

1. The Special Meeting of the Town of Plymouth Town Council, **Monday, June 29, 2009** was called to order at 7:00 p.m. by Mayor Vin Festa in the Community Room, Town Hall. In attendance: Councilwoman Jacqui Denski, Councilman Peter Giancesini, Councilwoman Jeannine Jandreau, Councilwoman DiAnna Schenkel and Mayor Vin Festa. Also present, Robin Gudeczauskas, Clerk of the Council. Excused absent, Councilman Dave Sekorski.

2. Fire Exits – Noted for the record

3. Pledge of Allegiance

4. Council Rules and Procedures

5. Public Comments on Non-Agenda Items

a. Melanie Church, 328 Main Street, have question to do with landfill closure; has that gone out to bid. Mayor Festa, yes, it has and bids received, followed through with bid opening, discussion and award. There were approximately 50 people at pre bid and 13-14 bidders.

6. To Discuss and Take Action on the Charter Revision Commission's Draft Report

MOTION: To open discussion by Councilwoman Jandreau; second Councilwoman Denski and the vote unanimous

Mayor Festa distributed a list of Council recommendations to the Report of the Charter Revision Commission to the Council and members of the Charter Revision Commission who are in attendance. Councilwoman Jandreau reviewed list by item for discussion and input by council and questions by the public.

1 – Councilwoman Jandreau stated she is in the middle and feels go to the town with this and let them vote on this and maybe with good explanations from Charter Revision Commission to make sure people understand what they are voting for. Councilman Giancesini – similar in living here 35 years you see us go from mayor to mayor and it is personal opinion on whether did a good, average, or no job at all and when term comes to end, even if good job, he or she leaves and you do not know what will happen with next appointment. It has gotten a lot more complicated over the years from first selectman and regulations and requirements on departments in town and conforming and reports and requires a person that is an excellent manager and decision maker and more difficult now than ever. A town manager will be more expensive as far as salary and do not know effect on peripheral positions in town hall and some people think the town manger is the second coming of Christ and can do everything with negotiations, outside contacts and retirement. Many towns with town mangers have all kinds of assistance and can be considerable expense. Cannot say what will be best and people should have opportunity to make choice. Councilwoman Denski – on proposed ballot question (read into record) can we combine town manager and town council chairperson as one question on the ballot. Councilwoman Jandreau replied that is to be decided after. Councilwoman Schenkel stated last time we got message out to public by public access video tape and gives people the opportunity to watch over and over on complex language. This is a suggestion to get message out. Councilwoman Jandreau stated there should also be chairperson to town council as well as mayor to manager.

Melanie Church, 328 Main Street, when did you meet to discuss this? Councilwoman Jandreau stated we had a legal caucus last Thursday.

2 - Councilwoman Jandreau stated confusion of clerk to be a part of classified service and Charter said not to be a part; in the Charter; Mayor Festa stated they are in the classified service now and non union. The “not” will have to come out so they are a part of classified service. Tax collector – “not” has to come out of classified service

Other Changes Recommended

Item 2 – only salary that does not go to the Board of Finance

Item 4 – Melanie Church, 328 Main Street, stated under meeting procedures “read into record” but before did not have that added in and a problem with the Planning & Zoning having public comment; Councilwoman Jandreau referenced page 2 of entire package it was approved under item 3 above.

Item 6 – recommendation read into record.

Melanie Church asked why 10 and 11 were rejected. Councilwoman Jandreau stated that is their decision and made together and no other explanation was made; you can have your own decision when you meet again; tonight is for recommendations. You have time to study document and make changes and come back to Council with recommendations and they will make final decision. That is the recommendation after long discussions on these articles. Councilwoman Schenkel stated all in all they did a wonderful job.

Charter Revision Commission comment –Melanie Church, 328 Main Street, (a) disappointed this was done behind closed doors without asking reasons why some were put in and for instance the \$50,000 was recommended not only by the Comptroller but recommended by Glen Glocko when he came in; Councilwoman Jandreau stated she told them that. (b) State Statue is \$20,000 and to allow a gamble and abuse to take precedence over this is very serious especially with a town this size; no town this size has as high as we do. Disappointed when being discussed questions could have been asked of them. Councilwoman Jandreau stated she was at their meetings and she told them why; represented them very well and was honest. Councilman Ganesini stated in addition to discussions, and Councilwoman Jandreau went to a meeting and he to a few, and also spent 6 years on Board of Finance and familiar with special budget requests and addition to that effect as to whether the Board of Finance can basically direct the future of the town by deciding whether to approve items of bonding going to referendum and if he came to the meeting would discuss and could have agreement; does not feel \$50,000 limit and we get a weather condition where have 10’ of snow and run out of overtime and sand/salt that is time where have to make decision do we not plow or go out and use outside people or tell too bad because we cannot spend money. If wait until horse is out of the barn and money spent and refuse to pay outside contractors there will be a lawsuit; it is a way to manage and would be to have oversight of BOF and Comptroller and find odd that this BOF has been the best in history of town and very close coordination between Board and Comptroller and Town Council. They did phenomenal job and being told incompetent and cannot monitor line by line items and this budget has been scrutinized more than any other in history; information on revenue and expenditure side not available in the past. Some people figure some departments will go a month and no one will ever see what is going on. Every time have \$50,000 limit and have 3-4 and have hundreds of thousands to advertise town meeting and pay registrars to be here and will run up costs every time something happens, most of time due to effects of nature. This is why he voted no on these two. Councilwoman Jandreau stated you need to give confidence to BOF and they have to approve appropriation. (c) Item 11 was taking away the power to them. Councilwoman Jandreau stated that is in Charter and very clear; read into record. You need faith in the BOF. (d) Item 11 was bonding issue and

had legal opinion and the only town that had ever seen that; you did not need BOF approval. Councilwoman Jandreau, you need Council approval. Councilman Giancesini stated if you drive up and down Rt 6 you will see reasonably new town hall, ambulance corps, library, fire house, high school, renovated middle, sewer treatment and none of these could have been done if not for the fact could be bonded and you are now planning for towns future giving power that pretty much the BOF has recommending and taking it away from the Council; Section 7-121 of State Statutes referenced. He went on town website for duties of councils/mission statements and briefly reviewed. He is satisfied and was 6 years on BOF and if there is a reason why recommend against, they should come right out and tell Council as that recommendation is public information and if something in there substantial it can be discussed but does not feel the Council should give up authority in the planning of the future of the community. Councilwoman Jandreau noted that is what it says in the Charter. (e) Recommendations only advisory and what they say does not matter; Councilwoman Jandreau, then you blame the Council and if the Council is not taking advice than you change your Council. Councilman Giancesini stated when discussing things at BOF if over half members of the BOF vote against it and then requires 2/3 majority and if over 50% then it means simple majority and always a thorough discussion and were concerns it was put in writing and sent to Council. Councilwoman Denski – we are charged as Council to make decisions to benefit the town and will always take into consideration the recommendation of Comptroller and BOF; also item 10 with appropriation she attended meetings when raised to \$100,000 and in agreement then; town manager her concern is that with economy the way it is, concerned we may not have finances to afford such a big position and it is the town to have opportunity to make decision.

Melanie Church stated at this point she will stand on record and will stand up for town manager as she sees what is being done here and will push for town manager.

7. To Set A Date and Time For Charter Revision Referendum

State statues reviewed as to time frame and discussion held. Councilwoman Jandreau stated the Council makes decision on referendum date as to when charter revisions put to vote is Council decision. Charter Revision Commission has up to 30 days to get changes in report form back to council.

MOTION: That the charter revision changes be put on November election ballot; by Councilwoman Jandreau; second Councilwoman Denski. Discussion: Councilwoman Schenkel stated she thinks that makes sense; going into economic crisis if we were to put referendum earlier and say appointed positions were to take effect we have to come up with significant amount of money quickly and strain on time; to do this way will allow time to budget for those positions; no town manger salary expense as well as clerk and revenue collector. Will also have time to put money aside in fund and allow task force to be formed for town manager and create job description required and expectations townspeople would want for someone appointed to position. Understand there is urgency on some members of Charter Revision to have earlier and also rule in statues that certain percentage of population must attend for vote for changes to take effect and quite high; Mayor Festa stated that is 15%. Councilwoman Schenkel noted we recently had referendum last August and very poorly attended due to vacation and other things and concerned we would not have 15% turnout and makes sense to have during election time as people come out for political election and will vote for Charter changes. Councilwoman Jandreau

stated it will give people time to digest charter revision and to think and decide if want or not want and give Charter Revision Commission a chance to explain to people on tv to give them explanation on why they went the way they did, and did what they did and something that needs to be done; public meetings were not attended by many people; this will give people chance to think about this. This gives chance to go before the public and explain everything. Think biggest reason is extra expense of referendum that will not be 15% of people out to vote and your Charter Revisions will be gone and you will not have chance and have expended money, information and work for nothing. Councilwoman Denski stated she is in agreement with Jeanine and DiAnna; very excited about doing earlier than November but based on attendance at public meetings, not a large turnout, and if send to referendum early it would fail and be all for nothing. Councilman Giancesini stated if look at proposals by Charter Revision Commission, by and large excellent way done, and the proposing of manager which is something seriously worthy of serious consideration, the movement to appointed clerk and tax collector, certified positions will probably cost more money and probably able to offer position to qualified persons; if you want to staff legally with qualified people you will be paying in salary and benefits. Couple of items decided against but by and large in support of more important things; and think the Commission shouldn't be disappointed and think this is dragging on. They invested so much and important change in government that we have to do more in educating people. Every hearing you can put number that showed up on one hand; all work could go down drain if do not get 15% and will probably get on election day and let's hope so.

Melanie Church, 328 Main Street, as a citizen disappointed in Council with amount of money spent over last two years; of keeping under \$100,000 it is very very sad that you don't want people to have more voice in this town; that is one of the things you rejected and feel very strongly; and second thing she knows for instance, Ann Tuleja was one of BOF members saw on when ruling came through and they were told they were only advisory when it became to bonding for BOF and when suppose to watch the purse strings of this community and she was told only advisory because of that word just recommended; and she did come speaking to Charter Revision and felt they should have power. Can see here it is one sided and her own opinion, a dictatorship and very much saddened by this because watched stuff come to this Council and watched you knock it down to under \$100,000 so it did not have to go to town meeting to hear people's voice.

Tom Zagurski, member Charter Revision Commission, question on promoting this; Council and Mayor recommend having a video and tell people about being able to go out and it could promote what want for changes and because you have now set referendum vote, according to state law, they cannot do promotional activity. Councilwoman Jandreau stated you can explain and present facts and do not tell people how to vote. Explain mayor form vs. manager form and just tell exactly what about. It was done the last time; list pros and cons and benefits of and cons of salary etc for each item. Need to explain and not promote; present to make up their own mind as to what they want. Councilman Giancesini stated for graphics you can go on line and it lists pretty much every town and city in the state that shows form of government. Some people do not know what a town manager is and you are not telling or influence just educating what a person in title does. Do not know if we need to consult with Sal but does not think so. Councilwoman Schenkel, just a suggestion and you can go any way you want, but hold an informational session at the library but whatever you want to do. People can watch video on public access any time,

and time again, to digest information and can then contact charter revision with questions. You cannot promote but just explain.

Mayor Festa stated comments: first, he is facilitator for Council and not having a vote unless a tie, he is not involved directly with this issue and involvement indirect and does have some ideas and suggestions he will present to Charter Revision and Town Council. They are/can doing video for access by public to educate, during public hearing on Charter Revision and Town Council side, you had very little discussion and little attendance; on Charter Revision had 4 people in the audience and all members of Council and/or Mayor's office with exception of one person who is Mr. Denski. When you look at public exposure and people at last open hearing, there were two people who represented on charter revision issues and need for further discussion. Example given on facilities group on looking at facilities to the town and making recommendations and article in newspaper about selling off buildings; two individuals called because taken back by secret group handpicked to make representation of the town, makeup of group given, and enough information out there to educate but if not watching or listening it is another story. Suggest looking at joint video of Town Council and Charter Revision educating general public and joint venture would be welcome asset to community to educate. Openness of this Council over last year and a half, no one has had any more of an open door policy than he offered of this and take exception to words like abuse and secrecy are talked about and if anybody tells of secret meetings or abuse going on he will be the first one to be readily available and will handle issue; bring documentation forward and he will take action.

8. Council Liaison Reports

9. Public Comments

10. Council Comments

a. Councilwoman Schenkel – governing in America is not an easy thing; about balancing a lot of peoples wants and needs and never pleasing anybody; not easy and what just did for the last 16 months was a difficult task and did a great job. Just because they have different recommendations does not mean doesn't support comments made but about choices. As the Mayor said, he has had one of the most open door policies in this town in years and to make insinuations and reference to closed door meetings or dictatorship find ludicrous. There were people in this town who have had opportunity to serve on boards and commissions and this board is non partisan and have placed independents, republicans and democrats on boards and commissions and have voiced decision to meet under caucus is within right and did nothing wrong and gives opportunity to discuss things they cannot discuss in front of public to hear each others thoughts and find nothing wrong with that. You will find people out there that will make accusations and there will be people who listen and look at actions of this Council who try to be fair and open to ideas.

b. Councilman Giancesini - in years served going back to early 80's and BOE, Board of Assessment, School Building, BOF and not doing to blow own horn but lots of experience seeing people work and admire what has seen gone on in government, comptroller, department heads to be pro active rather than reactive. We will control spending by turning down transfer of funds after money spent. If money already spent and not paying contractors who gave services you go to court. Monitor through BOF and Comptroller is reactive. Think moving into new era and rather than punish than approve request money spent. Happy with the way it is coming together

in this economic circumstance that has hurt family, business and government. Reason doing so well because have grown ups who visualize problems and intervene when should and important. Think on BOF and come back to public works and need more money because of bad winter, sleet, freezing rain; learn from that and next year but \$30,000 in budget to beef up and the same people who criticize for over spending are same ones who criticize for packing budget.

c. Councilwoman Denski - we are charged with making decision to benefit entire town and our town has more voice for people than surrounding towns; other towns need petition to be heard. Most decisions or recommendations this evening were based on comments from public or lack thereof and are trying to do what is best for this town vs. pleasing one or two people.

d. Councilwoman Jandreau – none of us sitting here are getting paid but here to serve and no reasons not to do what feel is right; no agendas, none have any connections with this to make any money or do for them in any way; they made best decision knew how and you made best decisions you knew how. Everybody does not feel the same way and to indicate dictatorship and have been secretive, she does not and people sitting here do not; we are here to do what is best for the town and trying to do and did not say you guys were bad or disappointed in you; you did your great job and we are trying to do our best job. Takes exception to a person who comes up here and tries to say we met in secret, we did not meet in secret and law allows to have a caucus and that is exactly what we did. Did not discuss anything but this document by themselves; and say you were there, most of you would have been bored and were there for 3 hours; and we came to you with our decisions. Do not all agree on everything but came to conclusion and we all agreed to put to the public for their choice. Was there at Charter Revision and want to thank for your hard work and at caucus told them everything you talked about. Feels Mayor and Council is doing great job.

11. Adjournment

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

Meeting adjourned at 7:58 p.m.

Respectfully submitted,
Robin Gudeczauskas, Clerk of the Council