

1. The Special Meeting of the Plymouth Town Council was called to order by Mayor Vin Festa on **Monday, June 8, 2009 at 7:00 p.m.** in the Assembly Room, Plymouth Town Hall. Members in attendance: Councilwoman Jacqui Denski, Councilman Peter Giancesini, Councilwoman Jeanine Jandreau, Councilwoman DiAnna Schenkel, Councilman Dave Sekorski, Mayor Festa and Robin Gudeczauskas, Council Clerk. Also present, Dave Bertnagel, Comptroller.

2. Fire Exit Notification

3. Pledge of Allegiance

4. Town Council Rules and Procedures

5. Mayor's Report

a. Budgetary Issues – Status of Audit Report – In the process of receiving final reports and doing research of what transpired and Dave Bertnagel will give follow through, has have found some mistakes in double entry causing problem and he will review regarding the BOE doing entry and town doing entry. Impact of tax revenues/state allocations – word from Hartford is that the budget is not settled, some additional reductions from what he heard in April and may lose additional money. We will need to look at Plan b and Plan c and will keep updated.

b. COST Meeting at State Capitol – membership in Council of Small Towns and sat with several legislatures in session to talk in terms of budget process and not good in terms of what told; issue presented is concern of local community and impact of budgetary process on townspeople; paying taxes and renters or lost jobs, etc and comment made is very precise which is we are at home counting paper clips and copying on two sides of paper and they are arguing on who is right or wrong. Difficult for townspeople to pay increases and they consider dialogue on increasing revenues in some areas.

c. Public Hearing, Monday, June 15, 2009 at 7 p.m.; three Items – Charter Revision, ATV, Schools – all on for Council input and recommendations. Meeting will be held in the Community Room.

d. Correspondence – Note of appreciation for Flower Pots – Library Directors – note is from Directors and from patrons of library who are pleased. Have 5 new locations this year and asked for additional 2 pots in another location; people are watering pots in front of business or homes.

e. Landfill Closure work to begin/hours at Brush Dump - listed hours will be limited because of work to be done.

f. Memos to: Employees, Dept. Supervisors, Board/Commission Chairpersons – to employees for potential of golden handshake; department supervisors to reissue directive relative to serious caution on expenditures of supplies, material and equipment; Boards/ Commissions with reminder that because of constraints to limit meetings to reasonable hours, have custodian working overtime and not putting in for it but he should not have to stay until 11:30 or midnight. Need to watch expenditures.

6. Public Comments on Non-business items

7. Appointments/Resignations – Accepting Applications for variety of openings and will ask newspaper to do release on those.

8. Refund of Property Taxes – Laura Reome, \$33.65; Jodi Gentile, \$12.10 and \$3.55

MOTION: To refund property taxes to Laura Reome, \$33.65; Jodi Gentile, \$12.10 and \$3.55 by Councilwoman Jandreau; second Councilwoman Denski and the vote unanimous.

9. Discuss/Take Action To Approve Memorandum of Understanding Regarding GIS Data -

Dave Elder gave explanation that the Town has ability to get GIS and until 2003/2004 municipalities had to purchase data direct from vendors and in 2005/2006 the state got involved and had one agreement with vendor and data sharing agreement. The Town (s) have to agree not to distribute data; consultant doing work can use but cannot distribute. If the town were to do this on our own the cost of the project would be in hundreds of thousands of dollars. The reason data is expensive because Geo referenced so that police can use for 911 calls and location tracked by latitude and longitude. Other use (s) of program can get centerline, subdivision block group assigned and will report census information annually; get more data than we will ever need and can get data from bordering states and possibilities are endless and more what analysis you want to do.

MOTION: To approve the Memorandum of Understanding as RESOLVED THAT the Town of Plymouth is authorized to enter into an agreement with State of Connecticut, Department of Public Safety for joint use of GIS data as described and RESOLVED That Mayor Festa be authorized to sign all documents in connection with agreements referred to herein on behalf of the Town of Plymouth, by Councilman Sekorski; second Councilwoman Jandreau. Discussion: none. Vote: Councilwoman Denski, yes; Councilman Sekorski, yes; Councilwoman Schenkel, yes; Councilwoman Jandreau, yes; Councilman Giancesini, yes.

Certification reviewed.

MOTION: RESOLVED that the Town of Plymouth hereby adopts as its policy to support the nondiscrimination agreements and warranties required under Connecticut General Statutes subsection 4a-60(a)(1) and subsection 4a-60a(a)(1), as amended in State of Connecticut Public Act 07-245 and sections 9(a)(1) and 10(a)(1) of Public Act 07-142; by Councilwoman Jandreau; second Councilwoman Schenkel. Vote: Councilwoman Denski, yes; Councilman Sekorski, yes; Councilwoman Schenkel, yes; Councilwoman Jandreau, yes; Councilman Giancesini, yes. Mayor Festa stated the Motion so moved.

Mayor Festa stated the Memorandum of Understanding is for Council reading and it will be signed by him and Commissioner Danaher.

10. Discuss/Take Action To Accept CT JAG Local Grant Program/Recovery Act CT. Pass-Through Assistance Grant – Mayor Festa stated this is something the Chief has gone to workshop on and when she comes back it will be reviewed with Council.

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

11. Discuss/Take Action To Approve Suspense List As Submitted by Tax Collector/Fiscal Year Ending June 30, 2009 – Dave Bernagel stated the Tax Collector submitted two components and every year the tax collector goes through accounts determined not collectable based upon deceased, whereabouts unknown or bankruptcy pending. Does not mean cannot be collectable but at a certain date and time they are not collectable. Based upon analysis there is Motor

Vehicle totaling \$65,478.55 and Personal Property of \$26,876.84 for a total of \$92,355.39. This is an increase of \$15,000 from last year and dead account outstanding and determined these are uncollectible at this time. This must be done before June 30, 2009. Councilwoman Jandreau noted this does not mean never collected; Dave Bertnagel stated correct, we pull off as collectable but if someone makes payment they get added back to collections. Councilwoman Schenkel stated (a) she reviewed list and understands criteria but counts at least 5 people with tangible assets but moved and what are processes to make every effort to find them. Dave stated several processes and as find people they get added back on. At the present time this is what the Tax Collector deems as uncollectable. (b) We need to remember as land line is gotten rid of we will lose more contact and her total is less than \$1000 but she will pass on information.

MOTION: To accept the Tax Collectors Suspense Listing as printed (Motor Vehicle \$65,478.55; Personal Property \$26,876.84 totaling \$92,355.39) by Councilman Sekorski; second Councilwoman Schenkel and the vote unanimous.

12. Discuss/Take Action To Approve Additional Appropriations To Snow Account/ Fiscal Year Ending June 30, 2009 – Dave Bertnagel reviewed memo dated June 7, 2009 stating he has gone through snow accounts, the Board of Finance is aware of this regarding overages and there were extenuating circumstances due to storms on Sundays and holidays, material costs have skyrocketed as well as inability to buy quantity and store. Unfortunately ran over significantly due to number of storms, overtime, cost of salt and sand is and this will trigger town meeting if approved by the Council and then to bof.

MOTION: To approve to go to the Board of Finance for additional appropriation for snow accounts (Overtime amount of \$16,923 and Salt & Sand amount of \$140,052 totaling \$156,975) for fiscal year ending June 30, 2009 by Councilwoman Jandreau; second Councilman Sekorski. Discussion: Councilwoman Denski asked where is money coming from; Dave Bertnagel stated from Fund Balance and may be offset with additional line item monies if available. Councilman Sekorski noted as you are balancing for end of fiscal year and other areas have money to be transferred and can offset and then we will not be offset by amount that could trigger a town meeting. Councilwoman Schenkel stated she would like to see some kind of cost of insurance policies that towns take out for this type of issue and would like cost analysis to see if worth it. Vote: unanimous.

13. Discuss/Take Action To Approve Additional Appropriations To Motor Fuels Account/ Fiscal Year Ending June 30, 2009 – Dave Bertnagel stated they had this issue going into fiscal year and had different rates and unable to lock in certain rates. Last year motor fuel accounts were over budget in a lot of towns; prices have since come down; requesting additional appropriation for \$106,00 for diesel fuel usage and other motor fleets. The Mayor has done a good job in curbing use of vehicles but we are locked in at this time.

MOTION: To approve additional appropriation to the Motor Fuels Account within the Public Works Maintenance Garage budget for year ending June 30, 2009 in the amount of \$106,000 and send to the Board of Finance by Councilwoman Jandreau; second Councilman Gianesini. Discussion: Councilwoman Denski asked (a) if this was taken into consideration when budget put together. Dave Bertnagel stated there was consideration in 2008-2009 budget process and roughly \$15,000 added to the budget but once moved on the prices skyrocketed and rates were going up daily. We locked in at \$4.40 per gallon. (b) When 2009-2010 budget was made, was this taken into consideration. Dave Bertnagel stated yes, and the prices have gone down

considerably. Councilwoman Schenkel stated her question was to see if anticipating for next year. Dave Bertnagel stated well within budget. Vote: unanimous.

14. Discuss/Take Action On Bid Waiver For Street Resurfacing Effective July 1, 2009 as Part of 2009-2010 Budget - Tony Lorenzetti stated the first item is proposal to do Micro- paving for Allen Street noting there are not a lot of firms that supply this, did have bids and we are piggybacking on prices in bid. This is a specialty item and put down to level out impressions in road and recommended for Allen Street, which is already starting to break up and crack. Proposal before Council and will come out of next years' budgetary funds. Councilman Sekorski stated this is preventive maintenance item and is it composite resurfacing or asphalt; Tony Lorenzetti stated it is a thin oil and stone mixture, and compared to chip seal it is a leveling type material. Jim Schultz stated it is a fancy chip seal with stone; it comes out 3/8" thick and smooth. Tony noted it was initially developed to fill in ruts and depressions in road. There is a one unit type machine that mixes everything together and down road it will cover entire road minus block and cover entire paved surface. They cracked sealed last year and have to do more. Other streets listed on estimate, why? Tony stated when Allen Street was done there is a sliver of each street that had work done and they will cover just a small portion onto those side roads where meet intersection; but do not expect a large visible change in the road. Nova chip is a higher, thicker concentration. Councilman Gianesini stated this is less likely that snow plows will knock out as much and looks positive and will give chance to seal crack areas and improvement over chip seals. Jim Schultz noted it is a very smooth surface and we should get 10 years of life out of Allen Street. Councilwoman Schenkel (a) is this vendor making warranty if wrecks in a year he will come back; Jim stated in past we will not get a written ten year guarantee. (b) Would like a warranty of some type; Jim most have one year guarantee. Tony, if roads are not perfect the high and low spots get worn off and we should get even surface due to condition of Allen Street. Joe, 49 Fall Mountain Lake Road wondering if ever tested where go below zero and frost heaves; Tony stated DOT has used this method in CT for years; showed flyer and examples of where used and responsive to hot and cold. Mayor Festa stated invitation to bid notification is from Town of East Lyme and has anyone checked with them. Tony stated he will check with them; however, the Gorman Group is not an unknown vendor.

MOTION: To have a bid waiver for street resurfacing/Micro-Pave of Allen Street effective July 1 for 2009-2010 by Councilwoman Jandreau; second Councilwoman Schenkel and the vote unanimous.

15. Discuss/Take Action On Bid Waiver For Purchase of Radio Console And Related Equipment For Police Department Purchased in 2008-2009 Budget Year – Dave Bertnagel stated where this is at is last year the radio console gave out in early July when appropriation in place for replacement of it. The vendor, Northwest Communication, is on the State bid list for replacing radio equipment. If we went out to bid they would have been in process and cost of \$120,000. This is a formality process and need bid waiver authorized by Council and after the fact. He and the Mayor had authorized replacement as it created a public safety problem.

MOTION: To approve Bid Waiver for purchase of Radio Console and Related Equipment for the Police Department in 2008-2009 budget year, by Councilwoman Jandreau; second Councilwoman Denski. Discussion: none: Vote: unanimous.

16. Discuss/Take Action On Bid Waivers For The Purchase Of Highway Vehicles After July 1, 2009 As Part Of The 2009-2010 Budget – Tony Lorenzetti stated as part of budget process requested equipment and vehicles and as part of process the BOF came up with a 3 year purchase plan for equipment. He has looked at information on equipment needed and currently renting some equipment. Jim Schultz stated they have 3 items to put bid waiver on which are: Mower (currently renting with 50% of rental to purchase of vehicle. Going off State bid price and buying it cheaper than State bid price; \$79,852 is final price.) The money is in the budget for 2009-2010.

The other item is wheeled excavator (found something to rent and renting. 100% of rental rate will be applied to purchase of equipment.) Money budgeted, work to be done, will purchase used and buy brand new mini excavator to do work with catch basin, etc. Got prices for other vendors, reviewed noting numbers came in considerably less and within or less than budgeted in Capital items.

3 new trucks to replace and had one vendor. Have one vendor for International fleet for snow plow and 3 quotes for bodies and great pricing and can get 3 trucks within budget if not less. Melanie Church, 328 Main Street, (a) were all those pieces of equipment listed on Capitals or is there an extra. Jim Schultz stated extra is excavator but were able to get 2 for price of 1. Tony Lorenzetti stated they can get excavator and mini excavator within same budget guidelines. (b) Things are tight and requested three things and you got one cheaper and wouldn't that mean money saved instead of saying within budget. You can't add piece of equipment where money would be used for emergency and BOF did not approve that, they gave you three trucks and excavator and lawn mower and the extra one you can give back a little and it would help the budget. As Vinny said earlier we do not know where cuts will come. Dave Bertnagel stated the budget is clear saying we will purchase one excavator and can waive bid pending BOF action and their option or another appropriation we would have to do and recommendation on excavator. Councilwoman Schenkel asked (a) what the cost difference between the excavator and small excavator. Jim Schultz stated one is \$117,000 and the small one is \$98,000. (b) Are you saying bottom dollar for two? Dave Bertnagel stated it was in neighborhood of \$215,000 for the excavator and they are able to get two for the price of one; however because quantity was listed as one need recommendation. We are in compliance for quotes as required. Tony Lorenzetti stated the aggregate sum is less than appropriation and we have been renting equipment. Councilman Sekorski (a) clarified this is money that goes over a period of time and rental with option or would we appropriate funds in total and stop rental piece and apply money paid so far. Dave Bertnagel stated as part of 2009-2010 budget approved and authorized purchase of equipment and do lease purchase and note sale for period of 3 years to pay for it. Based on bids and cost factors we would issue notes or utilize cash reserves to draw down and next two years are committed to paying off equipment. (b) Noted key point of budget is in order to get this stuff which is normally capital and understand we need equipment and understand within guidelines discussed and explained to public on how purchase will be made and bottom line is still cheaper. Dave Bertnagel stated it was quantity of one excavator and need BOF to approve. (c) We would enter into agreement with individuals and contractual to pay over period of time. Councilwoman Jandreau asked (a) what is the advantage to get two vs. one? Jim Schultz replied more work will get done stating every road needs work and with two pieces have drainage need to do and also have routine maintenance on catch basins falling in and normally pull excavator from transfer station which slows them down and when pull machine it makes it hard. With this machine he can have two crews going out to get two types of work

done. Both pieces of equipment are useful and can be used all year round. (b) Are machines in good condition? Jim Schultz stated they are renting bigger one and will buy that and it is a good machine. The smaller one is brand new. Councilwoman Schenkel questioned interest rate with financing. Dave Bertnagel stated it is between 1% and 2% max and rates are low. We had it in the operating budget and the BOF took into consideration as a lot of equipment rented in Tony's budget and monies for renting were high, budget reduced somewhat to buy equipment and put in house. Right now based upon analysis given we will save approximately \$60,000 - \$70,000 in capital budget for next year if we purchase everything. Councilman Giancesini noticed putting in storm drains opposite Hoyer Street and homes have always had problems with run off in winter and especially rain storm and curbs put in and storm drains will be a big improvement and good example if the town crew can do work and look at costs is labor and insurance, etc. regarding personnel and efficient utilization of personnel is a way to save money. To schedule and have one excavator and it goes down and need to figure out what to have guys do, and they can have equipment available and you can do good planning that will be firm and look from that standpoint vs. borrowing equipment. Jim Schultz stated they are currently getting ready to do work on Fall Mountain re paving roads and dozens of catch basins need to be replaced and smaller machine is advantageous to replacing small stuff. As they do work they find more things to be addressed before paving. Questioned asked on sharing with other towns and Jim noted all things we need to borrow they need at the same time. Tony Lorenzetti stated in terms of emergency management there is distribution information and specialized event; the help is there and years ago did borrow from Bristol. Trucks taking off will be traded in. Councilwoman Denski noted using small machines in Fall Mountain and are they similar to new machine? Jim Schultz stated the one we have is a new machine they put on rent for us and the one purchasing; if not approved, they will still rent. The rental money goes toward that machine and the cost to rent that machine is \$5,000 per month for the big machine and \$3600 per month for small. The Fall Mountain project will take a few months.

MOTION: To waive the bid for purchase of highway vehicles with approval of the BOF to go for 4 vehicles vs. 3 by Councilwoman Jandreau; second Sekorski. Discussion: Councilwoman Denski asked if they can amend to approve the three vehicles. Mayor Festa stated we are waiving bids for purchase of 3 trucks, mower, excavator and mini excavator. Dave Bertnagel asked that separate motions be done to approve bid waiver for mower, approve bid waiver for three trucks and approve bid waiver for excavator for possible purchase of second with approval of BOF.

Councilman Sekorski removed his second;
Councilwoman Jandreau removed her Motion.

MOTION: To approve the bid waiver for the purchase of the Highway Department Mower After July 1, 2009 As Part Of The 2009-2010 Budget by Councilwoman Jandreau; second Councilman Sekorski and the vote unanimous

MOTION: To approve the bid waiver for the purchase of 3 trucks for the Highway Department after July 1, 2009 as part of the 2009-2010 Budget, by Councilwoman Jandreau; second Councilwoman Denski and the vote unanimous.

MOTION: To approve the bid waiver for the purchase of the Highway Department excavator after July 1, 2009 as part of the 2009-2010 Budget and second to BOF a request that we purchase a second excavator by Councilwoman Jandreau; second Councilwoman Schenkel.

Discussion: Dave Bertnagel stated we are recommending to the BOF the purchase of a second

excavator for the same price. Mayor Festa stated they are bid waiving the excavator.

Councilwoman Schenkel withdrew her second.

Councilwoman Jandreau withdrew her Motion.

MOTION: To approve the bid waiver for the purchase of the Highway Department excavator after July 1, 2009 as part of the 2009-2010 budget, by Councilwoman Jandreau; second Councilwoman Schenkel and the vote unanimous

MOTION: To approve the bid waiver and recommend to the BOF that an additional excavator, small excavator, be purchased within the same appropriation after July 1, 2009 as part of the 2009-2010 budget by Councilwoman Jandreau; second Councilwoman Denski. Vote: unanimous.

17. To Enter Into Executive Session For Contract Negotiations And Legal Issues

MOTION: To enter into Executive Session at 7:56 p.m. for Contract Negotiations and Legal Issues inviting the Mayor and Comptroller by Councilwoman Denski; second Councilman Sekorski and the vote unanimous

Mayor Festa called the meeting back to order at 8:46 p.m.

18. To Take Action, If Necessary, From Executive Session

19. Public Comments

20. Liaison Reports

a. Councilman Ganesini – School Building budget got tight and holding up on work done to build the track in lieu of being able to complete sidewalks; special meetings held and with lower construction costs looking to see what can bring in but to get final Certificate of Occupancy the sidewalks will have to be done. Also, WPCA final budget approved and no increase in sewer rates and have applied for a grant from the State and bonding necessary to do denitrification project by Maguire and being updated to present technology; in addition there will be electrical savings from replacement of pumps. Inland wetlands meeting cancelled due to lack of quorum.

b. Councilwoman Jandreau – Human Services, upcoming events read into record. Housing Authority, one position open which needs to be filled by resident of Gosinski Park. There are several units available. Fire Commission – Fire Marshals report read into record. Fire Chief report read into record. Economic Development – distributed handout on Main Street Program presentation. Public Works – report from Director of Public Works read into record; report from Highway Superintendent read into record. Planning & Zoning meeting; I/W and ZBA meetings cancelled. Charter Revision public hearing on June 15 at 7 pm at town hall in the Community Room.

c. Councilwoman Schenkel – no report

d. Councilman Sekorski – no report

e. Councilwoman Denski – BOE – accreditation obtained for next ten years; meetings are live on Channel 16. Parks/Recreation – June 24 weight watchers will be holding a 5k race. Plymouth Early Childhood meeting attended. Library Board received grant for upgrading of fire code violations, reviewed.

21. Council Comments

a. Councilman Sekorski – requested clarification that completed tax sales in Fall Mountain area is of 3 properties. Mayor Festa stated they have been approved and on books for some time and Council voted to move forward and start of program; very successful and others will be forthcoming. Councilman Sekorski stated thanks to everyone for getting those items going.

b. Councilwoman Schenkel – comment to veterans and apologize not at parades this year and they are on her mind and kept in prayers.

c. Councilwoman Jandreau – thanks and appreciation to people involved in teaching emergency first aid to children at HS Fisher noting a young man saved his sisters life noting Doug Sekorski did the Heimlich on his sister and commends him.

d. Councilman Giancesini – received call from constituent who was upset awarded landfill to Pete & Steve which was next lowest and relayed reasons why and decided not to approve vendor preference legislation generated from previous Council. He thinks it would be something to consider down the road where you can if within a certain percentage of lowest bidder. There is a lot of expense in submitting a bid. We should review that down the road to see if we can come up with something a bit better. Also, around May 16 hazardous waste program was held behind town hall and one thing left out in announcement is if have mercury want to get rid of. There is mercury in fluorescent bulbs and he assumed could bring light bulbs and feels it would be better written out and suggested to person in charge. Lake Winfield he did audit and looked at areas needing attention and department is short but bench painting needs to be done i.e. gazebo.

22. Adjournment

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

Meeting adjourned at 9:06 p.m.

Respectfully submitted,

Robin Gudczas, Clerk of The Council