

1. Call to Order: The Regular Meeting of the Town of Plymouth Town Council was called to order at 7:00 p.m. on Tuesday, October 7, 2008 by Mayor Vincent Festa in the Community Room, Plymouth Town Hall. Members in attendance: Councilwoman Jacqui Denski, Councilman Peter Giancesini, Councilwoman Jeannine Jandreau; Councilwoman DiAnna Schenkel, Councilman David Sekorski. Also in attendance Mayor Vin Festa, Robin Gudeczauskas, Council Clerk, Salvatore Vitrano, Town Attorney, David Bertnagel, Comptroller.
2. Fire Exit Notification
3. Pledge of Allegiance
4. Acceptance of Minutes of Regular Town Council Meeting, September 2, 2008  
**MOTION:** To accept the Regular Town Council Meeting Minutes of September 2, 2008, by Councilwoman Jandreau; second Councilman Giancesini and the vote unanimous.

Special Town Council Meeting, October 2, 2008

**MOTION:** To accept the Minutes of the Special Town Council Meeting of October 2, 2008 by Councilwoman Jandreau; second Councilwoman Schenkel. Discussion: Councilwoman Jandreau stated under attendance for Board of Public Health, Margaret Clyma arrived later but is on the Board. Vote: unanimous.

5. Council Rules and Procedures  
**MOTION:** To amend the agenda to add the following beginning with Item 20 and Council Liaison Reports and following items shall move down:
  20. To approve the contract with BL Companies for the evaluation of Prospect Street School and Main Street School Buildings and Sites
  21. To approve the appointment of Susan Murawski to fill the vacancy on the Plymouth Board of Education
  22. To approve the Corporate Resolution document for the CT Housing Grant and the Nondiscrimination Certificate
  23. Move the following Resolution for Tax Abatement by Councilwoman Jandreau; second Councilman Sekorski and the vote unanimous.
6. Public Comments on Non-Agenda Items
  - a. Keith Golnik, 46 Orchard Street, stated for many months he has been hearing the new high school is on time and on budget, but yet still not able to have children play on athletic fields, they have not been maintained, ruts in field and blame game between School Building, contractors and whoever else; and asks the Mayor to get in touch with School Building and get it sorted out. They need to get done soon and within the month for proper top soil and reseeded so children can play next year.
7. **Mayor's Report**  
Correspondence/Discussion  
Public Information Notice from LeeAnn Meyers, Director Human Services, as per the IRS, September 12, 2008 read into record "Per the IRS, as of September 12, 2008, there

are 163 Terryville and Plymouth residents who are SSA, SSDI and VA recipients that have not yet filed for their stimulus checks. If you are a recipient of SSA, SSDI or VA and have not yet filed for your stimulus check and you need assistance, please contact Lee Ann at the Human Services Department (860) 585-4028. The deadline to file is October 15, 2008.”

Opinion Letter from Bond Counsel (in packet)– Letter dated September 16, 2008 from Robinson & Cole re opinion on question raised on bonding of project for WPCA to tune of \$385,000, briefly reviewed noting opinion on matter puts issue to rest.

Letter From Superintendent Distasio Regarding Negotiations (in packet)– Mayor Festa stated the BOE has begun process and next meeting dates are 10/22 and 10/29, and the BOE welcomes Town Council and Mayor’s attendance. If any Council members are interested, let the Mayor’s office know.

Telephone Call From Wayne Gannaway, State Dept. Culture/Tourism consultant indicating our procurement documents were received, are in order and waiting for the Attorney General to release grant so that the Town can begin process of demolition at Waterwheel site on buildings.

Tax Abatement – Commission meeting and Resolution in packet and will be discussed later.

**8. Appointments/Resignations**

To Appoint David Barbieri To The Charter Revision Commission

**MOTION:** To Appoint David Barbieri to the Charter Revision Commission by Councilwoman Jandreau; second Councilwoman Schenkel. Discussion: Councilwoman Jandreau stated she is happy to see Dave on this Commission and he has experience on town side and on Charter Revision. Vote: unanimous.

To Appoint Zack Morin To The Zoning Board of Appeals, Alternate Position; Term to Expire On February 29, 2010

**MOTION:** To Appoint Zack Morin To The Zoning Board of Appeals, Alternate Position; Term to Expire On February 29, 2010 by Councilwoman Jandreau; second Councilman Gianesini and the vote unanimous.

**9. Take Action To Refund Property Taxes:** Barbara Grant, \$30.91; Scott Hayes, \$10.33; Glenn Aldrich, \$8.31; Todd Forehand, \$144.48

**MOTION:** To Refund Property Taxes to: Barbara Grant, \$30.91; Scott Hayes, \$10.33; Glenn Aldrich, \$8.31; Todd Forehand, \$144.48 by Councilwoman Schenkel; second Councilwoman Jandreau and the vote unanimous.

**10. To Take Action On Tax Abatement Resolution (Rite Aid) Project**

Councilwoman Jandreau read the Resolution into record “RESOLUTION WHEREAS, plans have been approved for the development of a Rite-Aid Pharmacy at 216 Main Street with a construction value exceeding \$3,000,000; and WHEREAS, the developer, Brista Commons LLC, has requested financial assistance in said Rite-Aid Pharmacy; and WHEREAS, the Tax Incentive Committee has made its recommendation for a financial incentive package. NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF

PLYMOUTH TOWN COUNCIL: That the Mayor be and is hereby authorized to enter into a tax abatement agreement between the Town of Plymouth and Brista Commons LLC for an amount neither exceeding \$550,000, nor seven (7) years in duration. And further said tax abatement agreement should be reviewed and approved by the Town Attorney.”

**MOTION:** To accept the Tax Abatement Resolution (Rite Aid) Project as read, by Councilwoman Schenkel; second Councilwoman Denski and the vote unanimous.

11. To Accept Two Quit Claim Deeds For Parcels B and E At Harwinton Heights Subdivision

**MOTION:** To accept Two Quit Claim Deeds for Parcels B and E at Harwinton Heights subdivision, by Councilwoman Jandreau; second Councilwoman Schenkel and the vote unanimous.

12. To Discuss The Board of Education’s Letter Relinquishing Control Of Prospect Street School To The Town of Plymouth – Mayor Festa stated the Board of Education informed us through the Mayor that as of October 1st they have turned over Prospect Street School to the town. Mr. Lorenzetti is here to speak about the decision and issues of concern. **MOTION:** To discuss this item by Councilwoman Jandreau; second Councilman Sekorski and the vote unanimous.

Tony Lorenzetti stated the Board of Education (BOE) sent a letter to the Mayor relinquishing Prospect Street School on October 1st and also were intent on keeping the fields. One thing not clear is exactly the plan to relinquish because if you use fields you certainly need parking for the field and it is not clear of the limits of what is being turned over. He reviewed items contained in a memo to Dr. Distasio dated September 9, 2008 noting he had requested information from the BOE and have received some information re environmental issues, and a bunch of other items he has not received any information. If you take over a building you need to know how it operated. He was told some heating oil is left, approximately 2500 gallons, but does not tell how long that will heat the building for. With an unoccupied building you need to go back and forth to check systems. Also asked for information on air quality, mold, other infestation and did get some info on air quality. Also looking for building plans and we do not have those; did find origin on front portion filed in clerk’s office; need keys, alarm codes with description on how it works, info did not come. Requested service records on all building components if available for the past 10 years; did get some info on fire code and OSHA inspection; there are spots where doors are a problem and cracking of building structure but have asked for a list of any areas on site or within the building in need of repair or special attention, scheduled maintenance expected to do or scheduled maintenance in past, warranties on building, ADA compliance documents; spare parts, items to be disposed of on owners part; soil samples/geotechnical reports, photos, especially related to the Oil Tank Replacements; expenditures in previous years; record of spills; more info on underground tanks; historical man hours related to lawn/facility maintenance. Also questions asked on what portions of the land surrounding the building will be maintained by the BOE and will the BOE continue to maintain all of the fields and recreational components. He has not gotten a lot of this info yet and need things to understand how the building operated. Did get a tour and some windows are left open at times for ventilation and not sure how they left the building. He still does not have keys and not

officially turned over yet. Not in a position to recommend what to do although there was discussion and need to think on future need for facility. Going back he has served on facilities commission for years and capital improvement who decided it was important to look at PSS and MSS before they became ours and we are now at this hour and are in the position to look at future taking over of a building without plan. Have not evaluated everything but need the info to do so. Councilman Giancesini stated he makes a good point that not a hand off appropriate and talk about moth balling an old building and if we turn off heat you will have gaskets loosen up and if go back to turn on there will be leaks. In addition people know it is unoccupied and a matter of time before people start stealing stuff. Mayor Festa stated the property is insured. Councilman Sekorski encouraged the Mayor and staff to continue a positive dialogue with the BOE and concern this is our problem. This was built in 1904, cracks, and other problems and need to maintain positive dialogue. Tanks were replaced at this building as well and that info should be readily available. He asked if the Town has a consultant report or other action item in terms of study; Mayor Festa stated that is forthcoming when contract approved. Councilman Sekorski encouraged them to work together, winterize and protect the property. Tony Lorenzetti stated the BOE knowledge is invaluable and without information we are not sure of day to day things in the building. Councilman Sekorski stated the maintenance plan is lacking and there probably is no maintenance plan and everybody just keeps everything running as best they can. Need to speak with people who use to operate that building. Councilwoman Jandreau asked if they have to accept this building. Mayor Festa stated ultimately they have to, yes, and if Council does not accept now when will they. Councilwoman Jandreau stated when we have answers we need. Tony Lorenzetti stated the Board of Finance did put some money toward PSS but he is concerned that will not be enough money.

**MOTION:** To table by Councilwoman Jandreau; second Schenkel. Vote: Councilwoman Denski, no; Councilman Giancesini, yes; Councilwoman Jandreau, yes; Councilwoman Schenkel, yes; Councilman Sekorski, yes. Mayor Festa stated the Motion to Table carried 4-1.

13. To Approve The Bid Submitted By ABCON Environmental, Inc and Enter Into An Agreement With Them To Demolish The Buildings At The Water Wheel Site

**MOTION:** To Approve The Bid Submitted By ABCON Environmental, Inc and Enter Into An Agreement With Them To Demolish The Buildings At The Water Wheel Site by Councilwoman Jandreau; second Councilwoman Schenkel. Discussion: John Murphy, 385 Greystone Road, stated on August 25th he also estimated and provided letter protesting. There were 4 addenda issues and each 2 low budget only acknowledged and how can you accept something they don't fully acknowledge and complete contract. Attorney Vitrano stated he has reviewed the rfp, various bids submitted and aware of the issues raised by Mr. Murphy and have determined the bid from ABCON is an acceptable bid and consistent with the bidding process. There are provisions in the rfp that deal with issues raised by Mr. Murphy and advise the Mayor and Public Works if their decision is to accept ABCON, they certainly can. Mr. Murphy stated with that being said what is the sense in putting a bid out if not acknowledged and the items in the addenda sent out by Mr. Lorenzetti affecting the contract in one way or another and to have to go into contract where there might be dollar values affecting two items on addenda for the Town Council to accept without ramification or understand that ABCON

understands the contract of \$24,000, no more no less, we did not get addenda. Attorney Vitrano stated the town attorney said he evaluated the rfp process and ABCON bid in some that can be accepted if decision of Town Council and public works and will let them know and will not debate issue. The two addenda raised by Mr. Murphy have been accepted and incorporated in ABCON bid for the bid prices. The town addenda are a non issue with respect to ABCON price. Vote: Councilman Sekorski, no; Councilwoman Schenkel, yes; Councilwoman Jandreau, yes; Councilman Gianesini, yes; Councilwoman Denski, yes. Mayor Festa stated the Motion carried 4-1.

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

**MOTION:** To enter Into Executive Session at 7:27 p.m. for the purpose of reviewing negotiations and tentative agreements for union contracts by Councilwoman Jandreau; second Councilwoman Schenkel and the vote unanimous at 7:27 p.m.

Mayor Festa called the meeting back to order at 7:50 p.m.

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

16. To Approve A Contract Between The Department of Mental Health/State of CT and The Town of Plymouth

**MOTION:** To approve a contract between the Department of Mental Health/State of CT and the Town of Plymouth, reading into record “Memorandum of Agreement between the Connecticut Department of Mental Health and Addiction Services and Town of Plymouth WHEREAS, this Agreement between the Connecticut Department of Mental Health and Addiction Services (hereinafter referred to as “DMHAS”) and the Town of Plymouth; and WHEREAS, the DMHAS is authorized to enter into this Agreement under section 17a-451, of the General Statutes of Connecticut, as amended to date; and WHEREAS, Mayor Vincent Festa Jr. of the Town of Plymouth is authorized to enter into this Agreement under the Plymouth Code of Ordinances for Town Charter, Chapter 5 Section 2 pg. 19-20; and WHEREAS, use of tobacco products has serious long term effects on the health of minors; and WHEREAS, the DMHAS, through the Tobacco Prevention & Enforcement Program, is implementing a comprehensive statewide plan to address illegal distribution of tobacco products to minors in violation of Connecticut General Statutes Sections 53-344 (b) and (c); and WHEREAS, the DMHAS Tobacco Prevention & Enforcement Program is expected to work collaboratively with the Town of Plymouth Police Department to restrict sales of tobacco products to minors; and WHEREAS, the parties are interested in preventing youth access to tobacco products and smoking via unannounced compliance inspections and merchant education. NOW THEREFORE BE IT RESOLVED, in consideration of these mutual practices and goals set forth herein, the DMHAS Tobacco Prevention & Enforcement Program and the Town of Plymouth Police Department agree to the following: 1. The DMHAS Tobacco Prevention & Enforcement Program and the Town of Plymouth Police Department will collaborate on joint unannounced compliance inspections of tobacco vendors. 2. A contact from the Town of Plymouth Police Department will be designated to work with the assigned DMHAS Tobacco Prevention & Enforcement Program investigator (s). 3. The DMHAS Tobacco Prevention & Enforcement Program investigator (s) and the Town of Plymouth Police Department designated shall set the workday schedule prior to the start of operations. 4. To the extent practicable, the Town of Plymouth Police Department designate shall inform the DMHAS Tobacco Prevention & Enforcement Program investigator (s) of any

unexpected police business that interrupts planned operations prior to the start of these operations. 5. The DMHAS Tobacco Prevention & Enforcement Program investigator (s) will provide a list of occasional updates of licensed tobacco merchants within the boundaries covered by the Town of Plymouth Police Department. 6. Unless disclosure is required by law, the Town of Plymouth Police Department shall keep the identity of the DMHAS Tobacco Prevention & Enforcement Program's underage staff confidential from storeowners, the press and/or other individuals. 7. The DMHAS Tobacco Prevention & Enforcement Program investigator (s) may physically identify store clerks if a purchase is contested. 8. The Town of Plymouth Police Department shall issue written infractions and distribute DMHAS sponsored and provided tobacco merchant education materials to violators. 9. The DMHAS Tobacco Prevention & Enforcement Program investigator (s) shall provide the money for purchases for tobacco products. 10. The DMHAS Tobacco Prevention & Enforcement Program investigator (s) shall retain all evidence obtained from tobacco purchases, and will produce such evidence at civil and criminal proceedings. 11. The DMHAS Tobacco Prevention & Enforcement Program investigator (s) and the Town of Plymouth Police Department's designate will verify the total number of inspections and results at end of each day. 12. The Town of Plymouth Police Department will issue a press release on the results of the inspections with the DMHAS Tobacco Prevention & Enforcement Program investigator (s). IN WITNESS THEREOF, this Agreement shall become effective upon signature by authorized representatives of each party and shall continue in effect until such time as it is terminated or canceled by either party giving thirty (30) days notice of such intent to the other party." by Councilwoman Jandreau; second Councilwoman Schenkel. Discussion: Councilwoman Schenkel (a) this is a good program but do we think it will curb under age people buying cigarettes, they will get them from parents or out of town, or friends, how effective will this be. Supports it but has doubts. Councilwoman Jandreau stated if you don't try it will not work. (b) People have been trying for 50 years and reason why lawsuits against tobacco because the whole population is addicted; we market to china, etc. Councilman Sekorski questioned if there is any monetary part of this. Mayor Festa stated nothing that he knows of, and the Police of Chief is aware of this agreement. Vote: unanimous.

17. To Enter Into Agreements With Thomaston Savings Bank For The Following Services: Remote Deposit Capture Service Agreement; Thomaston Savings Bank Wire Transfer Service; Thomaston Savings ACH Origination Service

Mayor Festa stated these are three particular contracts to be entered into to do on line banking at town hall with Thomaston Savings Bank and a necessary component to the comptroller's office. The Town Attorney has reviewed documents.

**Motion:** To enter into Agreements With Thomaston Savings Bank for Remote Deposit Capture Service Agreement; Thomaston Savings Bank Wire Transfer Service; Thomaston Savings ACH Origination Service by Councilwoman Jandreau; second Councilman Sekorski. Discussion: Councilman Sekorski questioned whether the Council needed to include authorization for the Mayor to sign.

**Amendment to Motion:** To authorize the Mayor to enter into such agreements with Thomaston Savings Bank, by Councilman Sekorski; second Councilwoman Schenkel. Vote On Amendment: unanimous.

Vote on original Motion: unanimous.

18. To Discuss and Take Action On The Organizational And Operational Analysis Of Plymouth VNA Report And To Extend The Contract With The Bristol VNA Through The Month of October

**MOTION:** For sake of discussion by Councilwoman Jandreau; second Councilwoman Schenkel and the vote unanimous.

Councilman Sekorski – is there a current cap or original agreement to go through October; Mayor Festa stated the original agreement was for 3 months for the purpose of looking at the organization, operational analysis of the VNA and to address financial component and ended 9/30/08 and have extended the contract only one month with Greater Bristol VNA. Councilwoman Schenkel since we have 30 days by State to make decision to continue or refer clients to another agency, would Bristol VNA be willing to give us overlap of one week. Mayor Festa stated there is potential for that. Councilwoman Schenkel questioned in the event the VNA is not able to be salvaged at this time we have employees still working and in their best interest do we have guidelines in notice. Mayor Festa stated under State law there is notice relative to years employed, etc. The Town Council has had a special joint meeting with the Public Health Board, Board of Finance to address issues of the report with dialogue and discussion amongst 3 groups and before Council for action.

**MOTION:** To disband the Plymouth Visiting Nurses Association, by Councilwoman Jandreau; second Councilwoman Schenkel. Discussion: Councilwoman Schenkel stated one thing that is such an end result motion is the fact we do not have agencies we could Frele said was you have to look at are they a non profit because we have indigent people and make sure they are taken care of; is there vna within the community currently servicing people we are not aware of. If we have a few weeks to find out what is in surrounding area we can make transition more smooth. Report said it is so insurmountable to try to resurrect the vna. She understands where going but her thought is to have a special session in two week which is still within the contract and may have better alternatives. Mayor Festa stated the Council does not have time to wait 3 weeks and need to give notice to individuals. Councilwoman Schenkel recommends we make referrals as patient health and safety is most important and while our vna does not have administrator the statutes require the home health aides are being supervised of people by certain levels of that we will not have. Councilwoman Jandreau questioned amending the motion to be within next 30 days so that you have 30 day window and can have the vna administered while disbanding. Mayor Festa stated Bristol VNA is there until October 31st but we can most likely get extra days extension. You do need to send notices to patients who have doctors to make referrals for patients which is a 30 day window. Councilwoman Jandreau asked if keep with motion have 30 days to do something. If vote on motion to withhold for 30 day period of time and hoping within that 30 day period the issue will be resolved. Mayor Festa stated we only have a 30 day window of time to have patients recognized by doctors and to have referrals by their doctor. Councilman Giancesini questioned who will do leg work in that period of time to arrange to contact patients. Mayor Festa stated he will work with the vna. Councilwoman Jandreau stated the consultant told us we should have a manager, separate administrator for nurses, Supervisor of home health aides, billing manager at this point we have 25 patients and this is not feasible; where they are housed is not conducive to what they do for work and no other place to put them at this time. Today she had a

conversation with Dr. Scappaticci and he agrees we cannot do this as it would cost taxpayer a fortune; we will find another vna to take on our load of patients and indigent patients where the town will pay them to take care of people who cannot pay. We cannot afford to support this organization. Councilwoman Schenkel noted budget and fiscal viability, an analysis was done and administrative supervisor would start at \$90,000 even if we could attract one there are vna's paying more in larger towns; a billing manager is \$72,000. If we kept \$453,000 budgeted for the vna with projected revenue of \$305,000 and \$160,000 in benefits we would lose \$307,000 per year at the very least. For 27 patients and not to say they are not important, they are, but this town is important and do not know why this trend happened the way it is and feel we need serious investigation into this. If it means going to the State Attorney or Department of Public Health she highly recommends we turn it over to do an independent analysis of why the town lost money. Brian Bonds, 23 Fall Mountain Terrace Road, stated he agrees with Councilwoman Jandreau and only thing is we knew this 6 months ago that this was not producing the money it was suppose to and agreed to dismantle this but took this long to have it done. Mayor Festa stated there were inklings when we started the budget process in January but in mid March we knew something was wrong and in May was when he realized there was a Bristol vna employee at gratis taking care of billing because it was 3 years in arrears and nothing was done to recapture that money. The BOF looked at that situation and budgeted amount would not be made for this past fiscal year and the BOF wiped out \$100,000 from the budget and put \$66,000 additional money to balance. This year in hoping to keep people working at work we would make movements and strong recommendation to the director of program to do things such as selling program and picking up patients and found that was not happening, billing still in disarray, found months there was billing not billed, coding in terms of program when you plug in payment and it bounced back they let it go by wayside. We moved forward for comprehensive plan; this has nothing to do with service side because we have wonderful people doing what they do. Melanie Church, 328 Main Street, there is another point to bring up and basically we are liable for any errors or anything happening by not having the best qualified people there and when look at that, that alone is a cost savings. Charting not done properly, not only just billing. The State had been in and let us go because we had Bristol vna in there straightening things out. It is really really serious and liability on town is detrimental because if end up with lawsuit what would happen, our insurance rates go up and this person could be sued also. Her point to mention to Mr. Barnes' question was why didn't we do something sooner, but need evidence number 1 and will defend BOF because they were never told until David Bertnagel came in, everything was hunky dory with vna, and they were making money. You need to point fingers not only at non qualification but lies to BOF and how would they know when they are getting reports with numbers that look like they match. Though it is admirable of the Bristol vna that offered to absorb our employees because having 27 patients and 4 or 5 employees just doesn't meet it and there would have been layoffs and this is salvaging jobs if absorbed at Bristol or anywhere that one takes over. Recommend using non profit agency and that is important. If you look at cost savings this time along for next year looking at \$600,000 cost savings for taxes. Even paying for indigent. Think this move has to be made and under emergency. Someone brought up in Charter there were a lot of things in Charter and they weren't there

anymore. The Charter Revision will repeal it and a simple act. We don't always go by Charter, one minute it is Charter and one is State Statute. One board member on Public Health brought up and this is emergency and need to look at safety of patients first. Dawn Kowalski, Plymouth VNA Administrative Assistant, stated as of today they had 35 patients not 27 and did lose patients because only 1 nurse on staff and when she is on vacation Bristol vna cannot take them. Other thing is Bristol did not come in doing billing, they came in because of issues with computer system knowing it was not up to par and issues arise where bills looked like they were paid and were not; and things look like o.k. were not o.k.; and how Bristol came and nothing to do with them doing billing; they have been doing back billing of Medicare in years prior to. Want you to understand patients up to 35 now and did turn quite a few away because of nurse on vacation. They cannot open our patients cases and continue on and have us do care. At least 5-7 patents she knows of could not be taken. Intake not done through us and shipped to Bristol so whatever they did or did not accept was up to them not us. It has been work in progress and a lot of people working hard to try to fix things. Councilwoman Schenkel said she knows she is doing a good job and no one is saying you did not do good job and it rests on administrator and the reason why vna is not surviving is we cannot afford to have staff on board to make viable vna work. If you do not have nurse on, then you cannot take patients and then they will tell their friends, and say got good care somewhere and nothing with all of you being good people working for our town, it is the fact of the matter in order to overcome and make right. It is not your hard work did not matter but what held it on this long. We do not have funds to make viable vna under Statutes and to make sure our citizens are getting care that they deserve. Dawn Kowalski stated it is a 24 hour agency as well as weekend and holiday, and they no longer do that and it would bring in revenue as well. Councilwoman Schenkel stated revenue was reported and not correctly reported. It has nothing to do with value that each have brought to the agency and we are proud of all of you. Councilman Sekorski stated there is a motion on the table at the moment to dismantle the vna under current structure and then need separate motion to extend contract with vna and that would support 30 day and then who is responsible for reporting actions to the State and how does that proceed. Mayor Festa stated his office with Bristol vna overseeing management at this time. Keith Golnik, Orchard Street, asked if the vna is dismantled what will it do for bills out there or incoming money, will it be collected and how handled. Mayor Festa stated that will be service situation where wrapping everything up that the Town of Plymouth will get money owed and handled through Bristol vna as well. Vote: unanimous.

**MOTION:** To extend the contract through October 31st by Councilwoman Jandreau; second Councilwoman Schenkel. Discussion: none. Vote: unanimous.

#### 19. Council Liaison Reports

- a. Councilwoman Denski – BOE meeting welcomed new teachers and Plymouth Teacher of the Year is Robert Nave; looking into considering full time kindergarten and ask that it is in budget; awarded drug free community grant of \$100,000 per year for 5 years renewable for 5 years. Parks and Recreation noted gazebo repaired, fees increasing for summer playground program, geese prevention discussed, dog park and skate park on back burner, will be movie night in June 2009. Library Board, roof being replaced, upcoming events reviewed,

new computer tables and wireless area set up, chess club grant received and will have chess trainer.

- b. Councilman Gianesini – attended Planning & Zoning, Inland Wetlands, School Building and WPCA – activity pretty much involving Wetlands and Zoning are sidewalks around high school and plans in various stages; separate notice in packet on recommendations from Tony about extra monies required for connectivity; substantial effort and a lot of land involved and work in progress. One area Bill Allread brought of concern is land acquired for \$1, school built and there is portion of land school is not on and who would do maintenance of what; also condition of athletic fields and not resolved yet; also concern with dam around reservoir and trees growing out of it and heavy brush that can cause water to leak and most dams to be inspected by State periodically. They would like the Mayor to get involved to see if inspection can be arranged to make sure not being undermined. Something to be worked out on who will maintain area not directly involved with school functioning.
  - c. Councilwoman Jandreau – Planning & Zoning, School Building gave report on progress that P&Z asked to correct and along with others is paving to be redone on Harwinton Avenue; time running out on temporary C.O. ZBA, did not meet and she was there. Inland Wetlands, Jim Benway resigned as chair. Housing Authority had election of officers, reviewed. Fire Commission had monthly meeting, chief's report read into record. Fire Marshal report read into record. On October 26th the fire dept will have wet down, family affair to christen new fire trucks and public invited. Board of Health did not meet; Human Services did not meet.
  - d. Councilwoman Schenkel - waived comments on report in hopes of finishing agenda and getting to Council comments.
  - e. Councilman Sekorski – did research on earthen dam for new high school and life expectancy given.
20. To approve the contract with BL Companies for the Evaluation of Prospect St School and Main St School Buildings and Sites –
- MOTION:** To approve the contract with BL Companies for the evaluation of Prospect Street School and Main Street School buildings and sites by Councilwoman Jandreau; second Councilwoman Schenkel. Discussion: Rodney Houle, 16 Frankie Lane, Facilities Committee, charged with finding out what to do with PSS and MSS schools and in monthly discussions needed professional to come in. Two companies approached them with what they could do. One company was twice as much as the one they are recommending. One recommend is familiar with the Town of Plymouth; BL Companies. Synopsis of company read into record from BL report. Two conceptual site plans and building modifications and renovations to single bond report for framework of existing buildings. Councilwoman Jandreau noted BL has done work on waterwheel and did planning for waterwheel park and will do sidewalk. Mr. Houle stated they are

prepared to get everything we need to decide on what to do with both facilities. Councilman Sekorski asked for time frame; Mr. Houle stated it is spelled out in contract and so many days for each part and in near future. Vote: unanimous.

21. To approve the appointment of Susan Murawski to fill the vacancy of the Plymouth Board of Education

**MOTION:** To approve the appointment of Susan Murawski to fill the vacancy of the Plymouth Board of Education by Councilwoman Jandreau; second Councilwoman Schenkel for sake of discussion. Discussion: Councilman Sekorski requested information on term; Mayor Festa stated until the next local election. Councilwoman Schenkel stated she has an article from the Bristol Press dated 5/13/02 at that time an article on day before first school vote and at that time Mrs. Murawski was on the Council and a press release sent to the Bristol Press. She paraphrased stating they were saying this proposal sent to referendum and not up to them to tell public how to vote but had information to share and one of which felt simple renovations would have fixed problems with accreditation at that time. Second was they talked about regionalization was rejected and Councilwoman Schenkel has concerns about statement that said it was ok if the high school was not accredited for a short time because colleges look more closely at a student's grades and course work than whether the school is accredited. Her concerns are we want to put this person as a nominee for the BOE when obviously accreditation does not seem to be a priority or even concern. We should educate every one of our students regardless of the type of college and cannot support this nominee. Councilman Giancesini stated he does not believe matter of support or not but their prerogative to put in this position. Brought up it is important that people serve on every board and commission have respect for other people on and for town regulations. Back in the last administration he was a member of the BOF and recall one instance, time goes by and forget, but the Mayor appointed an assistant in the tax collector's office and the BOF had deleted position from the budget. At a meeting Mark Goodwin brought up the fact you knew what you are doing is illegal and you have no authority and she said she didn't know; this went on month after month and then the Town Council recommended to the BOF the position be reinstated and the BOF turned it down. He read from Town Charter on how it is illegal to do this and nothing happened (read from Section 3c Special Appropriation into record) Councilwoman Murawski supported the Mayor's action. Also, Marybeth Morelli resigned from the Recreation Department and Charter section for Parks and Recreation states the Commission will have the right to hire a director, and does not say Mayor. A warning letter was sent to the Chairperson that you had better behave or will remove and all in violation of Charter. Councilwoman Murawski and others supported the Mayor's position. He believes she is a capable woman and hopes she has the community in heart and hopes she does not pull the same stuff.

Vote, Roll Call: Councilwoman Denski, no; Councilman Giancesini, no; Councilwoman Jandreau, no; Councilwoman Schenkel, no; Councilman Sekorski, no.

Mayor Festa stated Motion fails 5-0.

22. To Approve the Corporate Resolution Document for the CT Housing Grant and the Nondiscrimination Certificate

**MOTION:** To Approve the Corporate Resolution Document for the CT Housing Grant and the Nondiscrimination Certificate by Councilwoman Jandreau; second Councilman Sekorski. Discussion: Councilman Sekorski asked if it is in hand out; Mayor Festa stated

he has the authorization form and the Resolution is relative to one of those grants that go to regionalization noting this is an item approved each year and newer component of regionalization for CT Housing impact on communities within CCRPA.

**AMENDMENT TO MOTION:** to authorize the Mayor to sign such document; by Councilwoman Jandreau; second Councilman Sekorski. Discussion: none.

Vote on Amendment to Motion: unanimous.

Vote on Motion: unanimous.

23. Move the following Resolution for Tax Abatement – was taken up under Item 10.

**24. Public Comments**

a. Keith Golnik, 46 Orchard Street, old reservoir on high school site and no one able to fish in there for years because of no trespassing and good fish in there and if someone can maintain site they should talk to the Fish and Game Club and maybe they would be interested in maintaining there in exchange for fishing rights.

b. Brian Bonds, 23 Fall Mountain Terrace, dams need to be inspected every 5 years by the State. He had to do adjustment. Shortfall happening in state especially in Fairfield County, is that going to affect the grants we get for this year's budget and are we doing anything now knowing the shortfall will be somewhere between 20-40%. Mayor Festa stated he was told we are fortunate to have our grant application in on time because doing sweeping of accounts at state level. Comptroller and he spoke late this afternoon and this is on federal and state level and impact in community. Dave Bernagel stated he is monitoring economy and major credit crunch going on in local, national and state level. State of CT is taking actions in regard to own budget, the Governor is cutting from current year appropriation and she will have to call a special session of legislature. Municipal grants for current fiscal year cannot be touched. Talk from State Comptroller and Treasurer to use rainy day fund set aside to accommodate this years' budget. Going forward will be significant and will need to make serious decision and may cut back ECS funding grant and other grants and if occur, will shift burden from state to property tax owners. Town, tax collections are consistent with last year and current trends we have significant concern on other revenues collected because not coming in on routine basis. Have spending freeze and more drastic measures will come and monitoring situation closely and now o.k.

c. Melanie Church, 328 Main Street, there were discussion of maintenance of property around new high school and if you check last year they added facilities or outside maintenance person to BOE which is extra outside custodian and that person should be able to keep up with fields and this is all his job is; this is getting ridiculous on who will take care of fields. Does have concern to turn around and take PSS and leave field with the school and now have a postage stamp to sell; what would be attractive about it and parking lot size of building and not enough parking; we do own and questioned this 3 years ago, we have always owned the buildings and property and do have problem with BOE deciding they will keep fields as we just built new fields and time the townspeople rallied together and take property as a whole piece. It never went to P&Z to be subdivided and something to be taken inconsideration: (1) they have problems keeping up with fields they have just added. (2) We cannot keep taking from town side, the town side did all the cuts this year and everything cut down. After BOE even got 4% it was recommended to cut town more. Hope BOE considers staying at zero increase and enrollment down. Encourage Council to go to BOE meeting and support taxpayers in this

town right where cars for kids, senior or juniors to pay a \$50 fee; people in town are struggling and taxes are being paid on these cars. The parents have to buy school supplies for kids, talking to a parent it costs \$50-60-\$70 to buy school supplies and now put \$50 fee onto kids for driving to school and how many have a job to get to that are struggling; maybe that is buying their school clothes. We need to stop charging this town for everything for BOE, not just salaries, school built for children and not just for teachers and administration. A lot of kids talk and do not have money. Councilwoman Jandreau stated about fields, this is not upkeep this is repair of new fields that are buckled and need to be redone by people who did them.

## 25. Council Comments

- a. Councilwoman Jandreau – on last minutes of regular meeting were to set date for public hearings on year end budget transfer by October 31st, and need to set date on Public Works Commission, Sidewalk Ordinance, Code of Ethics and can we get done this month. Just reminder. Public hearing on year end budget need to do. Dave Bertnagel stated it is informational hearing on year end budget transfer but something should be set up.
- b. Councilwoman Denski – Chair of Blight adhoc committee, Barb McClellan had a heart attack and is at St. Frances Hospital.
- c. Councilwoman Schenkel – saved comments for now and when decided to run for office just average people who kept asking why, why is the town not making progress; why budget issues. They got elected and excited, honored and liaison for BOF and first thing was new BOF asked former Comptroller why having budget problems and did not get answers and January came and asked again and did not get answers and the point is Mr. Gomes put in his resignation for whatever reason and member of community for 20 years. Then Dave Bertnagel came and fresh eyes on budget and asked question why and realized all things combobulated and put things in order and worked with BOF and answers questions why; refreshing and finding money did not know and find grant money and found checkbooks never used and tackling with enthusiasm. We needed to get answers for people. Came to VNA which was located in General Fund which is a large fund which did not show revenues coming in and got swallowed up, and when taken out and looking at payroll and revenues, former vna administrator asked to come in on all questions and reassured by former administration that everything is fine and no budget problems and she hired two more people and an audit done; notice put in by supervisor and Bristol VNA came in to oversee and now have report and very graphic. Maryellen Frele said this is one of the worst examinations ever seen in her history. Saw both members with tears in eye and stunned. She keeps asking why and in good conscience wants to contact the State Attorney's office and have them do an independent investigation of the vna and Comptroller and wants the State of CT Dept of Public Health and Comptroller to know. She is not drawing judgment but turn over to experts and determine if any mismanagement or negligence that needs to be addressed for basis of not only all taxpayers. If you get hired at a job and do not have skills, you take a step back and say cannot do

job; if you are in a sinking ship go forward and say this is not adding up and need help. Recommendation as Council and hope members back and turn over to proper authorities.

- d. Councilman Gianesini - bring up unfortunately always bad news being liaison takes time to know people and amazed at quality of people who serve, dedication and reasons why. He is on Inland Wetlands which is mundane and in fact job to protect wetlands and wildlife and one woman on there, Audrey Bennet, was raised to love nature, wildlife and outdoors and fact that Tories Den has fallen into disrepair, trees down, broken glass, a mess and has contacted Blue Trails Master and they do not allow vehicles and went around to our Mayor, Burlington and Bristol's; commitment from Leos and scouts; wonderful thing that not only at meetings but take interest and commend people like her who are on all boards and commissions to serve. It is a pleasure and privilege to see ways cooperate and tend to underestimate; a lot of good things and good people in town.
- e. Councilwoman Jandreau – agree with Peter on volunteers on boards and commissions and take classes and do wonderful job. Concern that vna is human services and will that be affected. Mayor Festa stated Human Services Director has position of her own, separate by Charter; and in VNA to place her somewhere, she has RN and was tied in nicely to vna to provide nursing skill and social agency work and why put in that position and line item salary absorbed into line item for vna. She still has a position here and a separate program.

## 26. Adjournment

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

Meeting adjourned at 9:10 p.m.

Respectfully submitted,  
Robin Gudczauskas, Council Clerk