

The Plymouth Town Council Public Hearing on **Monday, June 15, 2009** in the Community Room, Plymouth Town Hall was called to order by Mayor Vin Festa, Jr. at 7:00 p.m. Members in attendance: Councilwoman Denski, Councilman Gianesini, Councilwoman Jandreau, Councilwoman Schenkel, Councilman Sekorski, Mayor Festa and Robin Gudeczauskas, Clerk of the Council.

Pledge of Allegiance.

Mayor Festa read the Legal Notice into record.  
Fire code exits reviewed.

1. Charter Revision Commission's Draft Report of the Plymouth Town Charter Per CGS 7-191

a. Ralph Zovich, 4 Knight Lane, Terryville – (a) Assume these are four questions that will appear on the ballot if the Council votes; Mayor Festa responded this is what has been presented and tonight is public input. The procedure is for Town Council to decide what changes if any or leave as is and will then present to Charter Revision. The Town Council will then set a date for referendum. (b) The Council does not have option of amending wording in the proposal but can accept or reject, correct; Mayor yes, they can amend, accept or reject. (c) On page 2, list of particulars for other changes recommended by Charter Revision and some are obvious, procedures, i.e. visiting nurses. In favor of secretary/receptionist position in Charter and budgeted position. Changing name of Comptroller to Director of Finance and that is Symantec. Clarifying roles in preparation of the budget and believe worthwhile change; adjusting budget item line, we get stuck in crunch approval process. Number 10, Special appropriations and conversations was held with members of the BOF and Charter Revision and proposal to raise amount of \$150,000 and he was against it. BOF authority to transfer up to \$100,000 is a lot of money considering there are multiple departments and can easily have up to \$.5 million; reduce to \$50,000 per department with authority of BOF, no problem with it and anything over would go to town meeting. #11 is clarification talked about and Charter is vague and up to Council to send resolution for bonding and this way the BOF who is responsible for budgeting principal and interest on bonding and good to have input on BOF. Comment on things to keep in consideration, town manager form of government is a professional management form of government but does not come cheap. If we hire a town manager we would need a job description and propose if passes, it is up to this body to approve a job description and that person would need a minimum of bachelor's degree in form of finance/administration and Masters in public administration and number of years experience in a managerial position dealing with contracts, grievance, bargaining unit process, and hiring/firing experience, be well organized, good public speaker and those qualifications and those people are not easy to find and not cheap and problem with a salary of \$100,000 per year. There is a lot of competition in other towns for best town manager; Southbury is proposing and starting salary is \$120,000 and we do not want bidding war for small pool of qualified people. Qualified, experienced town manager would bring in grants, efficiency in departments, annual performance appraisal of personnel, etc. In this coming budget as of July 1 we do not have money in any line item for a town manager and would need to go to a special appropriation and if limit the BOF the ability to transfer, it would need to go to town meeting. Appointed town clerk and tax collector have same issues for very detailed job description for positions and town clerk, minimum bachelor's degree, good organization and communication skills, as for tax collector. The town clerk has

responsibility to the Secretary of State and documented control and archival issue. Neither tax collector nor clerk position requires educational credentials now. An elected official needs to be a registered voter and does not need high school diploma. Argue if person is not doing a good job people will vote out of office but they can do damage in four years and if other party puts in a less qualified person is worse. He is in favor of an appointed clerk and collector. Issue with tax collector is

complicated as we have outstanding balance of delinquent taxes and the BOF is focused on getting numbers down. He stated for a clear picture of magnitude, he passed out a short list of delinquent taxes and points out this list has been compiled from the tax collector's list of 300 delinquents and not all but the top 300. This list does not represent largest but oldest delinquencies. Some of the properties are 15 years old and is an outrage and insult to taxpayers because budget started July 1st had to reduce collection from 97.5 to 97% because so many people falling behind. List goes back to 1992 and no excuse and some properties are slivers of land, not building lots, and could not be sold as building lots but dollar figure of \$20,000; 25,000; 30,000; 35,000 and total interest and penalties is more than what land is worth. We have \$.5 million of delinquent taxes on books we will not be able to collect and if go to tax sales will not be able to collect and should have never gotten this far. Hope in job description of appointed tax collector that we will clean up list, have legal experience and ability to utilize statutory power and

collect \$300,000-\$400,000 out of half million and put us back in 98 or 98.5% collection rate. Need to think about this and put proposals to voters. They have to be matched with job description with the credential and educational requirements to hire the best people.

b. Linda Hood, Tax Collector - Patricia Avenue, has been tax collector since 1987 and every one of these properties is unusable lot, these people are dead and dead before she came into office and never wanted to spend money to get off list. You will throw \$10,000-20000 away when never see any results. There are a lot of paper roads that should not have been assessed. As of today, the count was \$944,000 that she collected in back taxes, interest and lien fees this year. Before coming to tax collector and put in state of suspense and not viable properties, never have been and never should have been assessed.

c. Gerry Bourbonniere, 6 Fairmount Avenue – town clerk, tax collector and town manager, does not say anything in overview on how long terms will be. Is town manager 1 year, 2, 3 or forever. Mayor Festa stated he cannot speak for Charter or town council, but bottom line was to try to set date for referendum at which time in fact townspeople want elected vs. appointed it would go on November ballot for referendum. If looking to present this referendum prior it would be 90 days prior and terms of office can be administered under 4 year term for tax collector and 2 year term or negotiated for contract for town manager. Melanie Church, 328 Main Street, stated felt it is up to Council to do job descriptions and by contract and for how many years and not by Charter Revision to put in number of years and why put appointed or elected. There was no number of years for doing it and felt Council job. Mayor Festa asked if the Charter committee remains silent on those two issues. Mrs. Church stated for time limit as before use to hire comptroller for 2 years and now hired for 5 and not their authority but Town Council's. Mayor Festa stated for clarification, questioned the comptroller hired for 5 years. Mrs. Church stated Muffy had a 5 year contract and Tony Lorenzetti had a 5 year contract. Mayor Festa stated by Charter that is left to the Mayor and now have something different proposed and questions who would take over responsibility of contract. Mrs. Church stated the Town Council and Town Manager.

d. Dave Barbieri, 10 Scott Road – member of Charter Revision and on page 5 under General Recommendations and Conclusions, the second paragraph the CRC (Charter Revision Commission) was read into record and noted that addresses how to move and as far as terms for clerk and collector, the Charter Revision was silent on that. With no other comments, Mayor Festa thanked everyone for their input.

## 2. Feasibility Study Report Regarding School Buildings – Main Street and Prospect Street Schools, as presented to the Plymouth Town Council

Mayor Festa stated at the 4/6/09 meeting of the Municipal Facilities Committee there was a motion made and seconded to retain Main Street School on a temporary basis (motion failed on vote of 4 yes, and in same meeting a motion made and seconded to recommend to sell Main Street School and passed 7-4 and then the decision made to hold a public hearing and to discuss issues.)

a. Ida Klaneski, 20 Prospect Street, (a) stated she lives next door to Prospect Street School and lived here for 30 years and quickly read over papers and was dismayed on several counts but one of recommendation looked financial in razing building, sell to developer and put 27 apartments there on residential old street in order to generate revenue for the town and question vision and forward thinking. Realize difference with old buildings and expense and quick decision to knock down and seems like bait to offer possibility of revenue coming in by tearing down as reason for tearing down and wonder if better use or better reason with beautiful old building. Mayor Festa, question is one cannot answer because only one report and issue is to open this meeting for input and take look from proposals by people doing walk throughs and have extensive report on foundation etc. on each building. One issue was proposal by person to renovate interior for 55 and older senior housing and piece of property in back for 12 units and only one concept by presentation of one individual. Total cost to do if town retained and renovate for some purpose is twofold; get input from the public and move forward to see what will transpire in putting notice out to general public and need information on what people have in terms of thinking, i.e. redevelopment; dismantle and create new; does not mean Council has decided to move on issue but need public input tonight. When we do have people we will have forum again and people need input on what is taking place. (b) the company that did the study, are they the only professional company hired? Mayor Festa stated that is one of the companies that bid on procedure; did have other companies come through and this firm hired to do particular report handed over. (c) When hear from townspeople, in what sense. Mayor Festa stated to hear dialogue on ideas and impressions and then move forward and if she would like to review report in depth on photos, code violations, expenses involved it is available. There will be further discussion after Council decides on how to move forward on both schools whether together or separate. Another evaluation, no, as those that came in indicated feelings on the building and one issue on Prospect Street School was keep land on site of building and sell off building. Everyone who came in concurred building on postage size stamp property and could not sell building without property and would need to create right of way for lots for use and then right of way from middle school with stairs. (d) Soccer field and tennis court? Mayor Festa in that situation looked at if sell Prospect Street School that would have to go with it as piece with value. Rodney Houle, 16 Frankie Lane and Chair of Municipal Facilities, stated committee is comprised of 14 people with ideas and thinking going on and different professions from various boards and 3 people from voter roles. For over 1 year met monthly and nobody wants to tear anything down but had to look at what it costs the town to keep buildings in place and

unfortunately Prospect Street School was built in 1904 and addition in 1911 and foundation is crumbling and bearing walls are too wide for modern use which is hallway between front and rear rooms. To take asbestos out, upgrade electrical, plumbing, boiler about ready to go. The taxpayers have to maintain building on a daily basis and we have problem with any calamity that happens. It is too old and if somebody wants to invest money and make revenue from it, great. They had a professional firm highly recognized to do complete evaluation and nothing is to code. When school it was grandfathered in and if someone wants to use it, they need to start over; it is falling apart and overdone usefulness in town. To bring revenue back in town, we may have to give it away. What is property worth as size of property is not good use for hardly anything without fields and we will need to look for other place for soccer and tennis. Do not want to put condos or apartments but need idea. Very costly and costing \$35,000 per month to keep going and why doing it. There are people with ideas for both schools and if bring revenue back in taxes that is a positive for us forever. Unanimously decided after a year of meeting and want to do what is best for the town and if somebody has idea to bring in revenue and through Mayor and Council, what is your idea, is it worthy and move forward once sign on dotted line and do something positive with both properties.

e. Linda Kazmierski, 20 Joseph Street – live behind Main Street School all her life and very peaceful, quiet, ball field there and, yes, would like to see something in there and would like to concentrate on tearing down old and do something where BOE is. Beautiful ball field, peaceful to walk, kids play ball and do not want to see condos. Something has to get in and please keep peaceful. If her taxes have to go up would like to see something done with building; beautiful place. There are a lot of senior citizens who walk back there. Consider to do something nice here and not give up field or people who walk and kids who play ball. She asked Rodney to speak on MSS. Rodney Houle, stated Main Street School was a different matter and more sentiment here than Prospect Street School. Main Street School was built in 1922 with addition in 1957 and front of building is multi story with no elevator which is a problem, full of asbestos and recommend building be demolished because of cost of restructure of building. If somebody can come in and keep single structure in tact and can make use of it such as mini plaza; find grocery store and small units for a few shops; problem is parking and do not want to give up ball field, well lit. It might have to go if somebody says look, I will put this up and get running and we increase market value of town and revenue of taxpayer base \$73,000 and this is what we need in town. Went to professional firm for evaluation and it was split; some people would like area for town offices and point is concern to use. Another committee, capital improvements, has plans for this building. He sees progress in town and have sat forever without doing anything. Police department in town hall basement went out in 70's; need to do something with every department in this town. We are starting with getting rid of old buildings we do not need and come to them and tell what to do. There is one person who would like Main Street School as elderly housing. Boiler at Main Street School is shot; have emergency generator boiler to bring to building to heat and pay \$35,000-\$40,000 to heat building. Instead of costing money bring money back in to town. Need to move BOE and will have room to move them. We can't put good money into bad money and why continue heating building not worth it. Dave Sekorski, point of clarification, important that understand, his understanding is all things that came through professional company hired were possibilities/recommendation and ultimately if Council decides to sell buildings it would be up to person who purchases building and property to come forward through normal process to put proposal, i.e. proposal through zoning, apply for permits to demolish and/or renovate. Once sell properties, if decision made, we only have existing regulations to

control what is done there. Rodney Houle stated the Building Inspector and Fire Marshal will have a field day at both locations and now grandfathered as something in place there. Hoping to receive revenue and if somebody comes with viable contract we might have to give it away and not able to sell properties; it is costing us money to keep.

f. Melanie Church, 328 Main Street – if you go up and down Main Street in town we have a lot of tax free establishments, Lyceum, churches, etc. and have no revenue from Main Street; the ambulance corps and everybody has taken Main Street and used for tax exempt building and this is a chance to put something commercial that will bring something back. Plus if look at end of town there is nothing and need to go to IGA plaza and want to look to see where revenue can be brought in. What will happen if keep tax exempt placed on Main Street? Will it become eminent domain to move up or down road. We have a viable piece of property to sell and have chance. Read suggestion for entrance from 72 into Main Street as well as roadway in from Rt 6. You need to read plans of recommendation and not going to be a traffic build up. If sell and leave ball field where it is, do they park on George or Joseph Street as those roads are not wide enough for parking. There is open space at industrial park to put ball field; need to think. They wanted to close and move, all of a sudden need to keep. We need more tax money. We are one of the highest in the state for taxes and nothing coming in.

g. Hildie Siemiatkoski, 249 East Washington Road – resident of community a life time and to tell you have served on committee since inception and had opportunity to tour all buildings and each dept is lacking for space and number one is police department and in her opinion is the first department to be given consideration for more space. recommendation came to Town Council on 7-4 vote and she was one of those 4 that, and in humble opinion feel strong, that Main Street School and that property is a very valuable resource for our community; [a] location on route 6, proximity to town hall, if you want to save and look at possibilities of community building, a town hall annex and knows plans on table for addition to this building and if come to be it would be wonderful. Know in past that was on table and did not come to fruition; in her opinion believe that Main Street School and that property is a very valuable asset to our community. In this economy, face it, she for one does not want to see our town just giving these buildings and property away.

h. Linda Kazmierski – 20 Joseph Street, not saying she does not want anything to go in there and have always voted to raise taxes for new high school and is a single person working a lot of jobs and wants the right decision made on what goes in there. Beautiful place and kids do damage there and if these kids go bananas she will call and raise hell; want people who go in there and want right decision made and if things get screwed up she will raise hell.

i. Bob Pelz, 21 Old Greystone Court – As far as Prospect Street School, went to school there and dinosaur. If someone can come in and do something, renovate for public use, quite sure it would take a fortune to do that. Need to give up old things when time comes and need to face it. Do not want to see condos and if somebody can come up with something for senior citizens that is fine. Any building if do not have elevator you are in trouble. Main Street School, think that can be used with renovations for maybe other departments in this town who are looking for space; do not need more pizza parlors or anything else as enough on Main Street School now and buildings on Main Street are pretty good. Have problem with by Austin House which is blocked off and problem and think we will have to look at that darn quick. Realize this building, Prospect Street School, a lot of people have idea to save building; take building down and sell bricks to people in town for \$1 each or move on and let somebody else do it. Main Street School does

have some possibilities.

Mayor Festa stated with no further public comments this item is closed.

**MOTION:** For a 5 minutes recess at 7:56 p.m. by Councilwoman Jandreau; second Councilwoman Schenkel and the vote unanimous.  
Mayor Festa reconvened the public hearing at 8:02 p.m.

### 3. The All Terrain Vehicle Ad Hoc Committee's Draft Report, as presented to the Plymouth Town Council

Mayor Festa noted this is for public input. Draft report received and some review by Town Attorney and after public input it will go back to the Town Attorney and Ad Hoc Committee for them present to Council in final form.

a. Andrew Ash, 43 Burnham Street – follow CT State Statute verbatim; no reason somebody rides atv's illegally or down road illegally and there is no reason he would ride illegally with his children. Should be punished if not doing what is legal. His son does not play sports; he races on atv circuit and practices at grandparents and ride safely and responsibly; does not ride on neighbors' property and should not punish people who ride responsibly; grew up in this town and his parents said when he gets his own house he can do what he wants; cannot use his machine on his property and according to state law he cannot ride across street to rental garage; and would break law if cross 10' boundary line. Do not punish who follow law; follow CT State Statutes verbatim. His 7 year old son will race next year and something they invest thousands of dollars into. He invests more in atv's than people do in own cars; does not make sense to punish; not asking town to allot 50 acres of open space and asking to leave alone on own property and do not call cops on them on own property; ride responsibly. If have party and ask them to stop they will. Not riding at night because it is not safe; it is all about teaching children how to ride and if adult, know laws. If took pickup on your front yard you would call cops and have arrested. Leave alone on private properties and take care of trespassers.

b. James Bourgoin, 15 Ridge Road, have 9 acres to ride on and boys who ride; every time 4 wheelers are out cops are out; there is no crime going on and leave as is. People who are in back watching are not having fun.

c. Melanie Church – at Council meeting this was brought up and recommendation made to lower age or put age limit on riding atv's and checked with the State and no age limit and as a parent you are responsible for your child and if damage done it is done by that parent. Have one or two houses behind and the little boy rides and does not have wide lot and nobody in neighborhood complains and not any louder than any lawnmower and not hurting anyone; makes her happy to see him and at least not out on street and in back yard and parents are there. With this law the way you want and recommendation made at Council meeting to lower age only dawn to dusk; you are limiting people. If motorcycle goes by her house at 2 a.m. and disturbs her there is nothing she can do. Why put limitation on these people; they can see what doing with headlights. The police have one if need to use at night they can. Can't keep making rules where according to U.S. Constitution, a man's home is his castle. That is not being recognized and we are getting more laws and rules that they take or evict people from own privacy of own property.

d. Dan Donovan, Hancock Court – have laws in State of CT for atv's and have people in street breaking law and not enforcing because unenforceable. In his house to ride atv why get registered to ride on own property or on adjacent property when has permission to ride on it is like General Assembly making laws and they already have laws. It is a waste of time.

e. Gerry Lemieux, 163 North Main Street – leave laws way at; motor vehicles do more damage than any recreation vehicle in this town. Listening on school closing and you want to take recreation property and close some ball fields and this town needs more recreation property. You have nothing for people to do and highway damage being done because cannot go anywhere. One of rules if get caught doing damage or bad mouthing you are out of snowmovel club; not that much damage by atv's in town. Leave rules way at and control that way. If you want everybody to register, good idea and take money and give back in recreation. They are taking recreation away from us and the state borders property and last notice if get caught riding on state land they will get arrested and no reason for that. All that land up there and cannot use. Leave laws and let people control themselves.

f. Ty Lane, 18 Knollwood Lane - have been here 3 years and reason moved here was to enjoy outdoors. His son is 3rd generation driver and teach responsible safety rules; moved here because when drove through a lot of hot rods, snowmobiles, old pickup trucks that make town stand out. There is only a few things known for in this town; he is a rider and this town known for fairgrounds, Chutes café, Terryville Chevrolet. He lived in 4 cities in CT and several while in marine corps and out of 4 places this is worst lived in. Several people sent police at house several time and his son on 50cc dirt bike that does not make more noise than lawnmower and one time cops came it was someone cutting wood behind him making the noise. If go to Terryville fairground and watched freestyle motocross and whole town there and when our children have same dream it is not in my backyard. Six months ago handed 150 names on petition and this town is between 4-5000 are involved in recreational vehicle or more and this is what have and treat like not proud. Son travels eastern coast racing go-carts, mini and 14 in August and asked all the time what are you putting for home town and he does not want to put Terryville. Why represent town when they do not represent you. There are not many 14 year olds racing full size car; does not expect son to be professional but hobby and will treat as college tuition and what he excels at and need to give opportunity. No one ever knocked on door and asked him to stop; he would. Point is, his family moved to enjoy outdoor and think about moving out because you do not want us. He has 4 acres of property and cannot start 85cc dirt bike; he races motocross and cars and his family is heavy into racing. Himself has two modifies and not put on application from Plymouth. You accept me, I will accept you. Races on speedways in northwest and not one time did put Terryville as home as does not feel this is his home. He has a \$50,000 race car and spends thousand on son and what do as family. Does not complain about taxes paid and why should he stay here and pay taxes; his children are respectful because they treat serious. Their punishment if do not do good in school and will not compete; his children never ride on the street. A few weeks ago a lady learning to drive motorcycle and in front of his house riding and he did not call cops. She did not have a helmet. If son rides on own property the cops come over. Why not call, learning how to ride but should have learned the right way. He is not breaking rules and handed that petition last December or October or January and showed pictures of son cart racing, motocross and sport car racing. We are here abiding by law and going to race. Promote safe racing. Helping people learn and all for if you come down on people riding illegally. Been here 3 years and not sure if he'll be here 3 more and why should his family or son be proud to be from Plymouth or Terryville when no one is happy we are here.

g. Walt Lassy, 178 Poland Brook Road – atv problem started some very obvious things, trespassing, illegal use of roadways, destruction caused and townspeople had enough and ideas came forward to control. Ended up with compromise from several meetings, saw what State of CT did. State of CT covers a bit and ended up defining hours of operation which is o.k.'

created 10' buffer zone which does not sound like much but does effectively hinder person on own personal property; and not doing anything for kids flying down road or trespassing and busting up shrubbery. The Town does sanction or we have supported snowmobile grass drags at fairgrounds but flies in face of when to keep things quiet and it is a noise issue; have chainsaws and lawnmowers, not a problem. Came up with problem directed at recreational use and hits him hard; after work and start up motorcycle and goes for ride for recreation. Problem is it comes down on private property owners or net result in lessen problems of trespassing. Councilwoman Schenkel as chairman has question (1) seems like you incorporated a lot of State Statutes in Ordinance and did phenomenal job for most part and people agree State Statutes fair and can live; people here take responsibility, train kids and using atv's within norm. Have had communication question as she took that this Ordinance would be to non atv owner and if person operating within guidelines you leave alone; if stay off your property, leave alone; if they are operating during certain hours, leave alone. Was not looking at Ordinance to hinder atv'ers out there. Walt Lassy stated he looked at it in one view and looking at it that way he is impressed. (2) The intent of the Committee to put boundaries for non atv people and can operate within certain freedom. This way it empowers people to say here is Ordinance, they are not violating and leave alone. Walt stated a lot of people feel threatened and seems to solve problems. (3) We know people who are violating are not people who care about coming to meeting tonight. The problem is what do we do for those people who are violating. She was witness to atv'er taking 4 year old sibling in wagon down road, doing turns and this is some of the things of reports we see. Walt stated he does not know answer to illegal use or highway and places he goes he does see vandalism and a big problem but no answer. Councilman Sekorski addressed Mr. Lane, stated he is sorry if feel like being harassed by the police and you should follow up because we never get complaints of people who use vehicles properly. To Mr. Lassy's point, what we are dealing with is huge piece of property in Plymouth with a lot of boundaries and people whose personal property was severely damaged and as Council need to do something about that and at same time need to do something that police are spending time wisely. Need to find a way to address and want to clarify one thing about registration in Section 1, defer to CT General Statutes so believe as long as defer to CT General Statutes, do not need to register if on personal property. Think it is important to take a look at this and find not as quite as harsh as think. Only trying to reinforce and put boundaries. Under State Statutes on personal property do not need to register. Walt Lassy stated State Statue covers a lot of things and like way working and sees atv's in impound yard and getting caught and paying fines.

h. Mr. Lane, 18 Knollwood Lane, stated he wants to make it clear the police were not harassing and doing what they had to do by responding to a call. They were very generous and smiled but had to respond to a call that came in. He never felt he was being harassed by the police department; never had problem with son riding although he makes him stop and just times when not riding and assumed were. The ten foot boundary, take on it is if you have property without a boundary and do not think rule should come into effect. If lot fenced or hedged in or separates one lot from another, then that person should be able to ride on 100% on property. If own hay field along side another then would stay away if do not know property line. Think what would like changed is if your property line is not boundaried already with existing fence, tree, rock wall, believe 10 foot rule should not affect. If property has not direct boundary and open and not sure of property line that 10foot rule should take effect and then help everybody.

i. Jim Bourgoin, 15 Ridge Road, where boys ride they have written permission from neighbor that adjoins property with a lot of acreage with permission to ride and do you have to be

registered if have written permission from property owner to ride there. Walt Lassy stated you have to have State of CT registration along with written permission to be on any property but your own; and that is CT State Statute.

j. Vicky Carey, 665 Greystone Road, on Ad Hoc, the ten foot boundary was for some of other people who did have complaints and people brought up issue and addressed that. It seems like we have people here who are responsible and respect neighbors, where have had list of complaints that people did not care about neighbors or time driving or parties, etc. and did need for whole community to have Ad Hoc. If anyone wants atv rules they upstairs by Town Clerk's office, put out for all atv riders of rules and regulations and department does give State Statutes in the flyer and answers questions.

k. Joe Kucia, Hillside Avenue – boundaries for 10 foot; personally have loads of wood stacked up along 8 feet in and would be riding on 10 foot line just loading and why not feasible to get rid of and use compost pile which is within 5' of boundary.

l. Bob Pelz, 21 Old Greystone Court, live down near Hancock Cam with Corps of Engineers owns a good part of it and have property on other side and in back and have had problems with atv's and dirt bikes but took care of it themselves; some problems from people who came over power lines and onto property. Thought it was State property and it is not and not marked either and all woods; but they would come in during night and different times. Problem with people who have atv's and have no property and come somewhere and think they can ride. In that area did anybody think perhaps talking to Corps of Engineers to see if the Town could do something to give people a place. They have tried to do different things and when dam put in there was suppose to be land made for recreation and never done and the Town at that time did not follow through. Maybe if somebody could talk to Corps of Engineers and get together and see if we can do something. There is plenty of land and you could open up some trails. Maybe now is the time that something could change.

l. Andrew Ash, 42 Burnham Street – concern is 10' buffer and State says can cross State road at 90 degree intersection and 10' buffer at road side and is exclusion exempt for crossing state roads. Revenue, if you open state land; he pays for kids to go racing to 14 events and \$15 per head to get in pit area; have traveled all over northern New England and race at events more than once and sign waivers that absolves owner of property of any sue possibilities for any injuries and pay \$35 to ride atv on top and extra \$100 per family and over 500 people at events. These are not spectators but doing for kids and themselves. Old VFW post and lots of money generated in two days and then noise is gone. If you think possibility of doing something in open space land would solve problems of kids riding illegally; if have parcel of land set aside and in two hours you have ridden enough and are tired. On their side of fence you are creating laws preventing from using property 100% and not ones doing wrong and how does 10' buffer zone. It is not up to someone for person on own property to have judgment on buffer. Definite property line, we have them and have morals and laws implying moral standards on own property, if spewing dirt on neighbor go to Civil Court. Creating laws on top of laws does not make sense. If come home from work and want to ride he deserves to ride full extent of property and should use property to 100% and do not give tax break. This weekend neighbor was riding lawnmower which was louder than quad. New vs. diesels are 86 decibels which is a car at idle; there are sounds everywhere in life and let State laws do what they have already done. Did not misconstrue about going across street; put exemption for 10' buffer to get to garage. Councilwoman Schenkel, there is no doubt you are a person who takes great pride and respects the law and teaching kids that; making assumption that everyone in town has and kids

who are riding out of boredom and unsupervised and where trying way to enforce laws; understanding on it about 10' buffer and if you have suggestion, Mr. Lassy will hear alternatives. Mr. Ash stated he has put input in and asks just leave alone on his property. We are Americans and can control themselves; if you cannot control child then serve to be ridiculed. Councilwoman Schenkel stated what you are doing is transposing your feelings on ordinance for entire town and not disagreeing, we are not personally put 10' buffer in and hearing comments on atv and they are ones putting final recommendation; go back to committee and adamantly support and when it comes to us, that will be recommendation on Committee. Mr. Ash stated he missed two meetings and there was 3 people who spoke in support of Ordinance and if you read minutes you would understand that and do not need to be punished for other peoples wrong doing. There are speeders who get tickets, follow laws, they are there and created. Only people who suggested buffer zones are people who do not ride atvs'. He is not doing nothing wrong.

m. Councilman Gianesini – people asked questions on State Statutes and do not know if possible to make copies available; flyer is upstairs and do not know if exact statutes; reviewed noting people obeying law there is not complaint. If you are a distance away from something there is less noise and it may well be intent; however person with small piece of property will have problem with 10' buffer which will make impossible to run atv; State Statutes cover an awful lot. If you want to go back to Committee and have something deleted; need to go back.

n. Fran Block, 72 Greystone Road Ext., on Committee as well and spent a lot of time in reviewing State Statutes which is what is written with very few changes. Tried to be fair in addressing people with atv's and people having problems with atv's. 10' buffer was a compromise and discussed and not for just noise but for people who were riding irresponsible and atv's cause erosion if racing and there has been property damage; 10' was a small amount and much larger Ordinances in other towns researched with greater distances from property lines. Anything else can go back for discussion; everything else is State law and by reiterating in Ordinance felt the police had something to go by for people breaking laws. There are fines already for people breaking State laws and we imposed additional for those same laws and nothing new. Hours of operation went by State law on record for noise; her family rides as well and she is both ways and it has to be for everybody.

o. Martin Sandshaw, 7 Richmond Drive, have hard time supporting regulation that disadvantages citizens obeying law. People disobey, go after them and not against 90% obeying law.

p. Gerry Bourbonniere, Fairmont Avenue, individuals concerned on 10' buffer; people have property line, Mr. Ash has fence and am sure he has enough sense to tell kids do not ride up to fence or where bushes are because more than likely the atv and fence will have a meeting and consequences of that meeting may be detrimental to individual riding vehicle and guarantee 10' buffer is not need to teach kids to stay away from buffer. Buffer you will impose he probably already has. For individuals conscientious for those riding on property have buffer zone in there. Detrimental for putting something in this Ordinance doing is not going to affect them. It will affect individuals without buffer zone. If you have a fence or bushes or rock wall that these people already know have buffer zone. If Mr. Ash wants to take vehicle and bring across street to put in garage and if someone called police there is nothing police can do and no such thing as buffer zone on state road because he is taking from his property to garage he has and moot point. When back to Ad Hoc things they have to look at.

h. Melanie Church, 328 Main Street, a lot of people from town remember Chief Krenicky and

remember somebody was complaining about speeder down road and he said to this person, do you remember me stopping you and the person said yeah; he said at some point we are all kids and when we get to be adults we forget the kids are the same as we are, not perfect but they do try to do things. As we get older I agree we do not like noise, lights, but the younger generation does and we fought these people years ago. Example, kids in front of IGA parking cars on road and hear them talking; people complained so kids had no place to go and remember her mom saying why complain, at least they are safe talking and laughing. You can't keep coming up with more rules and laws. The more impositions we put on people why would they want to come to this, don't.

Council comments: Councilwoman Jandreau, thank you for coming, being interested and giving input. Mayor Festa thanked the public for coming and one point to relay, see by public hearing of three issues are more important issues are relative to cross roads come to. Mr. Pelz has left and as he pointed out when Army Corps was moving on Hancock Dam there were things to be done and somehow we got away from allowing the Army Corps to take ideas and find losing space as pointed out. Main Street lost valuable space due to untaxable property; open space is lost to housing development and before long no space. Have talked to a number of people riding out of state and point in time if serious about what want for the community we need to come together and number of issues coming forward; look at open space for recreational purposes and time involved with money in that regard and money short in this point and time; get ourselves banded together for causes important; as community we need to work and live and recreate together. He has been in this community 35 years and one playground in this community in one neighborhood. One time in early 70s when the State gave money for neighborhood parks and we turned the other way. It cost too much and we cannot afford; skateboard park; Lake Winfield sitting idle; comes point in time and need to ask what are we all about? Individuals or collective community. Present challenge to those here for items, challenge you to come forward as community to strive to be better to ourselves and what we offer youth and move forward in every direction to be much better citizens in long run. Without youth there is no future left. Do not lose interest in what is going on this evening and move forward and talk to the State Representatives, senators, legislators about putting trails in Mattatuck area or Hancock area or somewhere that land is set aside. There are things we can and can't do but cannot do alone. Thank you and stay strong and stay with us.

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

Meeting adjourned at 9:07 p.m.

Respectfully submitted,  
Robin Gudeczauskas, Clerk of the Council