. Update and Discussion On Request For Storage Space to House Clothing For The Clothing Closet Program - have request that came forward for any space in town to allow the clothing closet to store clothing they would appreciate as they have outgrown space. Increase in past several months such as with the food pantry with requests/concerns and food needs. Clothing has also demand and need help in spacing. Presently short on space at town hall and have been trying to find extra storage space. If anyone in the public knows of place they are asked to call . The program will stay at the church but needs storage.

7. Appointments/Resignations

a. To Appoint the Following: Walter R. Lassy, Keith G. Golnik, Victoria A. Carey, Debra Blanchette, Kenneth Blanchette To All Terrain Vehicle Ad Hoc Committee noting the first meeting is scheduled for August 19th at 7 p.m.

MOTION: To appoint Walter R. Lassy, Keith G. Golnik, Victoria A. Carey, Debra Blanchette, Kenneth Blanchette to the All Terrain Vehicle Ad Hoc Committee, by Councilman Sekorski; second Councilwoman Schenkel and the vote unanimous.

b. To Appoint Sally Barnes To The Plymouth Volunteer Ambulance Corps Board of Directors

MOTION: To appoint Sally Barnes to the Plymouth Volunteer Ambulance Corps Board of Directors by Councilwoman Jandreau; second Councilwoman Schenkel and the vote unanimous.

c. To Appoint Helen Nejfelt, Diana Oberg To The Historic Properties Commission with their meeting date of August 20th in the Assembly Room

MOTION: To Appoint Helen Nejfelt, Diana Oberg To The Historic Properties Commission by Councilwoman Jandreau; second Councilman Sekorski. Councilwoman Jandreau stated Helen knows what she is doing and Diana is a very good person and will do a good job. Vote: unanimous.

d. To Appoint Barbara McClellan, William Hubbard, Brian Barnes, Donald Souza To Ad Hoc Blight Committee – Meeting date is August 18th in the Assembly Room

MOTION: To Appoint Barbara McClellan, William Hubbard, Brian Barnes, Donald Souza to the Ad Hoc Blight Committee by Councilwoman Jandreau; second Councilwoman Schenkel and the vote unanimous.

8. To Take Action To Refund Property Taxes To Shirley Hapman, \$10.05; Wendy S. Miller, \$9.21; Richard P. White, \$5.84 – Mayor Festa stated in looking over the forms, Richard White is the individual that signed off but with other two, Wendy Miller and Shirley

Hapman, both forms were filled out certifying Alan Hapman, signed by Shirley ; and Richard Miller to receive refund but signed by Wendy. The forms need to be rectified and the Council should only take action on Richard White refund.

MOTION: To table property tax refunds on Shirley Hapman and Wendy Miller by Councilman Sekorski; second Councilwoman Jandreau and the vote unanimous.

MOTION: To refund property taxes to Richard P. White in the amount of \$5.84, by Councilwoman Schenkel; second Councilwoman Jandreau and the vote unanimous.

9. To Discuss And Take Action To Approve The Amended Board of Education Pension Plan – Mayor Festa stated information is in packet noting introduction is self explanatory, in accordance with terms of plan but the issue is relative to legal appropriation and the Town Council must approve the plan document. This is a process of amending and restating, took a number of years and looking for approval.

MOTION: To approve the Board of Education pension plan as amended by Councilman Sekorski; second Councilwoman Schenkel. Discussion: Councilman Sekorski stated outstanding item relative to time period the secretary's would be eligible and is that part of change. Mayor that is part of technicalities and to align for proper recording and procedure and goes back maybe 6 years through several administrations. This particular plan covers Board of Education employees and there is a separate plan for town employee that does not have impact on this plan. Vote: unanimous.

10. To Introduce By Resolution A Request To Authorize The Mayor To Sign The Agreement With The State of Connecticut For The Reconstruction Of South Main Street – Mayor Festa noted complete package in packet and Mr. Lorenzetti is here to answer any questions on the project. Councilwoman Jandreau stated she lives on South Main Street and asked if she needs to withdraw from this item. Mayor Festa stated he did not believe so.

MOTION: Councilwoman Schenkel motioned and read the Resolution into record: "RESOLVED, that Vincent Festa Jr., Mayor, be, and hereby authorized to sign the agreement entitled: "Agreement between the State of Connecticut and the Town of Plymouth for the Development of Contract Plans, Specifications and Estimates for the Reconstruction of South Main Street utilizing Federal Funds under the Urban Component of the Surface Transportation" and a certification indicating the Council adopts as its policy to support the nondiscrimination agreements and warranties required under the Connecticut General Statutes" Adopted by the Town Council of the Town of Plymouth, Connecticut this 11th day of August 2008"; second Dave Sekorski. Discussion: Councilman Sekorski asked for clarification that the section of South Main described is that known as Garber's corner; Mayor Festa stated that is correct. Tony Lorenzetti noted the plan is to eliminate the sharp corner, still have curb, and over a year ago began looking for design, then right of way procurement, construction and will be estimate of 3 year project. Vote: unanimous

11. To Introduce By Resolution A Request That The Town of Plymouth Adopts A Policy To Support Non-Discrimination Agreements and Warranties

MOTION: Councilwoman Schenkel motioned and read into record the Resolution for certification "RESOLVED; That Mayor Vincent Festa and Town Council hereby adopts as its policy to support the nondiscrimination agreements and warranties required under Connecticut General Statutes subsection 4a-60(a)(1) and subsection 4a-60a(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"; second Councilwoman Jandreau and the vote unanimous.

12. To Set A Date For Presentation On Energy Improvement Districts (EID) With Mr. Gary Hale And Plymouth Industrial Park Business Owners

MOTION: To set a date for presentation with Mr. Gary Hale and the industrial park business owners by Councilwoman Jandreau; second Councilwoman Schenkel. Discussion: Mayor Festa stated there is an issue on problems with electricity and power outages in the industrial park. Business owners are frustrated when they get brownouts and this is happening not only in the industrial park but parameters in a neighborhood. A homeowner can replug coffee pot or microwave but short outages in a business with computerized machinery and applications, jobs being lost, and when machines go down they can be down for 4-5 hours. There is a major push by business owners to have something done, they called for a meeting in April and subsequent meetings have been attended by Representatives Hamzy and Colapietro, Bill Kuehn, Craig Stevenson and CL&P to find particular issues on why occurring. To date everyone has been trying to come up with solutions and in the meantime, Mr. Gary Hale was brought forward to talk about energy improvement districts. This program started through legislation last year to allow communities to develop their own energy districts, such as Stamford, South Windsor, and question on Plymouth looking into this. Industrial park is in favor of presentation for better understanding of program and the bottom line in terms of cost savings. Much research has been done on the kinds of EID's such as solar, fuel cell, windmill. Issue at hand is if this is something to bring forward for the benefit of resident businesses in the industrial park. The group the Council met with, CT Rural Development, who did studies on what is good for our town, brought up something on Wallingford who has electrical generating equipment there and worth it to see if this might work in our town. Mayor Festa stated there is a number of intricacies on this issue and met last week with CL&P who indicated this is not an easy task and do not be fooled by Pollyanna approach. Bottom line is do we have major problems and to date Northeast Utilities is looking into it but no definite answer. Should lines be dug up and put overhead to alleviate water problems. Even outages with phone service and based on discussions with individuals you cannot help but feel sorry; they are in business to make a profit and we need to look into it. The utility company is talking about feeding electrical from Chippens Hill vs. from Torrington but looking at millions of dollars in costs for the utility company. Councilwoman Schenkel stated she knows Mr. Spargo who is a reasonable man and does know his business has suffered greatly from outages and feels it is decent of him to want to have discussion and now need to determine options. Mayor Festa stated Mr. Hale represents Halloran and Sage, lobbyist in Hartford, company involved in EID program relative to move it forward within communities. He will do presentation on concept of energy districts. Melanie Church, stated Main Street has been losing electricity a lot in last ten years. Mayor stated outage on weekend was from lighting hit at substation but industrial park is different. Peter Ganesini stated a few years ago in a.m. he would hear all his clocks beep from few second interruption and after a few occurrences wrote a letter to DPUC. His power comes from Thomaston and result there was a bad capacitor at electric oven at power substation which was fixed. But over years our part of town has had an awful lot of interruptions and sometimes due to Rt. 6 by curve; there is nothing wrong with having presentation. There are always weaknesses in grids and something needs to be done. Mayor Festa stated this will be a special meeting,

not a Council meeting, because business owners need to listen, share problems, etc. He noted during power outage a few weekends ago there were different estimates from people in main office compared to workers/crew on road. Vote: unanimous.

13. To Discuss, Review And Take Action, As Necessary, On A Bid Waiver To Marola Motor Sales, Inc. For The Purchase Of A New Highway Truck –

MOTION: To discuss and review Bid Waiver to Marola Motors Sales, Inc. for the purchase of a new highway truck, by Councilwoman Jandreau; second Councilwoman Jandreau and the vote unanimous.

Tony Lorenzetti stated there is an international fleet which gets more and more difficult to get equipment and use for winter. Have proposal from Marola who is one vendor in region and fixed/hold price on this particular truck at \$151,300. The Town orders the same type of trucks and mechanic stock parts; what drivers drive. Price of a 63978 is equipment package for truck and included in \$151,300; page 11; pricing reviewed. Money was appropriated in current budget. Dave Bertnagel stated 3 year term, \$55,000 allocated this year and Board of Finance is aware. This is part of scheduled replacement. When Public Works puts out to bid, this is the only company who bids and only one other dealership further down line who will not come into this territory.

MOTION: to take action to do bid waiver to Marola Motor Sales for purchase of international truck as recommended by Tony Lorenzetti, appropriation is already in order and method of payment determined in 3 year package as discussed, by Councilman Sekorski; second Councilwoman Jandreau and the vote unanimous.

14. To Discuss, Review And Take Action, As Necessary, On Year-End Transfers Within The General Fund Total \$650,359.00 –

MOTION: to discuss and review year end transfer within the general fund, by Councilwoman Jandreau; second Councilman Sekorski. Discussion: Dave Bertnagel stated this is requirement at year end and in past years have appropriated from fund balance. Review of overages held noting several are heart and hypertension, \$72,000; attorney fees from last year of \$53,000; snow removal. Board of Finance was aware and had stated they would cover at year end transfers. Also in list are gas and oil, issues with VNA and payouts. Recommending transfer of \$650,359 and once recommendation made would be subject to town meeting. Dave Bertnagel stated this year he is not allowing any accounts to go into deficit; unfortunately a lot of issues last year such as heart and hypertension, salt and sand, oil and gas which cannot be helped. This formality needs to be done by September, and to a town meeting, and annual report needs to be issued by end of October. Councilman Giancesini stated from the Board of Finance standpoint when they make the budget you need to put in something for sand and salt, overtime and if put too much in people say you are overflating budget and if not enough you should have.

You try not to over budget but be conservative and will never have it within \$10. Councilman Sekorski, on revenue side are there accounts with surplus and if none, where does \$650,000 come from, the general fund? Dave Bertnagel stated the \$650,000 is in expenditure side and we have that in other departments to transfer internally to do this. On the Revenue side only area with surplus is intergovernmental; tax collection rate will need to be addressed because budgeted at 97.5% but history shows we collect 95-96% and over estimating revenues and needs to be addressed. The Town will have surplus of approx \$100,000; this is a reappropriation of funds and not an additional expenditure. On internal control side there are ways for requisitions not to go over

budget. Mayor stated there are some areas that are beyond control such as heart and hypertension which can be thousands to millions. Councilwoman Schenkel stated as liaison of the Board of Finance, Dave repeatedly brought back to the board those accounts that needed to be cleaned up and put in where properly accounted for and there have been steps put in place on budgetary process. He works directly with BOF members to talk about most rationale way to manage budget. The public needs to know and from reading minutes they can know. Mayor Festa stated the Council can review packet for September meeting for further discussion and motion to move to town meeting or to move to the BOF tonight.

MOTION: to move to the Board of Finance the year end transfers within the general fund in total of \$650,359 by Councilman Sekorski; second Councilwoman Jandreau and the vote unanimous

15. To Enter Into Executive Session For The Purpose Of Reviewing Negotiations And Tentative Agreements For Union Contracts

MOTION: To go into Executive Session with the Labor Attorney and Council at 8:00 p.m. by Councilwoman Jandreau; second Councilman Sekorski and the vote unanimous. Mayor Festa called the meeting back to order at 9:03 p.m.

MOTION: For a five minute recess at 9:03 p.m. by Councilman Sekorski; second Councilwoman Schenkel and the vote unanimous.

Mayor Festa called the meeting back to order at 9:09 p.m.

16. Action, If Any, From Executive Session –

MOTION: To approve the tentative agreement reached between the Town and Local 1303-151 (Town Hall) which tentative agreement has been reviewed by the Town Council and Attorney Nicole Bernabo, the Town's Labor Attorney, and authorize the Mayor to finalize an agreement, including any technical revisions consistent with this tentative agreement, and signed on behalf of the Town; by Councilwoman Schenkel; second Councilman Sekorski and the vote unanimous.

17. To Review and Discuss The Town of Plymouth Pension Plan And Take Any Action As Necessary – Mayor Festa stated Dave Bertnagel will discuss components of the pension plan on the town side, issues as of late that have developed and to rectify some of those with Dave's presentation and input, the Mayor's office has scheduled a meeting tomorrow morning, 9:30 a.m. in the Mayor's Conference Room, with all principals involved, Aetna, ING, Milliman, Pension Attorney and Town Auditor. Dave Bertnagel, Interim Comptroller, stated the Mayor has uncovered issues to be discussed in meeting tomorrow as he has had a few issues in the past month, one retiree who was to retire and then informed there was not enough funds to transfer for his retirement. Had to dig deeper to find out what was going on; have almost \$6-7 million sitting in assets in our main pension plan, however the town has a subsidiary area that funds it. The other account is where employee and town contributions go into and this fund funds the big pot. The vendors involved which is Aetna who has the big pot of money, we cannot move money around freely as they are annuities. Over course of time he found the Town has been aware of the issue for many years and from understanding of vendors the response was "we will deal with it when the time comes". The people who were involved in it are no longer here and this administration needs to deal with it. Last July, ING, the funding mechanism for Aetna plan, had \$1.8 million in it and this July it had \$694,000. During that course the town had several retirements where this pot of money

when over to the other pot which cannot be moved around freely. He has talked with actuaries who said funding is fine, 100% fund, funding with required contribution and making out fine; however, the mechanism of the plan itself needs to be changed. They have taken mechanisms to rectify and have things in place going forward and way of funding depends on contractual agreement. Councilman Sekorski, asked if the monies in the larger account, is that money locked for future pensions. Dave Bertnagel stated there were 42 people and \$6 million reserved for those; we are fully funded and assumptions may be changed tomorrow after meeting. The employee affected is fine. Mayor Festa stated he is disappointed in the fact he is constantly picking up pieces, put back together and sometimes an object is broken to a point you cannot repair and put it back together. David has a greater financial background and more optimistic. Mayor Festa explained a town employee retired and was not receiving pension checks (2) and the way the plan was set, you have to put all the money over into Aetna through ING who is the investment vehicle our money comes from. It is \$22,000 per month collected on behalf of employees and rest from the town or \$260,000 per year into pension plan. If we have 3 people retire you have \$1.5 million to transfer. Auditors say fully funded and they are looking at contributions being made from town and employee side; it comes to a point when someone retires that you are not fully funding our side of this program and we are broke. Have talked to three individuals from Aetna, ING and the actuary firm and each have told they repeatedly told this community, pension oversight board and previous administration that they needed to do something. Response told from those individuals that each time they brought it up they were told do not worry, we will take care of it when get to that point in time. It is here now and we are sitting here and have to deal with it. He had to make an executive decision this week to change plans and had no time to come to Council or oversight board, had time only for legal opinion relative to need to move forward and take action or the retiree would not be getting checks. Moved out of plan in which was liability guaranteed to direct payment authorization plan. We need to put two months payment up front, send money and they will guarantee check for individuals. Money in Aetna account (\$6 million) cannot be touched; we make interest off investment which goes right back into fund. What good does it do to invest in Aetna and not having anything coming in the way of a return; told by Aetna that what should happen if death of retiree, whatever paid out goes back to estate and the rest back to us; nothing has come back to us from 20 years they have been here. Tomorrow all principals involved will meet to go over options and avenues of approach and to make sure we have some guarantee in some program and liability in tact and protected. Have two potential employees coming for retirement next month which will be almost \$1 million to transfer and if we didn't find \$700,000 this go around; they wouldn't accept partial payment and wanted all or nothing. Mayor Festa stated when he ran for Mayor's office he made the commitment that people in this community will get better and deserve better. As he is going forward with a number of issues, seeing time and again where this town left in lurch and cannot understand why people complain about things they complain about because he knows they pay quite a bit in taxes; but understand in last 3 weeks with waterwheel project and pension program that there is a need to dress up community, do due diligence and cognizant in elected roles as officials. There are individuals who insisted that the town owes employees; no town resident owes anybody anything but what they have to pay in share of taxes and bottom line will not move forward to move special

assessment to fund program that needs to be investigated and looked at in serious manner. Everything hearing in three major companies that same thing reiterated, we warned - we warned and no one took any advice from professional individuals. He is appalled to think that we are at this point in time and ashamed that he had to have individual come beg for his payment due after 30 years of service. Every time pick up something else to move forward he is behind 8 ball with two steps forward and 5 giant backwards. This needs to stop. Need to take serious action and after meeting tomorrow, it is serious enough that needs to start looking at financial aspects and do something for employees in this community affected by these types of activities. Councilwoman Jandreau asked why we can't touch \$6million; Mayor Festa stated that is guarantee for those individuals retired and under an annuity life program. An actuary study is done, then ING calls and says how much to transfer to Aetna; Aetna says unless you have that amount do not transfer anything. Individual looking to have money transferred has an actuarial done which guarantees "x" amount for life expectancy. Concern is to address the major issue and why couldn't we have taken that amount of money and invested ourselves; looking at state laws and believe municipalities cannot invest themselves for purpose of their own pension funds. If \$6 million is sitting there why aren't we getting our share of it. Councilman Sekorski stated at the end of the day the Town needs to renegotiate terms of plan; Dave Bertnagel, correct, it is a funding mechanism and a variety of things to look at. Total lack of liquidity in that account is a concern. Councilwoman Schenkel (a) asked what the mechanism is for Aetna to be notified on a former retiree who passes away. It is in their interest to keep money but never having got anything back is there money sitting there we were due that they never released back. Dave Bertnagel stated that is a valid point and he will look at all mechanisms. (b) if we keep money in an account and reinvest back into the account; in investigations, recall pension oversight committee created for this purpose and from what talking about nothing was done. Dave Bertnagel stated from knowledge he has gained, a meeting was held and this committee was suppose to meet 4 times per year, met once that he knew of. Meetings were held at the request of the Mayor; when the next meeting occurs he will take action at looking at oversight board. Cannot arbitrarily point finger or ask question why not taken care of. The town has been notified over the last several years of the situation. Mayor Festa stated the issue at hand is what comes out of the meeting, what is necessary and to call the Town Council back to order again for what was discussed, suggested to do to protect liability. Melanie Church, stated (a) she remembers when the board was put together and Dave Mischke, mayor, Muffy, Dan Murray, Steve Mindera, Dave Goodwin and wonders when they met, and more than once, and at one BOF meeting they had to wait for Dan Murray to get out of that meeting to begin. Dan is one person who has always asked a lot of questions and wonders if they were told any of this as he would have brought it back to the BOF. He has always been on BOF and one to bring back what happens and asks questions. (b) Remembers a Council meeting and under "Mayor's Report" the last mayor said they were doing investments and if look at last year you will find it in minutes. Look at those. Dan Murray is one of the most honest people she knows and all years on BOF she knows he asked question. Mayor Festa stated the integrity of the oversight board has not been questioned. Three individuals have stated the town was warned and the ultimate responsibility is with the mayor's office and issue at hand is resting with the mayor's office. Councilwoman Jandreau questioned

whether the ad hoc committees keep records. Councilman Giancesini stated it could be speculation and now the BOF is fortunate that the Comptroller is sharing not only expenditures and line items monthly but revenue side of budget and getting more information so that they can see the picture and do a better job. It may well be that this particular board, for whatever reason, you can present information because board is deliberating and decision made on information they get and could be maybe choice of information given was not in detail enough. Responsibility is so great as people work all their lives and need to make sure money is there and very important thing and people need to be disciplined in what doing. The Mayor will apprise Council of the next special meeting.

18. To Discuss Status Of Water Wheel Grant In The Amount of \$350,000.00 – issue is status of grant of waterwheel.

MOTION: To discuss the Water Wheel grant, by Councilwoman Jandreau; second Councilwoman Schenkel and the vote unanimous.

Mayor Festa stated he has asked David to participate in this. Concerned about this project as within the last 2 weeks have been notified by written communication and some through grapevine and the \$350,000 grant from State has been revoked and copy of that is with him. Particular copy is one sent at his request from Wayne Garnaway, the consultant for the State, as he could not locate a copy of this grant whether in the Mayor's, Comptroller's, Town Clerk or Land Use offices. In discussion relative to a number of projects taken place, more recently on demolition of buildings that is forthcoming and received a call that the grant was lost; did nothing as community to take care of town side of bargain. There are a number of issues failed to comply with in terms of simple operational procedures: putting a sign on property indicating state funded project with special color blue and certain size letters; way in which we went about business in putting bid specification through legal notification in newspaper, and either placing it in minority newspaper which would notify minorities and women, and/or putting postings on state website. The Town put a legal notice in paper relative to demolition and as far as they went with it, and in violation of the State guidelines and rules governing this grant. There have been a number of issues presented over the last months since becoming Mayor to the concerns of not getting involved politically with the waterwheel, keeping it a project that is dear and close to everyone and reading into this that there might be a turf war he did not want anybody newly elected to wrap arms around project for fear it would be scrubbed and sent off into oblivion. Several moments in several months of discussion, some heated, to some clarification on issue on how project getting off ground, funding used, etc. and the grant money sitting there is questionable now. As a result last week of discussions on the grant and monies lost, the Comptroller's office person knew of a checkbook in the closet, it is in original envelope came in, mailed 2/27/07 and sat there until this point in time and the very first check thru last is sitting for \$350,000 to be disbursed for those particular projects which were part of the waterwheel park program. Projects done to date came out of capital expenditure accounts; money we cannot put in for reimbursement because we did not follow guidelines of this grant and money now coming out of taxpayer's pocket. Additional money from Congresswoman Johnson's office for \$100,000, that money was used as a wash account; the Federal government kept the money in tow and when we needed the environmental study done they would send up the people to do it and the cost of them doing that study was taken

from that \$100,000 Washington. It was received here as income coming in and put on revenue side; and that money is not sitting there. Look at amount of money in capital expenditure of \$209,760.53 that is not part of grant reimbursables and spent out of our own pockets. Have copy of new grant for \$350,000 and holding up the aspects of demolition and trying to do best not to make it look political and working with Public Works to get the bid out, get legal notices out so as to be under compliance. Issue at hand is to have Resolution this evening and a certification requirement and had Ted, Administrative Assistant, working on this to get back into Hartford to get \$350,000 reinstated; however, anything expended to date on this property will not be accepted for reimbursement by the State. Grant application and process for this: timeframe for 9/1/06 thru 6/30/08 and where \$350,000 came into play and everything spent could have and should have been put in for reimbursement. Dave Bertnagel stated question of additional \$100,000 state grant, looking into but cannot find it, hopes it does exist, and will check with Bill Hamzy's office. Melanie Church stated \$150,000 grant and \$100,000 when to the waterwheel grant and \$25,000 for generator for Fall Mountain and \$25,000 for sidewalks. Dave Bertnagel stated what was appropriated in system is \$100,000 (whether Federal or State grant); \$350,000 from State of CT for special appropriation the Mayor spoke about; \$40,000 from sidewalk assessment fund from Planning and Zoning, Pine View Estates, which might still reside in the General Fund; \$36,000 appropriated from General Fund for purchase of property at 268 Main Street. Going through numbers, at \$133,761 in the hole now not taking into consideration potential \$100,000. Regardless of what looking at tonight, we will need an additional appropriation or transfer from some account to pay for overage. This project, from day one, has been in the hole \$205,000; the last expense made on this project was in Jan 08 for \$1300. Up to that point reimbursement should have been submitted. There was no paperwork to be found anywhere for dates or execution except blank checkbook, with no forms to be found to be filled out to have a live checkbook and no recourse. When we accept a grant we say we will follow guidelines and the Mayor has identified five points we did not meet and the other points are financial report that should have been done. Melanie Church, to refresh memory \$150,000 came in from Hamzy and was an undesignated grant when Mayor Covello was here just before he left. \$100,000 was put aside to buy the Belonick property or Hart; the other money \$36,000 needed was for Hart property and that was done during previous Mayor, voted on. About that time when the BOF gave money, Jan announced they got \$350,000 and the BOF asked specific question can we get \$36,000 back and she said no. The \$100,000 was already spent; question now is at the Water Wheel Committee meeting she was given documentation from former Comptroller called chart of accounts and they made it as if money was coming out of \$350,000. Her question is somebody has to be responsible and do not think it is the taxpayers and thinks it is time that comptroller is held accountable especially when he hands out document and says money came from \$350,000 and he did not do his job. This is what taxpayers keep paying for when people say no taxpayers dollars will be used. As taxpayer in community we need to look at former comptroller and to make accountability here and turn over to Department of Policy and Management. We need to take a stand so these things don't keep happening. Patti DeHuff, Lynn Avenue, referenced Mayor and Council to page 48 of Charter, Chapter 7 section 8, subsection f has to do with expenditures, read into record. Do not know if applies in this case as to what happened in this particular case but

would like the Mayor to look into what Melanie is suggesting is backed up by Charter if spent money and not the way suppose to and not sure if language covers it but should be looked in to. Councilman Sekorski, questioned balance that is expenditures of last year and needs to be part of reconciliation for 2007 fiscal year. Dave Bertnagel stated it is over several years and accumulation, capital projects go for the life of the project, and need to look at \$100,000 which may be only \$33,000 and once find all documentation and details and will prepare accounting. Councilwoman Jandreau, \$150,000, the Council split it and should be in Minutes and because undesignated grant the Council decided where it would go. Dave Bertnagel pulled out 2005 audit report and on page 9 noted waterwheel restoration activities. Councilwoman Schenkel asked if the \$133,000, is excluding property purchases; Dave Bertnagel stated he has gone through property purchases, reviewed analysis to \$133 number and Belonick property is not included in analysis. Mayor Festa noted changes and issues, and that he and David will send notification to every department and agency within the Town of Plymouth that they report every grant in existence or pending and everything gets filed with the Town Clerks office.

MOTION: Councilwoman Schenkel motioned and read into record: “RESOLUTION: RESOLVED, that Vincent Festa, Mayor of the Town of Plymouth is empowered to execute and deliver in the name and on behalf of the Town of Plymouth a certain contract with the State of Connecticut, Commission on Culture & Tourism, and to affix the corporate seal, if any.” Second by Councilwoman Jandreau. Discussion: Councilwoman Schenkel stated as a taxpayer who has lived most of life here, this behavior is appalling and her heart breaks for townspeople who worked so long on this project and those on the commission to think that their hard work almost went down the tube and thanked the Mayor for saving it. He took action to make happen and he does it every single day. Councilwoman Jandreau stated she was liaison to the EDC and started to question the fund and asked to show money and got a report from Muffy that everything was fine and that was a completely false report. We cannot let that go on. Councilman Giancesini stated we are looking at symptoms of disease, administration comes in and always have to be honest and forthright about what doing. Need to admit problem and do things legally. Remember going back when assistant clerk was hired in the tax collector’s office and the position was already deleted from budget; money had to come from somewhere and support the woman who came in and did a good job. We need to correct situation and put checks and balances. Councilman Sekorski stated it is not only a symptom but problems have turned over to administrations and stuff gets lost and people should be accountable but bigger problem is 2 years and hard to get things done and hopefully Charter Revision will look at different options for continuity of offices. Running a town is big time business. Mayor Festa stated he has spoken with Charter Revision to have transitional comments with change in administration staffing from standpoint they are changing form of government and the process by which it moves from one administration to another and need transitional team and oversight for someone watching what takes place. Melanie Church stated Bristol has purchasing manual and in there code of ethics and comments to it; would like to see put in for accountability of every department head and would give a job description for responsibility of comptroller and will get copy of that. If Council took as ordinance it would make easier to put in charter. Councilwoman Jandreau stated the Charter is well and good but it gets thrown out, broken, who will do anything about it; who will object as most townspeople do not know

what it says. There is no resource and where do you go or what do you do. We need someplace to go. Councilwoman Schenkel stated she did schedule for recommendation of charter with ethics commission; tremendous expense certain individuals incur based on beliefs felt right and cost them a lot of money. Hoping by suggestion it would be mechanism in government and creates group of neutral people to listen. Also point that this is a corporation and if not aware of state statutes or labor laws, it is devastating. Maybe a town manager would have education and background to bring to table issues. Mayors may have best intentions for our town but this option requires diverse background. Our present mayor will go for right answers and ask questions and has commitment to this town. Mayor Festa stated until move forward, Page 55, Chapter 9 of Charter subsection 5, Board of Ethics, can be established by Town Council. We have Mayor/Council form of government and Mayor is figurehead; the Council is legislative body; the mayor does what is described by council. The Charter dictates to Council the opportunity to establish board of ethics. The Mayor does not have the right to stop it. Melanie Church stated that was used one time. Discussion held on recent board of ethics; permanent commission when need to convene immediately. We can implement based on public comment tonight to appoint ethics commission to be put in place to look and evaluate issues. Melanie Church asked if the Council can have the Mayor turn over this evidence to the Office of Policy and Management and see if they find there are problems; and if recommend problems, they would have investigation on accountability. Councilwoman Jandreau stated in this report it says remaining used by capital and nonrecurring; Dave Bertnagel noted there is a pool of cash and some funds preused and cash flow and issue of cash flow was in anticipation of money coming in from the state that never transpired. Vote: unanimous.

MOTION: Councilwoman Schenkel motioned and read into record

“Resolution: RESOLVED that the Town of Plymouth hereby adopts as its policy to support the nondiscrimination agreements and warranties required under Connecticut General Statutes subsection 4a-60(a)(1) and subsection 4a-60a(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.” Second by Councilman Sekorski and the vote unanimous.

19. To Discuss And Approve The Appointment Of David Bertnagel To The Position Of Comptroller

MOTION: To approve the appointment of David Bertnagel to the Position of Comptroller, by Councilwoman Jandreau; second Councilwoman

Schenkel. Discussion: Councilwoman Schenkel stated she is honored to have Dave Bertnagel as Comptroller and it has been a refreshing change to have actual answers to questions and forethought ; invaluable amount of experience and direction and couldn't be happier to support this appointment. Mayor Festa stated Dave will work in agreement under contract and will be making the same amount making yearly \$70,200 for 30 hours, benefits receiving in employment will remain the same and no additional expense. Mayor Festa stated he is extremely fortunate that people have come across his path as mayor such as Ted Scheidel with 26.5 years experiences to come here part time and work more than part time hours; Bill Bellotti as retired Deputy Commissioner of Dept of Labor; and David came here with knowledge in terms of finances and what he has done to date in that office is beyond words and explanation, and amazed every day, and bottom line with putting budget in proper perspective, cleaning up small accounts, found accounts that

does not know why there and tracing back. He is truly blessed to have him come forward. Councilwoman Jandreau noted that it is because Vinny is who he is that they are coming here and see his worth and honesty and work ethic and how can they say no. Vote: unanimous.

20. Public Comments

- a. Melanie Church, 328 Main Street, reading Collinsville taking old hydro plant and check grants for electricity and we have a waterwheel and maybe we can get grants; it did work at one time; Mayor Festa stated in reference to waterwheel it is not workable and understanding is it goes back to issue for \$350,000 grant, word generator, they thought one would be put and become operational, understanding is waterwheel park is for historical significance and that it sits there and will not work.

21. Town Council Comments

MOTION: to table this for next meeting due to time, by Councilwoman Schenkel; second Councilwoman Jandreau and the vote unanimous

22. Adjournment

MOTION: to adjourn by Councilwoman Jandreau; second Councilwoman Schenkel and the vote unanimous.

Meeting adjourned at 10:30 p.m.

Respectfully submitted,
Robin Gudeczauskas, Council Clerk