

1. The Regular Meeting of the Town of Plymouth Town Council was called to order on **Tuesday, May 5, 2009 at 7:00 p.m.** by Mayor Vin Festa in the Assembly Room, Town Hall. In attendance: Councilwoman Jacqui Denski, Councilman Peter Giancesini, Councilwoman Jeannine Jandreau, Councilwoman DiAnna Schenkel, Councilman David Sekorski, Mayor Vin Festa, Robin Gudeczauskas, Council Clerk

2. Fire Exits – Noted for the record

Mayor Festa stated there are distinguished guests here of daisy, brownies, girl scouts and senior girl scouts here to receive a proclamation as the week of March 12th was Girl Scout week and they could not make it until tonight as our honored guests as well as leaders and parents.

3. Pledge of Allegiance -

MOTION: To recess at 7:02 p.m. to have the Mayor read the Proclamation in honor of Girl Scout week by Councilwoman Jandreau; second Councilman Giancesini and the vote unanimous. Proclamation read into record by Mayor Festa.

MOTION: To reconvene at 7:06 p.m. by Councilwoman Jandreau; second Councilwoman Denski and the vote unanimous.

4. Acceptance of Minutes of The Regular Town Council Meeting April 7, 2009; Special Town Council Meeting April 20, 2009; Special Town Council Joint Meeting April 21, 2009

MOTION: To accept the Minutes of the Regular Town Council Meeting on April 7, 2009, by Councilwoman Jandreau; second Councilman Sekorski. Discussion: none. Vote: unanimous.

MOTION: To accept the Minutes of the Special Town Council Meeting on April 20, 2009 by Councilman Sekorski; second Councilwoman Jandreau. Discussion: Councilwoman Jandreau asked that the Minutes under Pledge of Allegiance be amended noting the Pledge was led by Michael Gudeczauskas. Vote: unanimous.

MOTION: To accept the Minutes of the Special Town Council Joint Meeting on April 21, 2009 by Councilwoman Jandreau; second Councilwoman Schenkel and the vote unanimous with Councilman Giancesini abstaining.

5. Council Rules and Procedures

6. Public Comments on Non Agenda Items

a. Roger Davenport, 40 Pierre Street, Bristol – he is representing two organizations as a member and volunteer of Plymouth Volunteer Ambulance Corps and celebrating National Emergency Medical Services week May 17-23 this year. They have a full agenda starting the week on Sunday, May 17 with CPR Sunday. Two classes being held are free to the public, 8:30 am – 12:30 pm for the first class and the second from 1 pm – 5 pm held in the second floor classroom at Corps. If interested, please sign up on the website at www.pvac111.com. Tuesday, kick off medical response tech program; sign up on line class goes through June at \$250 per student. Wednesday the 20th open house 6:30 – 8:30 pm and the public is invited; Saturday, May 23rd they are hosting a teddy bear collection drive in honor of Heather Hemingway who is a former Explorer of the Ambulance Corps. They are in need of teddy bears or stuffed animals and asking for donations to be dropped off from 10 am -2 pm. Also, since 1996 Plymouth has had a program in place no other town has and that is cpr program at the middle school and

Thursday Eli Terry Jr Middle School students will take the CPR exam and this class represents a complete generation of kids who have taken the program. 1100 have taken and successfully taken with 13 documented saves. This is something for the town to be proud of. Mayor Festa thanked Mr. Davenport for coming tonight.

7. Mayor's Report – Correspondence/Discussion:

a. Historic Property Commission; Submitting Application – moving forward and in process of developing grant application for certified local government and waiting resume from member of Historic Property Commission.

b. Ad Hoc Committee on Blight – still meeting and have 1-2 meetings left before presentation is ready.

c. Update on Towns Deferred Pension Plan – some problems and in process of legal advice and opinions.

d. Waterwheel Grant Application/Clarification – some individuals feel the town has been stalled and not moving forward; moving slabs of concrete in area of demolished small standing buildings and process slow moving and in order to do anything on site must first get procurement documents to the State department who will review and send back. If ok will move forward. What we do is carefully monitored by the State and the slabs left because of contaminants in soil and once touch the slab, contaminants can be airborne and create problems. Moving in slow but steady pace and movement to look at acquisition of property around site and will once have full reports.

e. Streetscape Contract Award – moving forward and picked up the interview process and selection of outfit to start on streetscape component.

f. World War II Veteran's Award Ceremony – went very well and good number of veterans who received certification and certificate of merit. Holding mailbox full of certificates left by the Secretary of State who have not attended and getting out. Pleased to honor veterans.

g. Human Services/Public Health/Leeann Meyers – moved to Main Street School and picking up and taking care of human services and public health; involved in swine flu issue and kept updated and have had two meetings last week and one Monday involving public health and Dr. Scappatecci, Torrington Area Health District, Emergency Management and public safety and moving forward noting if there is a need to move they are ready. Passed out hand sanitizers; if someone is coughing or sneezing, need to do wipe downs and disinfectant. Have ordered masks and first responders have masks, gowns and gloves if get called. Not in panic mode but following state and federal guidelines.

h. 2009 Neighborhood Assistance Act Program Applications – have been received and if any organization would like to apply we will do the same this year and matching grant relative to civic organizations interested. Information in the Mayor's office.

i. Plymouth Chamber of Commerce and Mike Glowa Babe Ruth League Annual Memorial Golf Tournament - received notification Tournament is on July 9, 2009, registration 10:30 am at Pequabuck Golf Club and if interested contact Chamber or the Mayor's office.

8. Appointments/Resignations:

a. To accept the resignation of Catherine Mathiason From the Library Board of Directors
MOTION: To accept the resignation of Catherine Mathiason From the Library Board of Directors by Councilwoman Jandreau with regret; second Councilwoman Denski with great regret. Discussion: Councilwoman Denski stated it will be a great loss and she is very active

and wish her the best luck. Councilwoman Jandreau stated agreement as she has done a great job. Vote: unanimous.

b. To appoint Eleanor Petke to Fill a Vacancy for the Library Board of Directors; term to expire 11/2/2009

MOTION: To appoint Eleanor Petke to Fill a Vacancy for the Library Board of Directors; term to expire 11/2/2009 by Councilman Sekorski; second Councilwoman Jandreau. Discussion: Councilwoman Jandreau stated Eleanor is good person and glad she is filling this position. Vote: unanimous.

c. To appoint Joseph Biernacki to the Plymouth Police Commission; term to expire on 1/14/2011 filling vacancy

MOTION: To appoint Joseph Biernacki to the Plymouth Police Commission; term to expire on 1/14/2011, filling a vacancy by Councilwoman Jandreau stating she is happy to make motion to appoint; second Councilwoman Schenkel. Discussion: Councilwoman Jandreau stated as everyone knows former Sergeant Biernacki has experience and knowledge in the police department and have had police sergeant before on Commission and worked out well. We lost a commissioner who had a lot of knowledge and replacing with someone with knowledge and a good move. Councilman Sekorski stated he brings balance and a different perspective to the Commission, is a lifelong resident of Plymouth and looking forward to him being on this Commission. Vote: unanimous.

9. Take Action to Refund Property Taxes:

Stephen Kloss, \$57.19; Cab East LLC, \$160.16, \$120.25 and \$133.70; GMAC, Semperian Property Tax, \$145.57, \$203.03, \$120.19, \$134.51, \$176.29, \$112.21

MOTION: To refund property taxes to Stephen Kloss, \$57.19; Cab East LLC, \$160.16, \$120.25 and \$133.70; GMAC, Semperian Property Tax, \$145.57, \$203.03, \$120.19, \$134.51, \$176.29, \$112.21 by Councilwoman Jandreau; second Councilwoman Schenkel and the vote unanimous.

10. To Remove From Table to Discuss and Take Action on Recommendation of Ad-Hoc Committee's Report on ATV's – Mayor Festa noted Walt Lassy, Chair, is here tonight.

MOTION: To remove from the table for discussion on recommendation of Ad Hoc Committee on ATV's by Councilman Sekorski; second Councilwoman Jandreau and the vote unanimous.

Walter Lassy stated there were a few opposing views, listened to a lot of public comment and looked at it as a chance to state town policy, reached some compromise and not unanimous amongst committee but presented to Council. He noted Vicky Carey is also here. Committee is not disbanded. Mayor Festa stated the attorney did look over and a few corrections to paragraphs and minor language changes. Councilwoman Jandreau questions Section 2a, operating hours, asking why do you have operating until 10 pm at night. Mr. Lassy stated it follows hours along construction hours but start later in morning and 10 pm is on weekends. Councilwoman Schenkel noted issue with hours as dangerous to operate in dark and headlights are not bright, forcing police to go after teens in woods and someone will get hurt and her recommendation is 7 pm or dusk and in summer that is later and in winter or fall it gets dark earlier. Walt stated his understanding of officers pursuing atv's is not reflected in amount of time they chase atv's. Restricting to dusk hours is considerable amount of time as 4 pm in winter is dark. Councilwoman Schenkel felt they can say 7 pm in winter and noted her constituents concern with 10 pm is too late. Councilwoman Jandreau stated children go to bed at 7 or 8 pm,

vehicles are noisy and 10 pm is late. Walt stated hours were not a concern brought up. Vicky Carey stated there was a lot she disagreed with, got shot down and tried to come up with something equal and committee was a farce. Councilwoman Denski stated regarding registering vehicles is there an age limit and with children do you have to be a licensed driver. Walt stated follow State statute and State of CT registered vehicles. Councilwoman Jandreau asked on laws to drive. Walt stated they cannot supersede state law and the Town does not do registration process. Discussion held on minimum age with Councilman Giancesini stating have to be registered but under Section on motor vehicles in general it is when you can get license. Walt noted if adult registered snow mobile and 13 year old son driving that is legal noting you are dealing with off highway use vehicles. Councilwoman Schenkel stated she thought if issue ticket or violation to rider how can you do so to minor; what is minimum age adult supervision is needed for example if a kid gets key, goes out and parents do not know it, where is ordinance addressing unsupervised when riding vehicles. Councilwoman Jandreau stated it is on top of Section 2, (read into record) and it is the owner's responsibility. Walt stated that person would get ticketed for violation. Councilwoman Schenkel stated that is a big loophole. Walt stated the Police Chief spoke to the committee on a few occasions and is ready to enforce. Councilman Giancesini asked if kids are driving in road and police stop, can they impound vehicle. Councilwoman Schenkel (a) proof of registration number, what is proof (video camera, photo, witness) and if she can identify rider and vehicle is that enough proof. Walt responded he does not see why not; in any situation the law enforcement personnel have to make decision. (b) in definition you can expand such as in event this incidence happens, make complaint with local police department so that average person knows how to enforce. Councilwoman Jandreau noted in Section 2 Paragraph b – this does not make sense way worded “read into record” and says shall operate “less than 10 feet” --- should not go any closer than 10 feet and it should be clearer but feels it should be 25 feet. Mayor Festa stated he has recommended language from the Town Attorney, read into record, noting within 10 feet from adjoining property line. Councilman Giancesini stated people have machines, no place to go and running in roads or on other property and he would not like someone 10 feet away and they are not going to go slow. You have to make sure there are time limits and no cut outs or bad muffler, when negotiate hours of operation you have people who work 2nd and 3rd shift; may want to make distance a function on lot size the person has. Melanie Church, the kid behind her has an atv and not a wide lot and if make 25 feet you're limited. The kid is responsible and the parents are out there. There is nobody in her neighborhood complaining. What about motorcycles that go by at 2 am in front of her house. They make more noise than atv's. She could have a party at her house with a band until 10 pm. Councilwoman Schenkel stated the nature of this activity is you are on moving vehicle and you do not have clear view of vision. Melanie Church responded than you need exclusion for snowmobiles who have headlights and what if emergency and feels 10 pm is not unreasonable. Councilwoman Denski noted Article 3 Section 1 a, b – speed; was this touched by attorney and seems very vague for law enforcement and what based on, what is rate of speed. Walt stated that is left to the police department officer; decimal level of noise is left to decision of police officer. Councilman Giancesini stated, noise, the police department should purchase a decibel meter and they should have it calibrated periodically. If someone makes complaint based on ordinance and it needs to be enforceable, we need the Chief to put in budget and order some. Councilman Sekorski, did the Chief have comments on whether enforceable. Walt Lassy stated she responded she can work with it. Councilman Giancesini noted (a) they did hard work to come with this but as we screen from our level and not concern on hours but state statutes, and if a kid

or parent wants to protest, it should be modified to put under Section 4, muffler and exhaust system, through state statute. Mr. Lassy noted you can argue calibration, muffler loudness and in Litchfield you go to motor vehicle. (b) Speed, Operating Under The Influence has a minor typo where "Uder" should be "Under"; Section 3 Article 6 Section 1, ordinance shall not apply to town sanctioned events, in Statutes section 14 387, 380 operation prohibited (read into record) and according if in contest area or area sanctioned for event it must be registered and does not say in our ordinance. Mr. Lassy stated as soon as you go off your own property he needs to be registered. Discussion held with Mr. Lassy noting the state is very strict on atv's. Councilwoman Jandreau asked reason for Section 1 that "should not apply to town sanctioned events". Mr. Lassy, civic event and happens within town. Councilman Sekorski recommends deferring to statute. Councilwoman Jandreau, what doing is making the town liable here? Mayor Festa stated the town has not sanctioned Highriders or their events and this does not apply to the town as it does not sanction an event; Article 2 Section 1 read into record. Need cohesiveness of language and follow through. Mr. Lassy responded that was for events specific to such as Highriders. Councilwoman Jandreau, if we have law that they should have registered vehicles are they bound by this; Mr. Lassy, they are by the state. Councilman Sekorski (a) town attorney feels disclaimer under Article 4 Section 1 was adequate. Mayor Festa stated he left this open at this point in time. (b) that is a disclaimer that we cannot supersede any state law; second, clarity, around private property does any of this ordinance or state law impact or defined in state statues on private property; Mr. Lassy, state statue on private landowner, registration of vehicles and nothing supersedes state statues but they did add some fines and hours of operation defined. Also heard concern on trespassing and damage to property but what kind of ordinance can we do to stop that and tough to find law on it. A lot of people showed to meetings and expressed concerns. Councilman Gianesini noted this is for people within town; people who follow power lines into town and how can police chase them. Mr. Lassy, do things such as we are getting help noting people riding on railroad tracks are getting \$120 fines; water company on 72 went to make terrain less hospitable to snow mobiles and there is more help than local police department. Erosion in water shed is bad from these vehicles and where Army Corps is and sandpits and enforced to stop atv's riding. Councilwoman Schenkel (a) anything on helmets? Mr. Lassy, CT has no helmet law but protective eyewear. (b) have done great job and may seem we are critical and her concerns is to define minor and offer minimum age to operate unsupervised and may help situation for safety; concern about after hours and darkness for serious head trauma and like idea or boundary lines based on lot size and good solution to issues. Walt Lassy, on boundary line and it is a hardship but situations where buildings are closer than 10 feet to boundary and some are sheds or garages and within 10 foot boundary you cannot start up snowmobile to tune it up and creates hardship. Councilwoman Denski asked if there is any law or statue on how large of a lot you need; Mr. Lassy, no. Fran Block, 72 Greystone Road Extension, stated they were not able to address having a race track on someone's property; in regard to 10 feet pretty specific being used for recreation so someone racing around perimeter of property should not go closer than 10 feet and not opposed to someone pulling into their garage. Mr. Lassy, when done with this the Town Council will establish a public hearing and a lot of people will have questions and comments. Councilwoman Jandreau noted under 6 "operate" maybe you should clarify what it means i.e. you can drive into garage, or define "transport". Mayor Festa stated his thanks for the work put into this and the Council will look over and make recommendation to his office and then to Sal Vitrano, back to his committee and to public hearing.

11. To Remove From Table To Discuss And Take Action On Planning & Zoning Recommendations For Permit Fee Schedule Changes

MOTION: To remove from table for discussion by Councilman Sekorski; second Councilwoman Jandreau and the vote unanimous.

Mayor Festa stated Khara Dodds, Town Planner, is here for questions. Councilman Sekorski (a) in memo to the Mayor on state fees and clarify schedule, top line addition \$10 and State fee \$30 and proposal is that constitute is responsible for \$40. Khara Dodds stated we are collecting the state fee, we reserve our local fee and broken out for clarity. (b) multi unit dwelling, initial \$500 and State \$30 so total is \$530; Khara, correct and broken out to understand state fee. In a lot of cases the local fee was reduced. (c) advertising is part of posting for public hearings but no values with schedule. Khara noted on second sheet is advertising and did not put in column so as not to lock in advertising rate and this prevents need to keep adopting everything. (d) proposal with advertising is whatever current rate is. Is what is added to fee to cover costs and this should be reflected more accurately so people understand they will pay current fee for advertising. Councilwoman Jandreau noted on political signs you cannot charge for political signs per state law. Councilman Ganesini stated, Dave Elder at Zoning, small jobs i.e. addition to house or shed put up, permit fee cost has come down and you do not need to advertise. Big jobs where need to walk sites and scrutinize prints and where costs are that we were not recouping. If look at big project like drug store and huge effort on the part of P&Z and Tony, and small things where people have handmade property sketch. People did not realize amount that went to the state and this will help understand where money goes. This is a good update and user friendly. Councilwoman Jandreau, commercial buildings over 2000 s.f has changed; Khara stated it was \$100 and then \$10 per 1000 s.f and now \$70 up to 2000 s.f and \$10 per 200 s.f. over 2000.

MOTION: To adopt Proposed Fee Schedule as proposed in memo from Khara Dodds to the Mayor dated April 2, 2009 with the correction of removal of political sign fee of \$5 and additional disclaimer that the advertising cost would be at current advertising rate by Councilman Sekorski; second Councilwoman Schenkel and the vote unanimous.

12. To Receive The Draft Report of the Charter Revision Commission and Set a Date and Time (June 24, 2009 – Last Possible Day) For A Public Hearing – Mayor Festa stated the draft report received by Council. Discussion held to have early and give feedback to committee on potential change of report.

MOTION: To set the Public Hearing date for June 15, 2009, Monday, for the Charter Revision at 7 p.m. in whatever room is available by Councilwoman Jandreau; second Councilwoman Denski. Discussion: Councilman Sekorski suggested holding the public hearing in the auditorium at the high school if available; Councilwoman Jandreau stated she does not think it is needed need. Patty DeHuff, 20 Lynn Avenue, as member of commission and one who devoted 16 months to this project, would hope that you would have not only public hearing sooner than just recommended but have referendum prior to school closing. You are ones determine there is need for charter revision, you chose who should be on committee and told what to look at and they have done it and done it faithfully. It has been a struggle and have done it and made recommendations. Prepared to accept whatever the public votes but some recommendations are time sensitive and two cases (a) the town clerk and tax collector be appointed and if you wait and put on ballot in November, it will mean that whoever republicans and democrats put up for

positions in summertime, they will be elected in November and at same time having perhaps referendum on charter and those people then elected would have the right to have four years of office. If we are saying to you that after looking at issue appointed tax collector and town clerk and thing this needs to be in place you cannot wait until November to have it and not fair to political parties to put candidate, campaign, spend money and feel wise to have referendum before school gets out. You want public hearing and time for Council to make recommendations and back to Charter Revision and then back to Council; urge to have a public hearing this month if possible and do not see reason why not and put on ballot for June and recommendations and political parties will know whether recommendations are successful or defeated and whether to put up candidates. Not fair to have devoted time you said necessary and then to put on hold and do not see reason to wait until June for public hearing and not fair for public to wait until summer and when people are on vacation. She is speaking for herself and not as charter revision. In her 2005 work on charter revision, they tried to make process of who can vote to as many people as possible and in same vein would like as many people as possible participate on referendum and why urge not to let slide. It has been in Plymouth Connection month after month and people are aware of issue and hate to see slide. Mayor Festa stated only caution throw out in referendum and push to have today with budget and if that be the case everything and anything done would have gone down drain because your 10% rule would have come in play and the 10% and voice vote. Looking for everyone to have participated is to look at most favorable avenue of approach which is general election. Concern is looking to have something held in June, how many electors would you get out and to have valid decision made and another caution. Councilman Giancesini noted the hearing they had was disappointing that Council and reporters were only ones who showed and not reflection of work. This is not overriding issue right now and will affect way town is governed. We do not have authority and tell people what to do and should make groups aware that this is coming on charter revision proposals and whether send notice to senior citizens, post, have pastors inform people but it affect them and community and think if we do not do something people will not show up. If on ballot and in newspaper on election day it will certainly postpone everything but people will be aware. Melanie Church, 328 Main Street, believe the word is out there that you weren't going to have until November by different people saying different things; one to keep continuity and keep mayor in; it has not been given a chance and people today were satisfied with zero increase in budget and no reason to come out. People come out when unhappy. If happy with what will happen they do not come out; the towns that have left at zero their budgets are passing; to look at numbers today is not a fair equation. Some positions that we have brought forward is a change but makes more of accountability which we do not have today and not attacking one person or department but for 17 years we are behind on taxes and another office someone is not certified after 10 years. We have major problems and people are aware and concerned; why has it gone 17 years with no back taxes paid and why not aggressive before; why checks sit for a month in tax collector's office not deposited when his person is elected and not accountability. Think there is strong feelings and people will vote whatever way they will vote; hear a lot talked about the town manager and people on these issues feel are very important in community and they will come out. Do not know of one hearing, the final public hearing on a charter revision that you had people there. Remember big thing when administrative assistant was set and when brought up issues they were told why did you come this late and people have pretty well made up mind and to wait four years it could come up. Tax collector and town clerk could come up in another charter revision and blown away. People are vocal on what they want and do not

want. Councilwoman Schenkel stated she was on 2005 and knows what it is like and journey of investment but way looking at for over 200 years country founded on people have voice of change, way voice is formed and charter revision is advisory and gives direction to go to and do not look as not fairness issues. Fully supports political debate and people to use avenue of political process to comment on how government should be structured and do not see reason to rush. People make decisions from rumor mill and knee jerk action; by giving time allows time to adjust, think and reflect and understand point on opportunity to have appointed tax collector and clerk, but we have lived with issues a long time and the current mayor has addressed problems in offices. Would like to see best chance for changes to take effect and feel that is in November and her opinions. Councilwoman Jandreau stated we are taking for granted that these changes will be approved by Council and they may not be as we have not gotten to that point yet; think the state gives, have attended meetings and you need to digest this and make up minds on what should be done and June 15 is just one month away and not all we have to do and not matter of only charter revision. We have been having special meetings and do see going to June 15 for public hearing and gives more people chance to decide and come to meeting. Patty DeHuff, assume you have received liaison reports on monthly basis and sure that recommendations made and voted on are not foreign to you and document you have is all new concepts to study at great length and there is certainly time to go ahead and look, but you can have a public hearing and hear what public is saying regarding proposals and get done before school ends. Do not think in dark and none of you are done sitting on Council and you read Plymouth Connection and every month the recommendations of charter revision have been in there. Really hope you would, not asking you to rush process but asking not to hinder process and see November date as hindering. Councilman Sekorski, do not think foregone conclusion if we do not do before time period it will wait until November and not his position; think this Council needs to vent some issues in particular, issues being within a few single questions although did outstanding job grouping together; his position is do not agree with all recommendations and need to vent with Council for many different reasons. This Council will need a single meeting if not more to come up with comments for perhaps change or as they decide as Council on which items should be brought to questions. He has a few he will disagree but would debate the Council and think it is important and does not think this Council agrees as totally presented and they have to make decision on what goes to referendum. Councilwoman Schenkel, reasoning for November is not to hinder but to have percentage per statue to make successful for changes to pass. Trash pick up in summer no one turns out; and understand why before school gets out but we need time to discuss and evaluate. Patty DeHuff, to Dave's comment about grouping of questions she thinks she can speak for charter revision and if he wants to give more questions they would be delighted and they are operating under old voting machines and perhaps it would be much easier for multiple questions or more questions rather than fewer. Councilman Sekorski noted that is critical part on how presented and last charter revision there was confusion and it is critical and would like to see things of this magnititude by themselves. To change the way the town is run is a big deal and he has some personal things to share on what to tweak on bigger items.

MOTION: To move the question by Councilwoman Jandreau; second Councilwoman Schenkel and the vote unanimous.

Vote on setting the public hearing date for Monday, June 15, 2009: unanimous.

13. To discuss and take action on Bemis Street Bridge Reimbursement Resolution

Mayor Festa stated in packet letter from Dave Bertnagel, dated April 30, 2009, read into record.

MOTION: To open discussion and take action by Councilwoman Jandreau who read into record: “RESOLUTION Project Description: Local Bridge Program, State Project No. 9110-3714, Bemis Street over Pequabuck River – Bridge No. 03714, Town of Plymouth Be it RESOLVED, that Vincent Festa, Jr., Mayor, of the Town of Plymouth is authorized to sign the agreement ‘PROJECT GRANT AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE TOWN OF PLYMOUTH UNDER THE LOCAL BRIDGE PROGRAM for Bemis Street over Pequabuck River, Bridge No. 03714.’ ADOPTED by the Town Council of the Town of Plymouth, Connecticut on May 5, 2009”; second by Councilwoman Denski. Discussion: question if Signature and No Litigation Certificate is part of this; Mayor Festa responded just for his signature. Tony Lorenzetti, Public Works Director, stated getting reimbursed through state program can be complicated and this is just something needs to be done and goes back to 2003. Vote: Councilwoman Denski, yes; Councilman Sekorski, yes; Councilwoman Schenkel, yes; Councilwoman Jandreau, yes; Councilman Giancesini, yes. Mayor Festa noted the vote unanimous.

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 8:44 p.m. For The Purpose Of Reviewing Negotiations And Tentative Agreements For Union Contracts inviting the Mayor by Councilman Sekorski; second Councilwoman Jandreau and the vote unanimous.

Mayor Festa called the meeting back to order 9:05 p.m.

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

MOTION: That the Plymouth Town Council accept the Supervisor/Non-supervisor contract as negotiated and authorize the Mayor to sign said contracts by Councilman Sekorski; second Councilwoman Schenkel and the vote unanimous.

16. To Discuss and Take Action To Approve: The Certified Resolution Of The Governing Body As Required By The Dept. of Economic & Community Development; Affirmative Action Policy Statement of Small Cities Program Application Requirement

Khara Dodds, Town Planner, asks for Council to adopt the Resolution so the Town can submit the Small Cities application to the State which, if awarded, will help to provide housing rehabilitation assistance to people of Plymouth who so choose to seek funding

MOTION: Councilwoman Jandreau read into record to approve “Certified Resolution of the Governing Body WHEREAS, pursuant to Chapter 127c and Part VI of Chapter 130 of Connecticut General Statutes, the Connecticut Department of Economic and Community Development is authorized to extend financial assistance for economic development projects; and WHEREAS, it is desirable and in the public interest that the Town of Plymouth make an application to the State for \$300,000 in order to undertake the Town-Wide Housing Rehabilitation Revolving Loan Program and to execute an Assistance Agreement. NOW, THEREFORE, BE IT RESOLVED BY THE Town Council 1. That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by Chapter 127c and Part VI of Chapter 130 of Connecticut General Statutes, 2. That the filing of an application for State financial assistance by Town of Plymouth in an amount not to exceed \$300,000 is hereby approved and that Mayor, Vincent Festa, J. is directed to execute and file such application including a Program Income Reuse Plan, if applicable, with the Connecticut Department of

Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of Town of Plymouth. 3. That it hereby adopts or has adopted as its policy to support the following nondiscrimination agreements and warranties required under subsection (a) (1) of Connecticut General Statutes sections 4a-60 and 4a-60a, respectively, as amended by Public Act 07-245 and sections 9(a)(1) and 10(a)(1) of Public Act 07-142 and, and for which purposes the “contractor” is Town of Plymouth and “contract” is said Assistance Agreement: The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the state of Connecticut. The contractor further agrees to take affirmative action to insure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation, or physical disability, including but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved. The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or of the state of Connecticut, and that employees are treated when employed without regard to their sexual orientation.” Second by Councilman

Sekorski. Discussion: none. Vote: Councilman Giancesini, yes; Councilwoman Jandreau, yes; Councilwoman Schenkel, yes; Councilman Sekorski, yes; Councilwoman Denski, yes. Mayor Festa stated the Motion passes unanimously.

MOTION: To accept and adopt the Affirmative Action Policy Statement as included in packet by Councilman Sekorski; second Councilwoman Jandreau and the vote unanimous.

17. Council Liaison Reports

a. Councilman Giancesini – report update given on WPCA, cancel; P&Z, no quorum; School Building, I/W, quiet.

b. Councilwoman Jandreau – Charter Revision, report submitted to the Town Clerk on time; I/W; ZBA; Fire Commission had special meeting but not attended; Public Works report from Tony Lorenzetti read into record; report from Highway Superintendent James Schultz read into record; Public Works press release read into record.

c. Councilwoman Schenkel – Police Commission, cancelled; EDC was talking about ground breaking at industrial park; BOF, presented budget at public hearing and referendum tonight.

d. Councilman Sekorski – Capital Improvements and item of note is Comptroller did excellent job on policy and expenditures and provided guidelines to committee. Vicky Carey, 665 Greystone Road, stated meeting next Tuesday and given policy to look at and her recommendation is to review and if need to go Town Council to have plan in place for capital improvements and gave update. Mayor Festa stated it gives a financial stand for the town. To do realistically within confines of debt service we can move forward.

e. Councilwoman Denski – reported on Parks/Recreation; Board of Education; Library Board.

18. Public Comments

a. Melanie Church, 328 Main Street, wondering when policy put in paper about guns and were doing under employee policy handbook and when will it be before Town Council for approval. Mayor Festa stated handout revised and will be presented to Council in near future and waiting for one union to return and has gone through rest of unions.

19. Council Comments

a. Councilwoman Jandreau – thank you to all WWII veterans as she attended program and could not thank personally. Awesome stories, heart wrenching, quite a bunch of heroes and thanks to Susan Bysewicz and thanks to those who came. Well attended.

b. Councilman Giancesini, at senior luncheon, Ted Scheidel attended and he saw to it that family members got certificates and information put together so for next time more people will be aware.

c. Mayor Festa – until involved in an event such as this when called to receive certificate they looked into crowd and saw a fellow they served with and didn't know they were still around. Heart wrenching and rewarding stories from plights gone through. Great deal of credit to Susan for taking this program around the state.

d. Councilwoman Schenkel – attended Rotary Club dinner honoring Jackie Merchant and Mike Ganem and learned this Rotary Club has 13 members and funded a well pump station in Ethiopia area. This club does a lot of wonderful work. Congratulations to Mike and Jacqueline and to the Terryville Rotary.

e. Councilman Giancesini mentioned documenting areas of Lake Winfield that require sprucing up noting this equipment was built and belongs to the town and we need to make a conscientious effort to maintain it.

f. Mayor Festa noted there will be an open house at Modelcraft next week and ceremony for press conference re financial assistance and buying the rest of the building for expansion and has own little mini industrial park as 4 other businesses operate out of his building. We have another business interested in lot in industrial park.

Also, Main Street clean up and Pequabuck River were good events. Pequabuck River watershed group had clean up week after Main Street and thanks to Mary Moulton who is in charge and looking to coordinate with Beautification Committee for clean up on same day. Amount of trash taken out of river area was unbelievable and middle school children took account of everything taken out which was amazing. Will do this again in early fall to go back and do another pick up; eventually there will be walking trails along Pequabuck River. Councilman Giancesini stated reporters are at functions and get phone calls and he feels Kurt Moffat has been very fair and should we send letter to paper to editor thanking Kurt for his professionalism and attention to detail he gave the Town. Mayor stated Kurt has always been on point to the point. He always got the facts.

20. Adjournment

MOTION: To adjourn by Councilwoman Jandreau; second Councilwoman Denski and the vote unanimous. Meeting adjourned at 9:45 p.m.

Respectfully submitted,

Robin Gudeczauskas
Clerk of the Council

