

1. The Regular Meeting of the Town Council of the Town of Plymouth was called to order at **7 p.m. on Tuesday, September 2, 2008** in the Plymouth Town Hall Community Room. Members in attendance: Councilwoman Jacqui Denski, Councilman Peter Giancesini, Councilwoman Jeannine Jandreau, Councilman Dave Sekorski. Also present, Mayor Vincent Festa; Robin Gudeczauskas, Council Clerk; Attorney Sal Vitrano, Town Attorney; Dave Bertnagel, Comptroller. Councilwoman DiAnna Schenkel, excused absent.
2. Fire Exit Notification
3. Pledge of Allegiance
4. Acceptance of Minutes of:
 - a. Special Town Council Meetings of August 11, July 15, July 7, June 25, May 29, 2008
MOTION: To accept the Special Town Council Meeting Minutes of August 11, 2008, by Councilwoman Jandreau; second Councilman Sekorski. Discussion: Councilman Giancesini noted correction on page 4, item 12, regarding power interruptions at industrial park, changed “electric oven” to “Electric Avenue”. Vote: unanimous with Councilwoman Denski abstaining.
MOTION: To accept the Special Town Council Meeting Minutes of July 15, 2008, by Councilwoman Jandreau; second Councilwoman Denski. Discussion: none. Vote: unanimous.
MOTION: To accept the Special Town Council Meeting Minutes of July 7, 2008, by Councilwoman Jandreau; second Councilwoman Denski. Discussion: none. Vote: unanimous.
MOTION: To accept the Special Town Council Meeting Minutes of June 25, 2008, by Councilwoman Jandreau; second Councilman Sekorski. Discussion: none. Vote: unanimous.
MOTION: To accept the Special Town Council Meeting Minutes of May 29, 2008, by Councilwoman Jandreau; second Councilwoman Denski. Discussion: none. Vote: unanimous.
 - b. Public Hearing Meeting Minutes of July 22, June 16, June 17, 2008
MOTION: To accept the Public Hearing Meeting Minutes of July 22, 2008, by Councilwoman Jandreau; second Councilwoman Denski. Discussion: none. Vote: unanimous.
MOTION: To accept the Public Hearing Meeting Minutes of June 16, 2008, by Councilwoman Jandreau; second Councilwoman Denski. Discussion: none. Vote: unanimous.
MOTION: To accept the Public Hearing Meeting Minutes of June 17, 2008, by Councilwoman Denski; second Councilman Giancesini. Discussion: none. Vote: unanimous with Councilwoman Jandreau abstaining.
 - c. Regular Town Council Meeting Minutes of June 3, 2008
MOTION: To accept the Regular Town Council Meeting Minutes of June 3, 2008 by Councilwoman Jandreau; second Councilwoman Denski. Discussion: none. Vote: unanimous.
5. Council Rules and Regulations

MOTION: To amend the Agenda, Item 8, to include the following: to appoint Larry Deschaine to the Ad Hoc Committee on Blight; also appoint Mr. Bruce A. LeBeau to the Ad Hoc Committee on Blight, by Councilwoman Jandreau; second Councilman Sekorski and the vote unanimous

MOTION: To amend the Agenda, Item 9, to include the following to refund property taxes to: William or Joy Hall, \$66.86; Janet or Daniel Stevenson, \$29.05; Eketerini Dogrametzis, \$15.80; Nissan Infiniti LTD, \$309.91; Peter M. Maksymiak, \$124.32; Carol Kozikowski, \$26.49; Darrell G. Telke, \$23.48; Paula J. Biegaj, \$29.50; Estate of Anthony L. Basile, \$11.80; Todd or Sandra Burkhardt, \$61.62; Nissan Infiniti, \$41.39; by Councilwoman Jandreau; second Councilman Sekorski and the vote unanimous.

6. Public Comments on Non-Agenda Items
7. Mayor's Report – Correspondence/Discussion
 - a. Historic Property Commission – met to organize commission; involved in process of setting calendar and will be meeting on a regular basis. Moving forward to discuss waterwheel component as only item now for this commission to deal with.
 - b. All Terrain Vehicles (ATV) Ad Hoc Committee – met as organizational piece and setting calendar to meet on regular basis.
 - c. Ad Hoc Committee on Blight – met informally to organize and will meet on regular basis; have asked for town attorney's presence to discuss issue of blight ordinance and will report to Council with findings when complete.
 - d. Board of Education: Local Prevention Council Federal Grant for 5 year period of time has been received and this is a wonderful opportunity to do things with students, community and will be forthcoming with additional information.
 - e. Update on Solid Waste Curbside Trash Collection/Transfer Station Update – will need to update transfer station and will bring forward report on costs relative to upgrades; curbside voted down.
 - f. Update on Town's Deferred Pension Plan – in packet as correspondence; town needed to make some changes on pension plan for the town. Have agenda item to discuss Charter language and things needed to be done to make changes to move forward.
 - g. Waterwheel Grant Application/Demolition of Buildings – has moved forward and received correspondence today and there are a number of items to be done for procurement before starting to get reimbursement; need to put up sign immediately for CT Council on Tourism and Culture who is funding program; must present every documentation whether bid procedure or newspaper notification; bid copy; manner in which selection process done, etc. This is a very length process and hope based on fact have bid proposal will need to wait until it is sent to the State first for their blessing. The Town will conform to every item required.
 - h. South Main Street Reconstruction Contract – has been forwarded to the State, approved and information from Public Works should be forthcoming.
 - i. Municipal Facilities Committee; Feasibility Study Bids – there is meeting on September 8 and will have two presenters from 6-7 and 7-8. Any Town Council member can attend to listen to presentations; bids range from \$20,000 to \$45,000.

Councilman Sekorski asked if on the waterwheel grant the intention is to fund demolition with grant money. Mayor Festa stated yes.

8. Appointments/Resignations

a. To appoint Larry Deschaine and Bruce A. LeBeau to the Ad Hoc Committee on Blight
MOTION: To appoint Larry Deschaine and Bruce A. LeBeau to the Ad Hoc Committee on Blight, by Councilwoman Jandreau; second Councilwoman

Denski. Discussion: none. Vote: unanimous.

b. To Accept the Resignation of John Murphy from the Zoning Board of Appeals

MOTION: To accept the Resignation of John Murphy from the Zoning Board of Appeals, by Councilwoman Jandreau; second Councilman Sekorski with regret. Discussion: none. Vote: unanimous.

c. To appoint Barbara Watson to the Zoning Board of Appeals; Term to expire 2/19/2010

MOTION: To appoint Barbara Watson to the Zoning Board of Appeals; Term to expire 2/19/2010 by Councilwoman Jandreau; second Councilman

Sekorski. Discussion: Councilwoman Jandreau stated she is a great addition to the Zoning Board of Appeals and nice to have woman on board. Vote: unanimous.

d. To accept the resignation of Matthew J. Halko from the Planning and Zoning Commission due to armed services duty to our country (alternate position). Mayor Festa stated previously this situation occurred and the person was allowed to sit until complete tour of duty and Matthew will sit as alternate until he leaves and then fill in until he returns.

MOTION: To move Matthew J. Halko to an Alternate position on Planning and Zoning, by Councilwoman Jandreau; second Councilwoman Denski. Discussion: none. Vote: unanimous.

e. To appoint Frances Block to the ATV Ad Hoc Committee

MOTION: To appoint Frances Block to the ATV Ad Hoc Committee by Councilwoman Jandreau; second Councilman Sekorski. Discussion: none. Vote: unanimous.

f. To appoint Richard Foote and David Philbrick as Alternates to the Historic Property Commission

MOTION: To appoint Richard Foote and David Philbrick as Alternates to the Historic Property Commission, by Councilwoman Jandreau; second Councilwoman Denski. Discussion: none. Vote: unanimous.

g. To reappoint Cheryl Giancesini to the Plymouth Housing Authority, term to expire on 8/31/2013; to reappoint Joyce Relihan to the Plymouth Housing Authority, term to expire on 8/31/2013

MOTION: To reappoint Cheryl Giancesini to the Plymouth Housing Authority, term to expire on 8/31/2013; to reappoint Joyce Relihan to the Plymouth Housing Authority, term to expire on 8/31/2013 by Councilman Sekorski; second by Councilwoman Jandreau. Discussion: none. Vote: unanimous with Councilman Giancesini abstaining.

h. To accept the resignation of James Deutsch from the Charter Revision Commission

MOTION: To accept the resignation of James Deutsch from the Charter Revision Commission by Councilwoman Jandreau; second Councilman Sekorski. Discussion: Councilwoman Jandreau stated it will be a loss to the Commission as he was doing a good job and will be missed and thanks for work so far. Councilman Giancesini stated it is a difficult position to Chair due to diversity of ideas and many of the people were enthusiastic and he thought Mr. Deutsch did a good job to channel activity and in a positive manner. He has a great deal of patience for what he did and hopefully next individual will continue where he left off. Vote: unanimous.

9. Take Action to Refund Property Taxes: Richard White, \$5.84; Joseph Maddalena, \$31.70; Barbara Grant, \$30.91; Adam T. Whitley, \$16.73; Joseph/Janice Mazon, \$28.78; Lawrence M. Minor, \$27.57; Honda Lease Trust, \$69.38

MOTION: To refund property taxes as listed in this item and as amended by Councilwoman Jandreau under Item 5, by Councilman Sekorski; second Councilwoman Jandreau and the vote unanimous.

10. To Remove From Table and Take Action To Refund Property Taxes To: Wendy S. Miller, \$9.21; Shirley Hapeman, \$10.05 – Mayor Festa stated for clarification due to requests were made out to spouse and clarification from tax collector it does not matter whose name on form for refund nor who signs as long as it is husband and/or wife.

MOTION: To remove this item from the table, by Councilwoman Jandreau; second Councilwoman Denski. Discussion: none. Vote: unanimous.

MOTION: To refund property taxes to: Wendy S. Miller, \$9.21; Shirley Hapeman, \$10.05, by Councilwoman Jandreau; second Councilman Sekorski. Discussion: none. Vote: unanimous.

11. To Approve and Authorize The Mayor To Sign The Contract Between The Town of Plymouth And The WPCA Regarding Payment Of Bonds For The Treatment Plant Upgrades – Attorney Vitrano distributed the contract stating it is substantively the same as paragraph the Mayor included in the packet. This deals with WPCA and supplemental equipment, \$385,000 bond issue, approved by Council as well as all necessary approvals, WPCA approved. Bonds to be issued and contract between WPCA and the Town of Plymouth, reviewed contract to pay interest on bonds and mechanism in place to collect fees from users. Initial presentation was this bond issue will not cost the taxpayer, paid for by fees generated by WPCA and the contract puts that in place. Once Council approves and authorize the Mayor to sign; WPCA will approve and then bonds can be issued and project funded. Referendum is not necessary.

MOTION: To approve the contract between WPCA and the Town of Plymouth regarding payment principal and interest in bonds on \$385,000 as has been presented to the Council and authorize the Mayor to sign, by Councilwoman Jandreau; second Councilwoman Denski. Discussion: none. Vote: unanimous.

Attorney Vitrano stated he and the Comptroller were discussing issue and unless the Council wants to, there is no statutory or Charter requirement that there be a vote at a town meeting authorizing the transfer. Transfers appear to be consistent with authority of the Finance Board but as the Mayor and Council have done and keeping with open information policy, you may want to set a town meeting for public information purposes but unless decide otherwise there is no requirement at that town meeting for a vote to approve changes.

12. To Set A Date For A Town Meeting To Allow For Public Input/Vote Regarding End Of Year Budget Transfers As Per Comptroller's Report - Councilman Gianesini stated this is an annual event during his tenure on the Board of Finance to recommend transfers which come back to Council and no need for public vote. Discussion held with either regular meeting with Board of Finance or hold in public session with concern that town meeting denotes vote; can we use other term. Mayor Festa stated the town meeting is to openly let people know what is happening with fund and listen to explanation; Councilwoman Jandreau asked if public hearing would be more of a proper

term. Attorney Vitrano noted the parameters of a town meeting are established by the Call of the Meeting, which would be specific for informational purposes only; however, generally meetings for information are called public hearings. Dave Bertnagel stated last month received listing of transfers and close out done in general fund and will have surplus of approximately \$104,000; all departments came in under budget on expenditure side. Had several areas where salaries went over due to attritions and retirements; other overage was snow removal and fuel/ heating oils and there are adequate resources to transfer within. Councilman Sekorski stated key is there is no new appropriation and transfer of existing funds and therefore no vote needed by public.

MOTION: To hold a public hearing to allow for public input regarding end of year budget transfers per Comptroller, by Councilwoman Jandreau; second Councilman Giancesini. Discussion: Councilman Sekorski asked for timetable and when need to be complete. Dave Bertnagel stated they already have legal effect but for public by October 31st. Vote: unanimous.

MOTION: To authorize the Mayor to set a date for the public hearing by Councilman Sekorski; second Councilwoman Denski. Discussion: none. Vote: unanimous.

13. To Discuss The Status Of The Public Works Commission, Sidewalk Ordinance, Local Vendor Preference, Code of Ethics – Mayor Festa stated the need for parameters and date for rescinding or what action Council would like to take.

MOTION: To set a date to work on these items by Councilwoman Jandreau; second Councilwoman Denski. Discussion: current ad hoc committees are on Blight, ATV and Code of Ethics; Public Works is in ordinance state and decision needed to enact or rescind; Sidewalk is another ordinance; Local Vendor Preference is ordinance. Vote: unanimous.

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

MOTION: To go into executive session for the purpose of reviewing negotiations and tentative agreements for union contracts, inviting the Mayor and Town Attorney at 7:36 p.m. by Councilwoman Jandreau; second Councilman Sekorski and the vote unanimous. Mayor Festa called the meeting back to order at 8:07 p.m. noting they are out of executive session.

15. To Take Action, If Any, From Executive Session

MOTION: Move to approve the tentative agreement reached between the Town of Plymouth and Plymouth Police Union Local #2444 which tentative agreement has been reviewed by the Town Council and approved by Attorney Nicole Bernabo, the Town's Labor Attorney, and further move to authorize the Mayor to finalize an agreement including any technical revisions consistent with this tentative agreement, and sign on behalf of the Town, by Councilman Sekorski; second Councilwoman Jandreau. Discussion: none. Vote: unanimous.

MOTION: To approve the tentative agreement reached between the Town of Plymouth and the Water Pollution Control Authority (WPCA) Local 1303-205, Council #4, which tentative agreement has been reviewed by the Town Council and approved by Attorney Nicole Bernabo, the Town's Labor Attorney, and further move to authorize the Mayor to finalize an agreement including any technical revisions consistent with this tentative agreement, and sign on behalf of the Town, by Councilwoman Jandreau; second

Councilman Giancesini. Discussion: none. Vote: unanimous.

16. To Discuss And Take Action On Town's Deferred Pension Plan – Mayor Festa stated this is an item that needs to be brought forward; difficulty is relative to the Town pension plan and two agencies involved; Aetna which holds monies allocated and payment of retirement checks and set up as annuity program which means when employee retires they take best years of salary, multiply by number of years of service and it is calculated and based on that and wages. Earlier last month had situation develop on BOE members retiring, BOE is part of this pension plan, and employee from town side retired for a total of \$1.5 million to \$2 million to be transferred. When they did transfer for BOE side no money was left for town side retiree and have two additional retirees this month; Aetna would not take partial payment and their program is money is to be sent over in one swoop; ING does not have that money; did research and found although auditor states we fund at 100% on pension plan it means we are putting in our share and employee putting in their share which equates to 100% but does not mean fund is funded and this does not cover retirement through Aetna plan. Called for meeting with Aetna, Miliman, ING and Hooker and Holcomb which is BOE actuary, and found there are 2 issues. One, actuaries have two different reporting years and we are never on same path; two, the BOE did not stop including new hires when the Town took action in 2001 to stop new employees from entering this plan. ING and Aetna representatives indicated they requested the Town to change from this plan some time back. The Plan was developed in 1969 and not touched since. Have had small returns on our investment over time; now in process of making changes and will meet again with attorneys and principals of Aetna and ING to resolve monetary issues. Had to go forward with change in plan and have gone to a Deferred Placement Authorization (DPA) which allows the town to send off salary payment 2 months in advance to Aetna for purpose of distributing monthly paycheck on retiree account. Agreed upon in term and need action tonight to take a look at the plan and make change to formally authorize moving to DPA.

MOTION: To formally approve changes from current pension plan to Deferred Placement Authorization (DPA), by Councilwoman Jandreau; second Councilman Giancesini. Discussion: Mayor Festa stated anyone involved in plan is guaranteed coverage and no loss of benefits or coverage. Vote: unanimous.

17. Council Liaison Reports

- a. Councilwoman Jandreau: Fire Commission no meeting; Planning & Zoning did not have a regular meeting but special meeting was held and settled issues with School Building Committee and approved Temporary C.O. for 3 months at which time the Building Committee must come back. Planning and Zoning needs a new member. Charter Revision moving along, Vice Chair Tom Zagurski chaired meeting and need regular and alternate members. Inland Wetland held no August meetings; Housing Authority will elect officers in September; ZBA, in need of one member. Plymouth Fire company sent invitations to Council for event.
- b. Councilwoman Denski: BOE, school opened today; public comment given on no sidewalks on North Main St; student parking fees at THS \$50 for the school year which is new; new tax shelter annuity plan; Channel 16 events. Mayor Festa stated Bill Krohn is in contact with Steve Mindera for Sky 13 and in touch with Lisa Aiudi to contact with audio visual and work collectively with students to tape our meetings.
- c. Councilman Giancesini: I/W did not have August meetings; Planning and Zoning only

special joint meeting as already noted; WPCA cancelled due to lack of quorum.
d. Councilman Sekorski: attended Ambulance Corps 40th anniversary party and congratulations to them on this anniversary of operation.

18. Public Comments

a. Keith Golnik, 46 Orchard Street, (a) wondering if he can get comment on tentative agreement with police union and establish of canine handler position. Mayor Festa stated he will be moving forward now that contract was resolved and will be coming shortly for discussion. (b) as Vice Chair of Police Commission, he was asked to push forward request for speed limit on North Main to 25 mph and now elementary school is on that road and request Town Council look to push for sidewalk continually on North Main as a lot more young children are there, and looking for sidewalk on Hillside Avenue.

b. Susan Jensen, 8 Bernice Avenue, (a) stated for 8 years she has lived here and wondering where the skate park is. Mayor Festa stated at this point in time it is in limbo. The issue is there are a number of projects discussed but no money earmarked for them; need to know for certain where we stand and have talked with state and federal people and no money available for grants for these situations. Looking forward to developing a bond package proposal which he will bring to Council and townspeople on major projects to look at including infrastructure which may be in the millions of dollars and only way he can see to have this town move forward. It will be a burden when some look at amount of money; we cannot put \$50,000 in one account and \$25,000 in another and have the money to take care of Lake Winfield, and do a skateboard park. As a side issue he did sit with two colleagues, Bristol and Burlington and looking to come together to form consortium when we need equipment that Bristol may have, we will loan from a neighboring town and save money. We need to use resources, i.e. grant writer from Bristol to help us write grants for things such as skate park and senior center, etc. Very much taken aback that we have not gotten anywhere with Lake Winfield as it is the only recreational site in this community and working with the State. When we do have something firm for the townspeople he will come forward. (b) as a parent of 3 boys, 24 and 18 and 6 years; this town has a big drug problem because 18 year old was younger and into skateboarding and biking with no where to go where police weren't called on them. CVS was one place she used to watch kids and believes it is a big issue and our children are our future and does not know where money would come from, doing research and knows of a professional skateboarder who has given money to other towns in other states to help get these things for the children and to get off streets. Mayor Festa stated the town would be grateful for any research and would welcome the information. He has spoken with Mayor Ward on their parks in Bristol, and found Terryville people in Wolcott sitting at Peterson Park with their children. They have done nice job in small area including skate board park and nice to see younger children involved in fenced in area. If those towns can do it there is reason we need to look at it. (c) a skateboard park is good and she would be ecstatic; but, again, the drug problem is a serious problem and knows children and her own child has had problems for 5 years and not something light and they are sticking needles in arms and problems they will have for the rest of their lives. She loves our police department who has helped her out a lot and years ago they were talking about a club to help children.

c. Keith Golnik, stated the last administration when Jan was Mayor, there was application for a grant to establish a skate park and he never remembers any discussion if

approved. Mayor Festa stated what he knows of it, that skateboard park was part of a \$10 million package submitted to representatives in Washington and at that point told no money was available. He has the packet in a drawer and a lot of sense to a number of programs and projects. Earmark of \$500,000 was allocated to Fall Mountain Water and all that came from Washington. He is looking at those kinds of things and working with Parks and Rec on chemical treatment at Lake Winfield and meeting with mayors and selectman to start sharing likelihood of grant writer. This was spoken on at EDC. hired someone to do oversight and three pages on information given and one was telling us where to go to secure grants and we are looking to share resources and move forward.

19. Council Comments: To Remove From Table Town Council Comments Per Last Council Meeting

MOTION:

Mayor Festa stated there is no motion and will move forward on Agenda.

20. Adjournment

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

Meeting adjourned at 8:35 p.m.

Respectfully submitted,
Robin Gudeczauskas, Council Clerk