

1. The Regular Meeting of the Plymouth Town Council was called to order on Tuesday, October 6, 2009 at 7:00 p.m. in the Community Room, Plymouth Town Hall by Mayor Vincent Festa. Members in attendance: Councilwoman Jacqui Denski, Councilman Peter Giancesini, Councilwoman Jeanine Jandreau, Councilwoman DiAnna Schenkel, Councilman David Sekorski, Mayor Vin Festa. Also in attendance: Robin Gudeczauskas, Clerk of the Council, and Sal Vitrano, Town Attorney.
2. Fire Exit Notification
3. Pledge of Allegiance
4. Acceptance of Minutes of Regular Town Council Meeting of September 1, 2009

MOTION: To accept the Regular Town Council Minutes of September 1, 2009 by Councilwoman Denski; second Councilwoman Jandreau. Discussion: Councilman Giancesini, one minor one on first page item 5, “size of plank” should be “size of pipe”. Councilman Sekorski (a) point of clarification on page 3, item 7 “two types under stimulus, one is JAG and one is Byrne’s” and do not know if spelling is correct; Mayor Festa stated it is correct. (b) second part of that sentence is to add purchase of computers to the interior of the vehicles and not computerizing our vehicles. Mayor Festa clarified it will cover to put computers into vehicles not computerization. Vote: unanimous with Councilwoman Schenkel abstaining.

5. Council Rules and Procedures

MOTION: Add to the Agenda for October 6, 2009 the acceptance of Town Council Special Meeting Minutes of September 21, 2009 by Councilwoman Jandreau, second Councilwoman Schenkel and the vote unanimous.

MOTION: To accept the Special Meeting Minutes of September 21, 2009 by Councilwoman Jandreau; Councilman Sekorski. Discussion: none. Vote: unanimous.

6. Public Comments on Non-Agenda Items

- a. Melanie Church, 328 Main Street – there seems to be a problem and I had to spend the day at the Town Clerk’s office. On September 2nd there was 5 questions submitted for the Charter changes when on July 20th the Council had voted for 4. On September 29th the 4 questions were entered. According to State Statutes they had to go in 45 days before; when the Clerk of the municipality determines that the necessary action has been taken for submission of the questions he or she shall at least 45 days prior to election file in the office of the Secretary of State a statement setting forth the declamation of the question as it appears on the voting machine ballot labeled at the election. The date upon which submitting action was taken and the reference to law under which this action was taken. Come to find out our Town Clerk did do it correctly and somewhere along the line 5 questions were submitted, they were submitted to our Chairman by the Mayor’s office via email on the second at 4:29 of September. I did not get a hold of him so I happened to ask for them, when I saw 5 questions and I went to the Mayor’s office and I brought forward the minutes where there were only 4 questions. I would like to thank the Town Clerk because she had to spend the day calling the Secretary of State to get a ruling on this. I feel from the beginning of this Charter Revision Commission it has been things done lackadaisically by the

Council and the Mayor's office. I am hurt by that because I spent 18 months or 16 months and so did every other commissioner. We put hearts and souls in this and the way I look at is why all the complication when there is a member of the Council who sat, or two members of the Council who sat on former commission. You are a legislative body. Before the 5 questions you should have gone to the Town Clerk, they should have gone to you, and don't know if they did or not. I am assuming they didn't because I am sure you would have picked up on it. If not maybe we are in trouble there also. I have to tell you I am frustrated. I have never seen a Charter Revision be so messed up as this, missing dates. We have run around and jumped through hoops as a commission trying to get everything done. We followed the timeline and then the timeline gets messed up by the Council and I have to tell you I am very upset over it. When I went back because as I said the Town Clerk was courteous enough to say let me call the Secretary of State; when I went back there today I was told I couldn't go into the Town Clerk's office so I asked the Town Clerk as one of the elected officials in this Town to please check with the Secretary of State. That is a public room. Those records are public and anyone can go in and no one can stop them. So I think that the harassment better stop because if I have to stand at the counter I will read anything I choose to read but everyone should be treated equally in this town. And I just see this taking place and I am very disgusted with it. I followed by it until she got a decision and tomorrow if I go into the Clerk's office, I will go in the vault as I am allowed to do. These are public places they are not private. There have been numerous times that stuff is not being sent to the Town Clerk's office in a timely manner. Another thing I noticed you as the Council are not getting a whole story, when I go back and I look at the minutes to when you waived the rights for the excavator we were not told it was a used excavator. I happened to find that out and guess what, low and behold I can't find the year. How complicated is it when you buy an excavator, you don't know off the top of your head what year it is. I feel you people assumed the same as I did, it was a new. Now I find out it's a used one. We don't know with all these waivers going on with Public Works what the true best value is for this town. This spring Tilcon was hired to put in curbing throughout this town without a bid. This has been going on for the last two years. The chip and seal that was done was done by I believe an acquaintance of someone that works in Public Works and again it was not put out for bid because the name is on the State list, there are a number of names. There are not just one company or one name. I am asking that these waivers and that you're sure as you the Council did away with Local Vendor Preference. You felt it was unfair and then you don't do it unless we take the lowest bid unless that person cannot get the bonding or has done substandard work and it has cost this town money. I think you as a Council and I'm going to give you the benefit of the doubt were not given all the information. But also if you were given all the information and went ahead and did these things when you voted for no Local Vendor Preference than I say you are doing two sides and I'd like both those looked at again, I'd like Local Vendor Preference brought up again at, and I will be the first one to admit the two most honest people I know in this town are Pete and Steve Worhunsky but they were given the landfill closure when

Calco was \$40,000 cheaper, and he was raised in this town. I think that the favoritism has to stop. I also, as you know, felt when you had the private meeting after the date we were suppose to have Charter Revisions recommendations to us, I feel that you need to take a look and stop with the secrecy and come out with the openness. Thank you. Mayor Festa stated thank you but before you sit down I do have a couple questions for you. You are making some serious accusations. If you are going to make those accusations I would ask you to submit the documentation regarding what has and has not been delivered to the Town Clerk's office with the dates, the times and specific items. Number two, in terms of the Town Clerk's office, you are not barred from coming into that Town Clerk's office and using the vault. Whoever told you that is an inaccuracy. The issue at hand, I myself, told you one day when you were paying for something that you belonged on the other side of the counter, not by the register standing along the assistant clerk. Melanie Church, and I have since been paid on the other side. Mayor Festa, I did not tell you that you could not enter the Town Clerk's vault. Melanie Church, I was told this today. Mayor Festa, well, than you need back up that statement in writing, present it to me and I will follow up through. Because one of the things we are stopping here is the rumor, the innuendo and the nonsense and the false accusation. Melanie Church, well this is not a rumor, I stood out there. Mayor Festa, number two, Melanie Church, for twenty minutes reading. Mayor Festa, excuse me, I did not interrupt you, please give me the courtesy. Number two, there was a question relative to the number of items submitted for the Charter Revision questions. There were 4 approved by this Council you are absolutely right with that regard. Sitting down with the Town Attorney we looked it over and decided we would break those questions down to five to be make them more reasonable to be read by the general public rather than being confused with all the a's, b's and c's which had no significance to it, to which you were a part of those discussions throughout the eighteen months which you sat on this Charter Revision, and quite frankly when you talk about being frustrated because of the lack of time and energy and etc., you were given specific time dates by my office as was requested by you to do so as well as the Chair to give you a timeline. I worked all afternoon and that evening with my secretary before your meeting started to give you those time lines to which you took and tabled them and did not use them until you were ready to use them. So in terms of that timeline and the timeframe, you had every opportunity to do whatever you wished on that Charter Revision and were given as much time as necessary to do the things you wanted to do. Because certain things didn't go your way doesn't mean the Charter Revision Commission didn't do its' job and the Council didn't do a good job as a follow through. When the question was raised by you two weeks back relative to the legality of the 5 questions vs. the 4 questions, we went back to the 4 questions and kept them that way. Very confusing to the general public. In terms of getting a response from the Secretary of State's office, the Elections Division turned around today and said at it was to my effort that I got a response, that in essence we had originally taken the 4 questions and voted on them within the timeframe allowed under Statutes so we are within our right to turn around and resubmit those 4 questions to be put on the

ballot and that is the way they were submitted by the Town Clerk, the original 4 questions as presented. Melanie Church, correct. Mayor Festa, so there was nothing that was misleading or inappropriate done at that point in time. Melanie Church, well I would say that I heard Barbara Rockwell take the call and go out of her way to get the answer because she did not have the answer. Thank you. Mayor Festa, well we did get the answer and I am not through yet so please would you wait. Relative to the excavator that was a used excavator and we were well aware of it. The fact of the matter is that you were asked to come to town hall and present your request in writing under FOI to get the VIN numbers and to get the years and makes and models of those particular pieces of equipment. I haven't seen that come to date and yet you are accusing everybody of withholding information. The bottom line is that if you want to be accurate and make sure that we are all on the same wavelength, then you need to follow through on your directives. Be honest, be open and be forthcoming. So with that I thank you, I thank you for that and please understand that you are allowed to go into that vault when you have business to be there. You are not allowed to come into this town hall and go to different various departments checking on what people are doing, when they're doing and why they are doing that in that particular office. If you want any information you come to the department heads and you ask them that question. You don't go to the individual employees and create chaos within their work space simply because you are not getting provided with what you are asking for immediately. I will not tolerate that as Mayor of this community to disrupt the work force that is being paid to do the job on behalf of the citizens of this community instead of one individual. Thank you.

- b. Vicky Carey, 665 Greystone Road, I am also a Board of Finance member. I find it horrible that Tony is not here to defend himself on the personal attack but with due respect to Tony, not for nothing, he came up to the Board of Finance and I do not know if Melanie was at the meeting or not, but it was told to us that it was a lease agreement in order to purchase vehicles. So we knew it was a used vehicle to being with. So we knew where it was coming from. I don't know if she attended the meeting or not but that's where it was. It's on our minutes in the BOF.
- c. Pattie DeHuff, 20 Lynn Avenue, I came here tonight to make a statement and my statement was based on the following things which I know. I know that State Statute say that a town can create a charter and a town can change their charter whenever they want to. I know that our own charter says that we can change our charter if we want to and I know that this Council choose to have a Charter Revision Commission and I know that this Council choose specific individuals of which I am, was, one member, we are now disbanded, to examine many items that you provided to us as a Charter Revision Commission. I know that those who served on the Commission for 16 months put in a lot of effort. I know that as we got close to the end of our timeline that, Mayor, you did provide more information with regard to the timeline. I know that at the meeting in question which I think was in April now and I can go back to notes and refer. We were sitting down in this very room and I know that the liaison to the Charter Revision Commission told us we had missed our timeline and then I learned that we had actually made

our timeline so we had done our duty. I know that we submitted our report to you and I know that I and other members of the Commission urged you strongly to hold a charter, a public hearing as required by State Statute. I know that you missed your deadline and as a result of that State Statutes say that not to accept our report as presented, doesn't say that you have to accept all of our recommendations but you do have to accept our report, which was unfortunate that you missed your deadline because it would have been good to have the give and take between one body and another body. I know that this Council chose to create 4 questions to be placed on the ballot on July 20th worded against recommendations by myself and others that more questions should be on the ballot so that people could vote on whichever items they wanted and not have so many lumped together. But that is what you chose to do. I know that on September 3rd I received an email from our then Chairman, Tom Zagurski, and it was very brief and he said these are the questions as they will appear on the ballot in November and the email came from Tom but originally from the Mayor on September 2nd at 4:30. And when I took a look at the questions there were 5 questions that were now going to be placed on the ballot and I wondered about that and I didn't take any action on that and didn't state anything about that. Perhaps I had given up because what I believe is that there really has been a deliberate attempt to subvert the will of the people by this Council and what appears to be the Mayor though I take into account his comments to Melanie Church to subvert the will of the people by trying to deny the right of the people to vote on this Charter Revision to have a lawful Charter Revision vote. Because if the state, if it, I don't know what the right answer is to which ballot will accurate or not accurate, all I know is that there is a lot of havoc that has been created and the vote can be challenged by what we've done and I'd like to be on record as having made that statement. Mayor Festa, excuse me Mrs. DeHuff, a question for you. Mrs. DeHuff, Mayor, you are not a district attorney, you are not an interrogator. Mayor Festa, I don't intend to be. Mrs. DeHuff, I don't. Mayor Festa, but I do have the right to ask you a question as I did the last go around relative to. Mrs. DeHuff, we're not going down that road again. Mayor Festa, no we are not going down that road again. We are not going down that road again because I have learned a lesson. The lesson is to ask questions to make sure we understand what grounds we are on. So all I'd like to ask you tonight is to give me your definition to what subvert means, in your definition, in your dictionary. Mrs. DeHuff, no, I am not going to answer that. Mayor Festa, well you have used a term here tonight that has various connotations to it and I have given you an opportunity to address that issue. If you don't want to you have your right to do so but we will find out in another way what your definition is. I will tell you this much. I have learned a lot relative to having people pretend to be things that they are not and to present pictures that are not as they were painted or should have been painted. The bottom line is I will not let those kind of accusations fall upon the faces or the shoulders of these people sitting with me here this evening. I find it ludicrous that you would make statements that we are trying to subvert the will of the people. I for one sat at a particular meeting to which you were present and addressed the issue of the Chart that you presented in

the draft report from the Charter Revision Commission and suggested that we take that and use that as a ballot because it clearly defined every single question that was raised. Your response was in the negative to that. Instead you presented through your Charter Revision Commission 4 questions and 4 questions only. When the questions were separated and separated to suggest that we give the people an opportunity to present themselves in the way of a vote as to whether or not they would want a separate vote for tax collector and town clerk, that was shunned upon because it was a private issue going on and a private interest going on that we wanted to see these people as not elected but appointed. It was personal in nature and I take personal exception to that relative to. So when you talk about subverting the opportunity for the will of the people, I would question a long range look at what has been taking place and the subversive ness that has been taking place over the 16 or 18 months of the Charter Revision group was in tact. I give great deal of credit to those people who served that Charter Revision Commission with a great deal of sense, of loyalty, support and honesty but I do take offense where there has been attempts to change minutes of those particular meetings, to turn around and send letters from attorney's offices on letterhead, of which the attorney knew nothing about and to turn around and then point fingers on other people. This kind of stuff has to stop and it's going to stop as I said at the last Council meeting when these issues arose. If you have something and that's exactly in terms of documentation form that you'd like to present relative to the charges that you are presenting here this evening, I would suggest you do so. Other than that I would ask that you refrain from making those kinds of accusations to individuals about them, for them or with them. Thank you. Any other public comments.

- d. Melanie Church, 328 Main Street, I forgot to mention today when I was in the Town Clerk's office, I think a hand of congratulations should go to her that she is finally now certified. Thank you.
7. Mayor's Report – Correspondence/Discussion on Various Items

*Historic Property Commission/Certified Local Government Application – we had submitted that to the State. We received word that we have been approved and are waiting for the signed agreement to come back which would allow the Historic Property Commission to move forward and present themselves in the way of applying for grants for historic properties acceleration and also for the potential of picking up some additional properties of historic nature to preserve them for the towns historic component.

*Month of October, Breast Cancer Awareness; Garden of Pink Ribbons, Terryville Students; Pink Day, October, 9, 2009 – There is a garden of pink ribbons planted out in front of the Terryville town hall sign on behalf of the students and Robin I would like to thank them for their work they have done relative to making an awareness of the particular disease that has affected many women. In town hall here we are recognizing this month as awareness month and we will be doing Friday's that are pink days and everyone is asked to participate by wearing something pink that day and we will also be receiving donations from

the staff relative to presenting it to the breast cancer awareness organization.

*Mum Plantings; Town Hall Plymouth Garden Club, Beautification Committee – In front of the town hall sign I want to thank the Garden Club for doing that, the Plymouth Garden Club and the Beautification Committee for the town for doing a marvelous job and specifically thank Sherry Russell and Hildie Siemiatkoski for their work and their effort.

*Brownfield's Grant Application For Waterwheel Park; Condition of General – the Brownfield's group has a grant application format and we are submitting that grant application, it is due October 14th. It is in the form of a \$200,000 grant which will help us to remediate that particular property, the property which we own which would be the Belonick and the Hart property. I will tell you also that the issue at hand here is that we were told we could not touch anything on that particular property including the vegetation. I have been informed that the vegetation was been cut, I do know not who did it, at what point in time it was done other than it was over this weekend. I will tell you that it was not on our property, it was not done by the townspeople, by the town workers. Someone went onto property and if were not the Kirkwood's than it is illegal trespassing The vegetation that was cut was cut on the Kirkwood side of the property, not our side and the stuff that is on our side of the property had to be left alone until such time as we had our remediation wells taken care of and the readings would be presented. There are contaminants on that site and they are not quite sure what they are. So with that I will tell you we are looking forward to the Brownfield's grant to be a successful grant application procedure and move forward for the remediation of that. I will tell you also in regards to the Waterwheel Park, I have just received notification through our efforts that we actually had the grant in form of written notification to be resubmitted for another extension for 2 years so that Waterwheel Park grant that we received of \$350,000 for will be resubmitted for an extension in period of time. I have also been told that we will now be able to take foundations, concrete foundations out of the area once the remediation starts and the grant will pick up the cost of that as well. We are well on our way of moving that forward.

*Plymouth Early Childhood Council – Submitting Grant Application – under direction of Gretchen at the library has done a marvelous job relative to the work and the effort they put forward to receive grant applications and grant monies to help extend the early childhood program. They are submitting another grant application and hopefully will be successful with that which will be a two year period which will expand the programs that they do. And if you have not seen work done by Gretchen Durley and the Early Childhood Council at the library, I suggest you take a look at it. It is a marvelous program.

*STEAP Grant \$150,000.00 for Waterwheel Project – notified by the state department we have received another \$150,000 in grant money to be applied to the Waterwheel project. So again we are very fortunate to receive that money as

well which will move the direction of that waterwheel into a faster mode of completion. Upstairs this evening we have BL Company who is the engineer and contractors for surveying the site work and construction component of that particular project making their presentation. I have been told by the Beautification Committee and also the Historic Property Commission and the Council on Tourism and Culture that once we get moving they will be making the recommendation to have BL actually the engineer of record and the company of record for the full four phases which means that we can get that moving even at a greater pace. We are on target with that issue as well.

8. Appointments/Resignations

*Accept the Resignation of Michael Ganem from the Parks and Recreation Commission

MOTION: To accept the resignation of Michael Ganem from the Parks and Recreation Commission by Councilwoman Denski; second Councilwoman Jandreau with regret.

Discussion: None. Vote: unanimous.

*Re-appoint James Deutsch to the Inland Wetlands/Conservation Commission; Term to Expire 9-1-2012

MOTION: To reappoint James Deutsch to the Inland Wetlands/Conservation Commission with a term to expire 9-1-2012 by Councilwoman Jandreau; second Councilman Ganesini.

Discussion: Councilwoman Jandreau stated she told him she would vote no but will not. As one of the liaisons, he does a great job and we certainly need him there. Councilwoman Schenkel stated he is a wonderful addition to this Commission. Councilman Ganesini stated Jim as well as other members of the commission are doing their job and not because it is a public service to fill as they move from one board to another but they have a commitment. They are interested in inland wetlands and conservation and put a lot of extra effort into it and we are privileged to have Jim on the commission and wholeheartedly recommends is reappointment.

*Re-appoint Helen Nejfelt to the Plymouth Housing Authority; Term to Expire 8-31-2014

MOTION: To reappoint Helen Nejfelt to the Plymouth Housing Authority with a term to expire 8-31-2014 by Councilwoman Jandreau; second Councilman Sekorski.

Discussion: Councilwoman Jandreau stated Helen has served quite a few years on this commission and doing a good job, brings in suggestions and ideas to them and good person on board and need to keep there. Vote: Unanimous.

*Appoint Scott Gray to the Water Pollution Control Authority as an Alternate; Term to Expire 1-21-2012

MOTION: To appoint Scott Gray to the Water Pollution Control Authority as an Alternate with a term to expire 1-21-2012 by Councilwoman Jandreau; second Councilman

Ganesini. Discussion: Councilman Sekorski stated on the application there was a signature of another individual on his application and think we can move forward but need Mr. Gray to officially sign his application as it is a photo copy and signed previously. Mayor Festa stated he did speak to him personally and he is very pleased to be of service. Councilwoman Jandreau stated Scott also serves on Inland/ Wetlands and is a very good addition to that board and will do same for WPCA. Councilman Ganesini, Scott is an advocate for the environment which is one

of the reasons we have this commission and he has a keen interest in the stability and preservation of wildlife in the different sites that are being developed, and he does a lot of site walks and examination and basically the duties of Inland Wetlands do not vary that much from WPCA although discharge clean water into Pequabuck River and a lot of the effort and attention to details that goes into the planning and permitting of Inland Wetlands level is also and affects attitude you will have as a member of WPCA, which he is a liaison to and wholeheartedly recommend Scott to fill that position. Vote: Unanimous.

*Appoint Sally Bain-Picard to the Human Services Commission; Term to Expire 10-1-2012
MOTION: To appoint Sally Bain-Picard to the Human Services Commission with a term to expire 10-1-2012 by Councilwoman Jandreau; second Councilwoman Denski. Discussion: none. Vote: unanimous.

*Appoint Robert C. Nelson to the Plymouth Housing Authority; Term to Expire 8-31-2013
MOTION: To appoint Robert C. Nelson to the Plymouth Housing Authority with a term to expire 8-31-2013 by Councilman Sekorski, second Councilwoman Jandreau.
Discussion: Councilwoman Jandreau stated this gentleman used to serve on the Housing Authority for many years and also qualifies as he lives there which is prerequisite for this position and will do fine and he comes in with a lot of the knowledge of the Housing Authority and nice addition. Vote: unanimous.

*Appoint Catherine Kosak to the Parks and Recreation Commission; Term to Expire 11-5-2012
MOTION: To appoint Catherine Kosak to the Parks and Recreation Commission with a term to expire 11-5-2012 by Councilwoman Jandreau; second Councilwoman Schenkel. Discussion: Councilwoman Jandreau stated Cathy will be a great addition and happy to have her apply and serve. Councilwoman Schenkel stated she worked with Cathy on a commission before and she is very organized and she is a wonderful addition as a strong team player and a great addition to this commission. Vote: unanimous.

*Appoint Paul Giancesini to the Parks and Recreation Commission; Term to Expire 11-5-2011
MOTION: To appoint Paul Giancesini to the Parks and Recreation Commission with a term to expire 11-5-2011 by Councilwoman Denski; second Councilwoman Jandreau. Discussion: Councilman Giancesini recused himself and asked to take a minute to leave the room. Councilwoman Jandreau stated Paul is a young man and worked for recreation commission and aware of the workings of the commission and think he also will be a very good addition. Councilwoman Denski stated she agrees and as liaison looks forward to working with him. Vote: unanimous.

Councilman Giancesini rejoined the meeting.

*Appoint Judy Giguere as Town Historian; Term to Expire – Indefinite – Mayor Festa stated this term is indefinite until such time as the person is no longer qualified or she herself decides to terminate the appointment
MOTION: To appoint Judy Giguere as Town Historian with an indefinite term until such time as no longer qualified or she decides to terminate the appointment, by Councilwoman Jandreau; second Councilwoman Denski. Discussion: Councilman Giancesini stated from background

looks like well qualified to fill the position and wish her successful work. Councilwoman Jandreau stated in background noted she has an Associates and Bachelor in science and history which makes her a very good candidate for this. Vote: unanimous.

9. Take Action To Refund Property Taxes: David Cota, \$10.15; Mark/Beth Gagnon, \$26.94; Kelly Laprade, \$170.07; Gina Ray, \$31.00; Carolyn/James Thompson, \$18.00; VT Inc TSTEE Wolt, \$115.25

MOTION: To refund property taxes to: David Cota, \$10.15; Mark/Beth Gagnon, \$26.94; Kelly Laprade, \$170.07; Gina Ray, \$31.00; Carolyn/James Thompson, \$18.00; VT Inc TSTEE Wolt, \$115.25 by Councilwoman Jandreau; second Councilwoman Schenkel. Discussion: Councilwoman Jandreau stated for the public interest think we should state when we refund whether real tax or personal property. Councilman Sekorski stated refunds are generally autos which is personal property. Vote: unanimous.

10. To Discuss and Take Action On Recommendation Of Ad-Hoc Committee On Blight – Mayor Festa noted the group is here this evening, Barbara who is Chairwoman of that committee, who worked diligently to bring forth the proposal in draft form tonight. Keith Golnik asked did you table this at the last meeting. Mayor Festa stated the issue at the last meeting was to present this item for the purpose of presenting it to the Town Council and the first time it has been presented to us and receiving only. Councilwoman Jandreau stated there was no vote to table. Barbara McClellan, 5 Club Lane, stated as you know they worked almost a year and basically came up with, it is a two part. Organized and after examining it we found there is very little wrong with ordinance itself but bigger problems come in with enforcement of it and will spend more time discussing changes in enforcement of it and there were a few things did differently in ordinance. Property Maintenance and Code Enforcement and it was called Blight Abatement and reason for change to be good is because when say blight you think of worst situations and most often not case with blight. In Section 8-24 of the actual code itself down where says “State of Disrepair or becoming dilapidated”, page 3, changed as you had two or more vehicles, one or more of the following conditions, it used to be two or more and feel one condition leads to another and we felt one is enough. Same with the cars it used to say two or more and we suggest one or more. On page 4, “This Ordinance shall mean “(blank) through (blank)” it is 760-773 and that covers the entire Ordinance. The biggest change in actual Ordinance is the fining system. As I recall the old one was \$100 initially and \$100 a day and changed to \$25 initially and \$25 a day for a maximum of \$1000 or 40 days. There were a lot of thought and discussion and what the town would want, we hope as citizens; we want blight or infractions cleaned up and not a lot of money. If you take to court and fines are too high the judge tends to throw out and this is our recommended amount. That is it on actual enforcement. How do you enforce it and where the town has fallen through the cracks as most of the towns have as we examined many enforcement town codes. And best way to go about this is to form an enforcement committee, 7-70 on page 7, and basically have the Mayor or designee and group of people get together and they actually meet monthly to discuss with each other is it health violation, building violation, whatever department this belongs to, this meeting gives control and then take care of it from that position and that way nothing gets through the racks and easier follow

through. If people do not comply you take them to court and you do have a way of collecting it back from the taxpayer. The appeals, expenses and all those things are not much different than what was before and that is what we did in last 9 months. Councilwoman Denski: (a) technicality in word "slums" pertains to more of a densely populated area and sounds slang or stereotype and did you put thought into that word, page 1. Barbara stated the Declaration of Policy is taken out of the blight abatement ordinance and already there. (b) Page 2, at bottom #2, "Any attractive nuisance" can you define that. Barbara stated this is what a nuisance is and legal mumbo jumbo. Councilman Giancesini stated for example if a bunch of kids are walking around and something gets attention, let's go there or it will attract rats because you left material out and what meant. (c) In 7-65 on page 5, again this might have been there, "Where weekly curbside pickup of garbage, refuse and rubbish is not available" and it gives the rest of the definition. Does not specify, loophole, if you have curbside you can keep it anywhere. Barbara, that is issue to ask Sal about. Sal Vitrano, town attorney, stated good point and shouldn't limit it to where weekly curbside pickup is not available; it should say everybody should have a place and something you guys ultimately can adjust as a result of public hearing and your discussions. Councilwoman Jandreau stated on the next paragraph it does clarify. Barbara read into record "An operator or occupant of a dwelling shall have the duty and responsibility of removing garbage, refuse and rubbish generated by him to the curb on the day curbside pickup is scheduled in closed containers intended for that purpose. Where weekly curbside pickup is not available, an operator or occupant of a dwelling shall have the duty and responsibility to remove garbage, refuse and rubbish generated by him to the place provided by the owner or to arrange with the owner for its transfer for safe and sanitary disposal." Attorney Vitrano stated, yes, but thinks Jacqui's point well taken and will take a look further. (d) Again all in wording, in 7-67 "The violation of this provision shall be punished by a fine of twenty-five (\$25.00) dollars." And again later on it says with regard to warning and does not clarify how much of a warning. Barbara because paragraph pertains to fined amount. Councilman Giancesini (a) Technical questions, page 5, references to every dwelling owner and "exposure to public view before transfer for safe and sanitary disposal"; getting rid of garbage "arrange with the owner for its transfer for safe and sanitary disposal" and he had complaint early in spring on the house that burned on Bemis and Armbruster and had a couple dumpsters sitting out front for demolition material for months and putrefied and raccoons in there and complaint and he got involved with TAHD sanitarian and eventually the bank because it was foreclosure deal, the bank had the house torn down and old car and trash removed; but think this would mean somebody with dumpsters if putting garbage in satisfies but should put in there "dumpsters be removed in a timely basis". If it sits and rots you will have other problems and do not know when lawyer looks it over he will figure out if important or not. (b) Another suggestion is to define condition of blight and siding falling off and broken windows. Barbara, "State of Disrepair" on page 3. Councilman Giancesini stated, yes, just for what happen in older homes, item 2 near bottom "collapsing or missing walls or roof" and might also add "Chimney" in there as grout starts to go and sag and very dangerous with safety hazards such as when the Town took one down near old Eagle Lock. (c) Also, policy on page 7 where it has extenuating circumstances, item c and you have 1-4 and things take into consideration when a person has problems and finally arrange to have clean up done, for

example, item 4, "The property owner is elderly on a fixed income which would pose a severe financial hardship to comply with remediation"; just want to assume you want to make clear if health and safety violation in place just because elderly you will leave there if danger to public and the town would have to clean up and put lien against property. Barbara responded that is if they go to Board of Appeals; argument if old or on fixed income and it is determined if elderly and on fixed income the town has to step in and help and that goes back to the committee to talk about. This is how important this committee of different departments because they may have funds or resources to help individuals. Councilwoman Schenkel: Did best to attend blight committee as their pseudo liaison and they ran a nice tight commission and a pleasure to work with them. Very good job. Enforcement question, section (b) talks about the building official "has reason to believe that an Owner has violated the provisions of this Ordinance, the Building Official shall serve a notice of violation and an order to correct such violation on the owner of record of the real property via certified mail." Later on it says "A copy of the order shall be filed with the Town Clerk"; would it be prudent to stamp it with the Town Clerk prior to mailing it as one issue with the other blight ordinance was notice. Barbara, that is taken care of right in the committee as what will happen you get citations and those are supposedly if we can manage to do that, is done by police department who have a blight officer who will serve citation and bring to the committee or vice versa and eventually part of the file. Councilwoman Schenkel stated you did a real good job in giving due process to residents and a lot of notice and opportunities, for example response is 60 days and very generous. Barbara stated there were 6 on the committee and you give and take and this is what we came up with and feel fairest. Biggest goal and keep in mind was the goal of cleaning up the town and how can we get done as fairly and inexpensively as possible. Councilman Sekorski: (a) Page 7 section 7-70, you said were where the most changes and did not look at original; did you rewrite that section and is this fundamentally what is in there now or did you use another source document from another town. Barbara stated they used Bristol's town code enforcement as a model and adopted some words; for example, Bristol's does not have 3 people from the town, 3 regular citizens, just all officials and we feel if you have 3 of our own citizens involved it makes it more fair. (b) Your source document was Bristol ordinance. In terms of enforcement, we had you had mentioned support from counsel for attorney and did our attorney participate in this discussion within this section because concerned about our ability to provide the committee the authority to do this enforcement. Attorney Vitrano stated, answer is yes to both questions. He did participate and used the Bristol ordinance as guideline and reason for that is Bristol has had a lot of experience in this ordinance and they have been effectively utilizing and implementing their anti blight ordinance for about 4 years and they have gone through two iterations based on a couple of years experience and settled on for the most part the principals embodied in 7-70 and worked with and discussed with the corporation counsel in Bristol who is responsible for drafting the first ordinance. Somewhere at some point somebody came up with ideas and model, revised; modeled, revised, and worked in figuring out why did what did and fitting it in large part to what your committee wanted; he did language and they determined. This has been tested and effective. (c) Is there case law or laws on the books that enables the Council to give the committee the authority to pursue these methods of collection and enforcement. Attorney Vitrano stated, yes and

ultimate authority of Council is passing of ordinance; structurally, nature of ordinance tested and courts favorably dealing with. Councilwoman Denski (a) say if point where you have to take down a building and per see someone upset and townspeople part of committee and what happens is lawsuit, how are they covered? Attorney Vitrano stated there is statute that provides for indemnification of all volunteers, all of the volunteers on boards and commissions in town are covered by indemnification statute which basically says if Jim at Inland Wetlands and decision he makes upsets someone and lawsuit filed and filed against town and Inland Wetlands commission and all of the individuals, the Town has obligation by Statute to defend all of those individuals and would apply in this case as well. Sometimes your insurance policy kicks in and provides coverage; Statutes indemnifies all citizens when volunteering in the capacity of a volunteer in boards and commissions. (b) What you are saying is the Ordinance by us approving we give them full. Attorney Vitrano stated you create the mechanism in that ordinance for creation of mechanism for Ordinance. You have to go through ordinance procedure and cannot approve tonight. This is revocation of ordinance. As stated there is a fair amount of due process opportunity for notice, appeal, notice of failure or denial of appeal and ultimately a homeowner can take the decisions of appeal board to court. Due process in layman's terms means it makes it fair. It is a procedure created that makes the situation fair to people who are involved. The court has looked at this and at these types of ordinances and can say this is not fair process for people who is getting subject to these actions and the court will require that there be due and fair process given to those who are involved in system. We think we have provided that and looks like it and the court passed it as being proper due process. Barbara, add with this committee is not just 3 people from town and when you have Chief of Police, Zoning officer and they have codes and laws of their own and if get that far you have trusted people who know what they are doing and what laws are being broken. You will not go willy nilly through town and there is a lot that goes in to make sure individuals are protected. Councilwoman Schenkel in one meeting you wanted town resident to be a layman's advocate for that resident so that they could explain from a town's person point of view the difficulty they may be having and help them network and get help with problem as going through due process. In due process it is burden of the government who has burden of proof. There is a tremendous amount of communication with homeowner before results in decision one way another. Councilman Sekorski asked to clarify for Jacqui that his concern was does the ordinance provide the proper legal backing for us to form that and that was answered and this in no way enables us to bulldoze people's houses down. And this is the legal protection and understand concern. What he liked about this is formation of committee that establishes a better concept of notice; we got in trouble with ridiculous fines and improper property owner notice. This describes various level of nuisance; blight takes all forms, not just houses or health hazards and commends the committee as it appears as though we have a workable formula. Bruce LeBeau, 4 Terry Drive, knocking down houses is not intent, it is a last resort; our intent is to work with people to get things cleared up; we do not want to be bad guys and do not want on to make money on this. We want to work with people to get issued cleared up. Barbara, this is not part of the ordinance as why need to speak differently. After work was complete we took time to decide as it would be remiss not to give suggestions as how to make this work quickly and do want Council to consider to change from Blight Abatement to Plymouth Code Enforcement Ordinance. In order for

this to be successful you have to carve out the time for monthly meeting with appropriate people and to find a way to fund endeavor. One recommendation was to have bulk pick up twice a year because if that can happen it will eliminate a great deal of blight throughout the town. If we do that and charge residents a yearly fee at the transfer station than you eliminate bulk fees for wood and things like that and think it would save the town money. Lastly one of the things that can get started quickly is if you start right away with unregistered vehicles because you either register the vehicle and they go on the tax roles or get rid of them; and either way you empower the people as if they want to keep them, they go on the register and pay taxes or it gets cleaned up. Suggestions to help get this ordinance started. Thank you for gift of your attention and thanks the committee as they were great to work with. Don Souza, clarify one point, the unregistered vehicles meaning not put them on the motor vehicle roles but register with town clerk as unregistered personal property, 50 Eastview Road; or register with tax assessor. Barbara introduced committee: Larry Deschaine, Brian Barnes, Don Souza, Bruce LeBeau and herself. Keith Golnik, 46 Orchard Street, Vice Chairman of Police Commission stated he spoke with Chairman Tuleja and a few concerns on ordinance. One, it creates a code enforcement police officer and kind of wondering how that works as in order to create a position in police department they need to create a general order, then job description created, then to union and Mayor's office for negotiation to create position. They have been waiting 3-4 years for the union and Mayor's office or whomever does the negotiating to create a animal handler's position for a police dog and also recently for an animal control officer that would be a police officer with animal control responsibility. Curious as to the process involved and also we would have liked to have had some input into ordinance process when it came to that position and wondering how much time that would take up for blight enforcement police officer position and curious in the amount of hours it would be for Chief and this position created by the ordinance and to let you know it takes time to create a position. Thank you. Bruce LeBeau stated before starting they met with all department heads including the Chief and she assured them there would be a person available on an as needed basis and think they had the cooperation of all department heads listed here. Mayor Festa stated the issue at hand is they are not creating a new position in police department. Bruce stated if we need an officer on a particular day for half an hour or an hour, she pretty much assured us she would have someone available. Councilman Giancesini stated we have Dave Elder who is the enforcement officer in the Building Department and assumes he would be knowledgeable enough, appears to be very knowledgeable with statue statues and building codes, where he would be able to do this work and in instance where property owner was not cooperative and need court order of have an officer go with him for safety and to enforce it, think that would be as needed basis. Does not see any sense to have a police officer in a town this size to do this type of work. We have enough well qualified, professional people that know what they are doing within the building department, public works, building inspector. Mayor Festa stated one of the main functions of the building inspector is to take care of blight issues and if need to go forward with a presentation of a summons, etc. you would have the ability of a police officer to attend to issue summons to that party. Councilman Sekorski stated we should look at language in 7-70 which creates perception there is a code enforcement police officer and need to clean up language. Mayor Festa, relative to code enforcement

committee is nothing more than blight committee made up of various departments, someone from police, public health, etc. and difference here is when time it comes time for issuance of a summons relative to is when we ask a police officer to do that function and something they regularly do under enforcement. Councilwoman Jandreau (a) that officer to what read here, that officer would be part of that committee. Bruce stated the Chief and/or his/her designee; need to fix language. Barbara, what that boils out to be is there may be one police officer in the police department who once a week gives out citations as needed and that person does not require new job description. (b) It says here that is made up of Code Enforcement Committee and that denotes you have one person to attend monthly meeting in addition to the Police Chief. Barbara stated that is correct, the Chief would pick one officer to be her Code Enforcement Officer; Councilwoman Schenkel stated than that would deal with the union. Keith Golnik stated if you had one person handling you would run into problems with scheduling and concur you need to look at language and that we don't get into bind. Mayor Festa stated one issue to look at is we have officers on rotation schedule and also have discussion in negotiations to animal control/police officer and opportunity to use those individuals to serve summons; we are not creating position for solely enforcement officer and not intent, but intent to have someone from the police department available to provide for summons if necessary. Councilman Giancesini stated brought up good point regarding issue on bulk pick up and the way transfer station is handled regarding the fees and a number of different ways to look at things where you could have people who don't have truck to haul away on periodic basis call up at certain times a month or every quarter the town crew would charge a nominal fee to put a fair amount of material on the truck and subsidize their cost of doing this particular service. Remember, if people have a couch and they want to get rid of it in the dumpster, they will saw up in pieces and put in wood dumpsters. There are a number of things going on and the town is making about \$4,000 from scrap and if there are people who want to get rid of air conditions as town incurs cost vs. other people who take and turn over and they get paid. We need to look at the whole situation and if somebody is getting rid of a dryer or washer and some value to that, and like mentioned by the committee, the purpose is not for the town to make money but facilitate getting rid of what is in back yards or dump by side of the road and a novel way and perhaps with Board of Finance and Public Works and Comptroller to look at how this can be done so it is workable and gets the job done. Regarding recycling, we know the town pays tipping fee and we also have recycling which does not go to incinerator, but pick up and material is recycled and used over again. On his street for example there are 3 house with one bucket vs. others with 3 buckets and they receive same reward as people who do not do anything and need to motivate to participate; those who routinely recycle they develop credits with Public Works and every year or quarter when participate you build up a credit and if get rid of couch or other equipment it does not cost anything. We need to motivate people and if offer, everyone would still not do it but feel we would see a significant increase in participation of those who recycled if get reward to do. Martin Sandshaw, 7 Richmond Drive, Plymouth stated to the Mayor and Town Council, thank you for putting together the ad hoc committee and thanked the Ad Hoc Committee for their effort. Blight is an issue in our town as well as other 169 towns in the state. Great effort and only like to see defined more clearly is special consideration and if he may he would like to read into record this was blight ordinance adopted in

Town of Guilford on Feb. 2nd, 09 and quoted section 4 Special Considerations, read into record. Other than that thinks blight lots of time is circumstance beyond persons control and if we can give them some consideration and help them find solution we can go a long way in solving blight problems. Other thing, agree with Councilman Giancesini that we have to help people and encourage to recycle by educating and take and reward them for their efforts. Thank you very much. Melanie Church, 328 Main Street, me, I see some problems with this. If you have a fire in your home, insurance companies aren't moving quickly. If anyone thinks insurance company answers in month or two they are in for a rude awakening especially when it comes to fires that demolish a complete building. I think there should be a section 8 here where if beyond control because of another agency which is the insurance company settling, should be considered in this because they don't always move as quickly as people want and sometimes they have to go to court in order to get it settled and I think that is one of the most important things. I noticed here it says 3 residents to sit on this commission and I think also this should be 3 people not from the same area. If you have 3 people from Lake Plymouth or 3 people from Fall Mountain or 3 people from the center of town you are gearing it toward a special interest. I think they should have to come from 3 different areas and I think that is a way to make it so it doesn't become a Gestapo especially in one area. These definitions, I went to your secretary, occupant as defined in Section 8-24. What is 8-24? Is it state statutes? Is it an ordinance? Nothing is explained. I was told by your secretary that was the way the attorney put them in and it really doesn't answer any question and I said at least on these definitions they should be defined or at least have a page where you could look to and see these definitions are. Don't know whether they are all state statutes, there is a couple in here that do state CT State Statutes but it doesn't say it here. Councilman Giancesini stated it is here and should be put in parenthesis and say as per code, housing code, section 8-24. Melanie Church, but what I am saying is what does it say here on your pages, page 3 as defined in Section 8-24, where? It should be here though on here. Nobody knows what they are looking for if they see 8-24. That is what I am making as a recommendation. Because you don't know what the definitions are. I also would like to see a thing put in here that if any or part of this ordinance by a court of law is found to be illegal or unenforceable that it needs to be repealed and redone again. Thank you. Brian Barnes, 23 Fall Mountain Terrace, the board did take into consideration hardships and I was the one who was against it because it opens a can of worms but the housing appeal there you can go to them and they can give you up to 180 days plus the 15 days plus so you are talking well over 200 days which is 2/3 of a year before something has to happen. We also said if hardship the appeals can suggest you use boys/girls club and we did not want to get involved in that and say this is different codes in town for us and the board of appeals would handle. We did look, did discuss and agree with Don. Councilwoman Jandreau, wouldn't that come under you financial hardship if you wait for insurance company? Brian stated yes but handled by board of appeals. Cathy Kosak, 201 Harwinton Avenue, (a) is this available for the public to look at now? Is it on line? Mayor Festa, yes, and in Town Clerk's office as well. (b) I am a little concerned, and get it that there are some areas they pile junk cars and it really smacks a lot of big brothers and you said it was based on Bristol. I read Bristol just passed the ordinance and if grass is higher than 8" it is blight and the type of things that concern me. If you have a property and someone comes in with a high price development around you and you have

a lot that you always let go natural. One then decides to complain, are you going to be in violation of the blight ordinance? These are the types of things that concern me because we are not West Hartford. Barbara McClellan responded that is in here and they were very concerned. (c) will the public vote on this or does the Council because if it is an Ordinance, the Council does, correct. Mayor Festa, we have to hold a public hearing. (d) You know how many people show up at a public hearing. I think one unregistered vehicle in unreasonable and if you have anyone into restoring cars that is unreasonable. Pattie DeHuff, 20 Lynn Avenue, this is the work of the Charter Revision Commission. I wanted to draw your attention to the Charter page 56, Chapter 9 Section 6. At the very bottom of the page "Existing laws and ordinances" this is in response to something Melanie just said, "All general laws of the State of Connecticut applicable to the town and all ordinances of the town shall continue in full force and effect" blah blah blah. If you turn to page 58 under Chapter 9 Section 9, "If any section or part of any section of this charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this charter", etc. etc. so I think her concern is already addressed in our current charter. Barbara McClellan, and Melanie I want you to know if you would read Section 7-63, page 4, it states very clearly that a "Higher standard to prevail in case of conflict with other laws or ordinances, preemption by the state" and it quotes state statutes and all of that and this ordinance includes the standards higher, lower etc and it absolutely does cover the question you had about if it was illegal. Melanie Church, I think we need, the way I am reading higher standard to prevail says it does not matter what a court or anyone else says. If you feel it is a higher standard than it stands whether it is legal or illegal and I ask for the attorney's opinion on that. Sal Vitrano, the issue in Melanie's mind is if a court of competent jurisdiction determines to take any provision of this ordinance invalid, the whole ordinance should become invalid and that is not typically the way these matters are handled. It is more typically as described in the charter if a particular provision is deemed to be invalid that provision is invalid and the remainder of ordinance stays in effect, the lesser of the two is determined null. I have not reviewed this recently and I do not know if there was that same savings clause but I think if not I would bet that there is a general savings clause in the ordinances and if there is not I would certainly would put a general safety clause in this provision. The policy decision is whether you wanted to add one as suggested, one provision is the deemed to be invalid the whole thing is invalid, or one provision is invalid and remainder valid. Decision of council who will pass on the overall language of this ordinance and to the Mayor, much of what is being discussed today is more appropriately discussed in the public hearing as that is precisely what the public hearing is designed to do. This is really just the first presentation to the board and you might want to make everyone know they will have time at public hearing to make comments again in addition to others. Mayor Festa thanked the commission for the wonderful work that has been done and appreciate the time and effort put forward.

MOTION: To schedule a public hearing to hear public comment on this blight ordinance and looking at a date of October 19th which is a Monday evening by Councilwoman Schenkel, second Councilman Sekorski. Discussion: Councilwoman Jandreau stated she has a WPCA meeting that night Councilwoman Schenkel withdrew her motion and Councilman Sekorski withdrew his second

MOTION: To discuss dates that the Council find favorable to hold a public hearing on issue; Mayor Festa stated he needs to publicize the motion under a legal notice and need 10 days period of time and suggest to look further toward the end of the month by Councilwoman Schenkel; second Councilwoman Jandreau. Discussion: October 20th suggested by Councilman Giancesini. Vote: unanimous.

MOTION: To hold a public hearing on October 20, 2009 at 7 p.m. in the Community Room on the recommendation of the Ad Hoc Committee on Blight, by Councilwoman Jandreau; second Councilwoman Schenkel. Discussion: none. Vote: unanimous.

11. To Enter Into Executive Session To Discuss Litigation – MAFCO vs. Town of Plymouth

MOTION: To enter into Executive Session at 8:49 p.m. to discuss litigation, MAFCO vs. Town of Plymouth inviting the Mayor, Town Council and Town Attorney by Councilwoman Jandreau; second Councilwoman Schenkel and the vote unanimous. Mayor Festa called the meeting back to order at 9:05 pm

12. To Take Action, As May Be Necessary, From Executive Session

MOTION: To settle MAFCO vs. Town of Plymouth \$100,000 by Councilwoman Jandreau; second Councilwoman Schenkel. Discussion: none. Vote: unanimous.

13. Liaison Reports

*Council Denski – Board of Education report given noting recognition of new school staff; ING unsung hero award was presented to Mr. Nave at THS WWI and WWII restoration and grant to bring students to Washington DC for restoration of monument; teacher of year to Mrs. Wessman; new sign at THS has been installed; Parks and Recreation update; Library Board, book sale Oct 16-17, internship program for high school student has been implemented.

*Peter – WPCA cancellation; Inland Wetlands, routine meeting; Planning & Zoning, heavy schedule; SBC, temporary c.o. extension until end of school year; had a tour of sewer treatment plant exceptional and very complicated facility in complying with state mandates

*Councilwoman Jandreau – Human Services, no meeting; Fire Commission, Chief's report is in Plymouth Connection, Fire Marshal report read into record; I/W, Housing Authority attended; Planning/Zoning attended by Peter; Public Works, Tony Lorenzetti report read into record; James Schultz, Highway Superintendent, report read into record.
Mayor Festa stated hours at brush dump as of this Saturday is 7 am-4 pm through October for purpose of leaf collection due to fact a lot of construction and hours reduced for fall clean up.

*Councilwoman Schenkel – excused by BOF to attend their meeting as it was her 27th wedding anniversary.

*Councilman Sekorski – no report.

*Councilwoman Jandreau – also attended EDC meeting.

14. Public Comments

- a. Melanie Church, 328 Main Street, understand that tax sales are coming up and would like to know if that money that comes from tax sales is going into general fund as we the taxpayers have been paying it for several years.
- b. John Wunsch, 10 Armbruster, at next SBC asking that letter be sent to Lauretano for donating sign and can the town send a thank you. Mayor Festa stated a thank you note already went off a while back and will do another one as well. Did speak with Joann and there will be photo op later this week to have SBC members, Superintendent, Lauretano to take picture. Well deserved public accolade for Lauretano for job done and appreciate suggestion.
- c. Keith Golnik, 46 Orchard Street, can you update on standing of PSS proposed purchase bid thing. Is there a public hearing or in any process. Mayor Festa stated Council had a public forum for people to address; Council has not taken issue and will be forthcoming at which time the Council will make decision. Keith, believe expiration date some time in mid November. Mayor Festa stated there is an expiration date.

15. Council Comment

- a. Councilwoman Jandreau – for Keith – at the last meeting who tabled blight, motion read into record. And there was no table. Thanked the blight committee for their hard work and they did great job. Had opportunity to attend the Plymouth Fire Company anniversary dinner and as usual a great job and great bunch of guys; we are lucky in this town to have a volunteer fire department who works hard and are good to everybody.
- b. Councilman Ganesini – based on news from Cathy Kosak, on his street a property operated as salvage yard and zoned RA2 and notice odor which was insulate and heavy gauge copper wire burned in heavy drum – described; does not think that anybody can do what they want on property when endanger community. Believe blight ordinance is important; there are extremes on one side when people doing things know shouldn't, but do not have right to endanger community and population in general.
- c. Councilwoman Schenkel – every time w have charter revision members point out we miss a deadline and true, we did. Impact is that all the recommendations by Charter Revision get to be put forward to a vote; all proposals are being put forward to community. There are certain words the law looks at and cannot use terms as subvert or subversion and take great exception as to characterization taken tonight and ask the Mayor that have proof brought forward and investigation and if not, explore options for recourse of this Council. Thank the community for privilege and honor to serve last two years and proud of what these people have done and say that even our opponents are a good group of decent people and no matter what happens on November 3rd the Plymouth community will benefit.
- d. Councilwoman Denski stated she cannot make the Parks/Recreation meeting on Thursday if anyone available to cover let her know.
- e. Mayor Festa, one issue on public awareness, held flu clinic on 28th and had 325 participants and the next flu clinic will be held for seasonal flu and as of this afternoon, Tony Orsini and himself sat on teleconference on H1N1 and things up

in the air and slowly doling out vaccines and do have categories, reviewed. There have been 60 deaths of children and 28 pregnant who have died from H1N1. Vaccine for CT will ship from federal to state level and will set up workshops relative to flu clinics.

16. Adjournment

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

Meeting adjourned at 9:30 p.m.

Respectfully submitted,
Robin Gudeczauskas, Clerk of the Council