

**Town of Plymouth**  
**80 Main Street**  
**Terryville, CT 06786**  
**www.plymouthct.us**

**Plymouth Town Council**  
**Telephone: (860) 585-4001**  
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**Minutes**

**September 1, 2015**

**Call to Order:** Mayor David V. Merchant called the scheduled September 1, 2015, Plymouth Town Council Regular Meeting to order at 7:25 p.m., in the Community Room, Town Hall.

**Roll Call:** Present were Town Councilman William Heering, Mayor David Merchant, Town Councilwoman Sue Murawski, Town Councilman John Pajeski, and Town Councilman Tom Zagurski. Also in attendance were Plymouth Police Chief Karen Krasicky, Plymouth Emergency Management Director Anthony Orsini, Plymouth Town Clerk Barbara Rockwell, Town Attorney William Hamzy, Interim Finance Director Ann Marie Rheault, Plymouth Assessor Rae Ann Walcott, and Interim Public Works Director Charles Wiegert and.

**Fire Exits Notification**

Mayor Merchant noted the Fire Exits for the record.

**Pledge of Allegiance**

Mayor Merchant led the Plymouth Town Council and the Public Audience in the Pledge of Allegiance.

**Invocation**

Mayor Merchant stated, "May God Bless the Town of Plymouth and May God Bless the United States of America" for the record.

**Council Rules and Procedures**

Mayor Merchant stated he wanted to add three Tax Refunds to this evening's Agenda as follows: Patrick Draper \$253.68; Pellum Dinkollari \$29.48 and Hyundai Lease \$397.52.

Town Council Murawski made a motion, seconded by Town Councilman Zagurski, to add the following Tax Refunds to this evening's Agenda: Patrick Draper \$253.68; Pellum Dinkollari \$29.48 and Hyundai Lease \$397.52, to this evening's Agenda. This motion was approved unanimously.

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**Acceptance of Plymouth Town Council Regular Minutes August 4, 2015 and Plymouth Town Council Public Hearing Minutes August 4, 2015**

Town Councilwoman Murawski made a motion, seconded by Town Councilman Zagurski, to accept the August 4, 2015, Plymouth Town Council Regular Meeting minutes as presented. This motion was approved unanimously.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Zagurski, to accept the August 4, 2015, Plymouth Town Council Public Hearing minutes as presented. This motion was approved unanimously.

**Mayor's Report**

**Public Comments on Non-Agenda Items**

Keith Golnik, 46 Orchard Street, Terryville, stated someone had brought a post to him made on a public social media page to him, noting the Town Tax Assessor had a discussion on Inland Fuels and stated something to the affect because her hours were cut she probably wouldn't have time to put Inland Fuels on the Grand list, and briefly explained why it troubled him and why he thought it was grounds for termination.

Melanie Church, 328 Main Street, Terryville, stated the Public Works Advisory Commission held an Executive Session meeting with Charlie Wiegert regarding his job description, noting it disturbed her and briefly explained her reasoning. Melanie Church stated the Safe Routes to School Project was starting in a few weeks, noting there had not been a Public Hearing and briefly explained why there should be. Melanie Church stated the Greystone Road issue was dangerous and that it had been two years from when she first reported the problem. Melanie Church stated the appropriation brought forward tonight should come out of a one-time appropriation.

When questioned by Town Councilman Zagurski, Melanie Church stated Greystone Road was melting at all of the stop signs and could be very dangerous should a motorcycle come down and hit the area, noting they could file a lawsuit because the Town knows about it.

Cathy Kosak, 201 Harwinton Avenue, Terryville, stated there were several Town generators that were old and someone should start looking into grants from Homeland Security right away.

Robert Ives, 282 Main Street, Terryville, stated he did not see the comments referred to by Mr. Golnik, but he had driven by Inland Fuels and they had put an enormous amount of asset on it. He further stated it was an enormous business, and it should be priority one to get something this large onto the Grand List at the earliest opportunity, above or beyond anything else.

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**Public Comments on Non-Agenda Items Cont'd.**

Crystal Doyle, 43 Gosinski Park, Terryville, stated if the Council appoints the Housing Board then the Council was responsible for their actions and briefly explained her comment. She stated the residents were living under horrendous conditions. Crystal Doyle stated the residents had made it quite clear they wanted the entire Board removed and cited term ending dates and questioned why they hadn't been removed. Crystal Doyle stated that Tim Bobroske and his staff had made the Park like a home and repairs, etc., had been taken care of right away. Crystal Doyle stated that the Chairwoman Helen Nejfelt had put Arlene Wood back on the board illegally and briefly explained her comment.

John Murphy, 385 Greystone Road, Terryville, stated the Assessor's hours were cut and what you could do in 40 hours you couldn't do in 25. John Murphy stated he had sent an FOI request for the Town Engineer/Public Works Director job description and that the Advisory Board did not know what his job duties were and briefly explained his comment.

**Appointments/Resignations: To reappoint James Deutsch to the Conservation Inland-Wetlands Commission; to reappoint Richard Foote to the Historic Property Commission; to reappoint Stephen Mindera to the Historic Property Commission; to reappoint Sally Bain-Picard to the Human Services Commission; to reappoint Christopher Drew to the Human Services Commission**

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Murawski, to reappoint James Deutsch to the Conservation Inland-Wetlands Commission. This motion was approved unanimously.

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Murawski, to reappoint Richard Foote to the Historic Property Commission. This motion was approved unanimously.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Zagurski, to reappoint Stephen Mindera to the Historic Property Commission. This motion was approved unanimously.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Zagurski, to reappoint Sally Bain-Picard to the Human Services Commission. This motion was approved unanimously.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Zagurski, to reappoint Christopher Drew to the Human Services Commission. This motion was approved unanimously.

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**Discuss and take action to refund the following Property Taxes: Michael Gaffney \$200.53; Jeanine Audette \$13.75; Heidi Caron \$50.40; Ronald Brunelle \$130.27; John Murphy \$75.34; Paul or Susan Leclair \$2,487.37; Dennis Kendall \$36.74; Honda Lease Trust \$168.65; Allen Faucher \$4.50; Barbara Wilde \$5.07; Barbara or Eugene Kaczypenski \$5.77; Margaret Grenier \$27.99; Adrian or Katrina Monagas \$208.61, Patrick Draper \$253.68; Pellum Dinkollari \$29.48, Hyundai Lease \$397.52**

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Murawski, to refund the following Property Taxes: Michael Gaffney \$200.53; Jeanine Audette \$13.75; Heidi Caron \$50.40; Ronald Brunelle \$130.27; John Murphy \$75.34; Paul or Susan Leclair \$2,487.37; Dennis Kendall \$36.74; Honda Lease Trust \$168.65; Allen Faucher \$4.50; Barbara Wilde \$5.07; Barbara or Eugene Kaczypenski \$5.77; Margaret Grenier \$27.99; Adrian or Katrina Monagas \$208.61, Patrick Draper \$253.68; Pellum Dinkollari \$29.48, and Hyundai Lease \$397.52. This motion was approved unanimously.

**Discuss and take action to approve the Resolution to enter into a Lease Agreement with Tyco**

Town Councilman Zagurski made a motion, seconded by Town Councilman Heering, to approve the Resolution (Exhibit C) to enter into a Lease Agreement with Tyco.

Discussion:

When questioned by Town Councilman Zagurski, Mayor Merchant stated this project had been a State Bid and the Board of Education had used the same one for their building, which could be examined online at the State Website using the bid number.

Town Councilman Zagurski stated he wanted it noted for the record that it had been a State Bid.

Vote:

This motion was approved unanimously.

**To remove from table, discuss and take action to adopt the Ordinance to exempt ambulance-type motor vehicles from the Personal Property Tax**

Town Councilwoman Murawski made a motion, seconded by Town Councilman Zagurski, to remove from table, discuss and take action to adopt the Ordinance to exempt ambulance-type motor vehicles from the Personal Property Tax. This motion was approved unanimously.

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**To remove from table, discuss and take action to adopt the Ordinance to exempt ambulance-type motor vehicles from the Personal Property Tax Cont'd.**

Attorney Hamzy stated he had researched the City of Bristol's Ordinance for the ambulance-type motor vehicles from the Personal Property Tax, noting he had worked with Vinnie Klimas on the new wording for the Ordinance and outlined it in detail and at length.

Town Councilman Zagurski questioned the "power seat" wording asking what that statement meant. Attorney Hamzy stated the vehicle had to meet one of the two definitions in the handout in the Council's packets; a brief discussion followed.

Town Councilman Zagurski, referring to the word "exclusively" in Section 3, questioned if a regular family member could use the car. Attorney Hamzy stated the vehicle could only be used to transport the disabled person if they had a sibling/parent caring for them or a personal attendant they could be in the vehicle riding with them; a brief discussion followed.

Attorney Hamzy stated in Section C the wording would allow the Assessor to exempt the total value of the vehicle including any added adaptive equipment, minus any equipment considered cosmetic, luxury or recreational which wasn't necessary for the modification of the vehicle; a brief discussion followed.

Town Councilman Heering questioned if the Ordinance was attached to any kind of financial hardship. Attorney Hamzy stated if the vehicle met all the requirements then the Assessor was authorized to approve the abatement.

Vinnie Klimas, 5 Coral Drive, Terryville, stated the Ordinance addressed the items raised at the last meeting and briefly explained his statement. Vinnie Klimas stated the bottom line was to exempt the equipment for the vehicle, noting you were not exempting the entire vehicle and briefly explained the summary of the Ordinance and urged the Council to approve it.

Rae Ann Walcott, Town of Plymouth Assessor, referring to Section C, noted she does not price vehicles by base value but by the most common vehicle by NADA and briefly outlined the process. She further stated she would prefer to make it a little simpler on her by just saying exempting the vehicle with the adaptations, noting she couldn't give prices on the adaptations; a brief discussion followed. Rae Ann Walcott stated it was well written and easy to administer.

Ernest Pickhardt, 3 Burger Road, Terryville, referring to B3-used exclusively the vehicle may be used by either the handicapped individual along with the person operating the vehicle but it could also be used by family members or personal assistant without the handicap person being in the vehicle. Attorney Hamzy stated there were two types of vehicles; ambulance type vehicle and any vehicle owned by person with disabilities and briefly explained the section.

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**To remove from table, discuss and take action to adopt the Ordinance to exempt ambulance-type motor vehicles from the Personal Property Tax Cont'd.**

Pattie DeHuff, 20 Lynn Avenue, Terryville, stated she understood Mr. Pickhardt's statement and noted the Reverend had said he had one vehicle and he used it to go grocery shopping and the way it reads now, it says "for no other purpose" and questioned it. Attorney Hamzy stated the vehicle could be used for whatever person as long as it was adapted to transport the person with the disability.

Vinnie Klimas stated he disagreed with the statement making it for the whole vehicle, noting it would defeat the purpose and briefly explained his reasoning.

Cathy Kosak stated it was confusing to follow the issue and questioned the Assessor's statement and questioned if the State assessed the added on equipment and briefly explained her comment.

Rae Ann Walcott stated she assess every motor vehicle in the Town and briefly explained the process she follows. She further stated there were 405 handicapped plates registered to the Town and noted it didn't mean the vehicle was altered and there was probably a small number that would fall into this Ordinance.

John Murphy stated he was all for giving people tax abatements, but felt this might be a little dicey and briefly explained his statement.

Keith Golnik stated the entire vehicle would have to be exempt and briefly explained his comment.

Attorney Hamzy stated if the Council wanted to exempt the entire vehicle then the last sentence in Section C would have to be deleted.

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Murawski, to approve the Ordinance for the exemption of the Personal Property Tax of certain motor vehicles, Section 15-95 and the last sentence in Section C be removed.

Town Councilman Zagurski withdrew his motion; Town Councilwoman Murawski withdrew her second.

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Murawski, amend the Ordinance and remove the last sentence in Section C. This motion was approved unanimously.

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**To remove from table, discuss and take action to adopt the Ordinance to exempt ambulance-type motor vehicles from the Personal Property Tax Cont'd.**

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Murawski, to adopt the amended Ordinance, Section 15-95, Exemption from Personal Property Tax for certain motor vehicles. This motion was approved unanimously.

**Discuss and take action on an Emergency Appropriation of \$75,000 for the setup, installation, and other costs incidental to a generator replacement at Town Hall.**

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Murawski, to approve the Emergency Appropriation of \$75,000 for the setup, installation, and other costs incidental to a generator replacement at Town Hall. This motion was approved unanimously.

**To approve the purchase of 62 Smith Street**

Mayor Merchant stated the Council members had received a copy of the signed contract for the Town to purchase of 62 Smith Street for the purpose of the retention pond on Bemis Street in their Council packets.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Zagurski, to approve the purchase of 62 Smith Street.

Discussion:

Melanie Church stated she hadn't seen a contract from the State and maybe she missed it and the Council never voted on it and briefly explained her comment.

Mayor Merchant stated the property was appraised at \$155,000.00 and the Council had correspondence from the Project Manager-Department of Transportation, which noted the Town would be reimbursed in two week's time from the receipt of the required right-of-way documentation, which the Town Attorney would put together once the sale was complete.

John Murphy stated the property had been appraised 2009 for \$50,000.00 and he bought his property in 2006 for a little over \$300,000 and now it was \$250,000 and noted someone was getting a pretty good deal.

Keith Golnik stated buying the property for less than the appraisal value was pretty good and noted the resident had to move the septic system at his own cost, and the resident was also losing the use of the garage and shed that would be taken down, so the Town wasn't just paying for the property and that it was a pretty good deal.

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**To approve the purchase of 62 Smith Street Cont'd.**

Town Councilman Zagurski noted the letter from the State had stated the Town could acquire the right-of-way and noted the Town wasn't really getting a right-of way, the Town was buying the property.

Attorney Hamzy stated the Town taking or purchasing of property required to do a road project fits in the definition of "right of way."

Vote:

This motion was approved unanimously.

**Discuss and take action on Historical Preservation Grant, Barbara Rockwell, Town Clerk**

Barbara Rockwell stated this item was an annual request from her office to the Town Council, noting the amount of the grant was \$3,000.00. She further stated that the Council needed to approve the Mayor signing off on the application for the Historical Preservation Grant and a Resolution would come through with the State approval.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Zagurski, to authorize the Mayor to sign the application for the Historical Preservation Grant. This motion was approved unanimously.

**To discuss and take action on a request from the Town Clerk to charge fees for Notary services**

Barbara Rockwell stated the Town did a ton of notaries; sometimes multiple pages and noted every Town charges \$5.00 per signature, as well as banks. She further stated the banks send the people to her office now because there is no charge. Barbara Rockwell briefly detailed the process, noting sometimes it was time consuming.

Town Councilman Zagurski stated he felt that local residents paid plenty in taxes, but he was more than willing to charge non-residents and thought that was what Barbara Rockwell would be bringing forward this evening.

When questioned by Town Councilman Pajeski, Barbara Rockwell stated 60 percent of the notary requests were from out of town people and 40 percent were from Town residents.



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**To discuss and take action on a request from the Town Clerk to charge fees for Notary services Cont'd.**

Town Councilman Zagurski stated the Council had previously questioned if only non-residents could be charged. Barbara Rockwell stated she wasn't in attendance at that meeting.

Town Councilman Pajeski made a motion to allow the Town Clerk to charge fees for Notary services. Motion failed for lack of a second.

**To discuss and take action to authorize the Mayor to apply for the Neglected Cemetery Account Grant Program**

Charles Wiegert stated he had received an email for a Grant opportunity for \$2,000.00 from the State of Connecticut under Neglected Cemetery Account Grant Program and briefly explained the grant.

When questioned by Town Councilwoman Murawski, Charles Wiegert stated the Board of Finance had already given their approval to apply for the grant.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Zagurski, to authorize the Mayor to apply for the Neglected Cemetery Account Grant Program. This motion was approved unanimously.

**Real Estate Committee Report**

Town Councilman Pajeski made a motion, seconded by Town Councilwoman Murawski, to move into Executive Session at 8:33 p.m., to discuss Real Estate Negotiations. This motion was approved unanimously.

Present for the Executive Session were Attorney Hamzy, Town Councilman Heering, Mayor Merchant, Town Councilwoman Murawski, Town Councilman Pajeski, and Town Councilman Zagurski.

Mayor Merchant called the Plymouth Town Council meeting back into the Regular Session at 8:41 p.m.

**Take Action on Executive Session if necessary**

No action taken.

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**Town Council Liaison Reports**

Town Councilwoman Murawski stated that Planning and Zoning had approved Schultz Corporation to remove materials at Inland Fuels Terminal. Town Councilwoman Murawski stated the Public Hearing for the proposed Gun Range on Wolcott Road had been continued to September 10<sup>th</sup>. Town Councilwoman Murawski reported that Chief Sekorski had stated a yard hydrant would be installed at Inland Fuel Terminals. Town Councilwoman Murawski stated the Fire Department had done training for residential solar panels and the same training would be done for the school's solar panels. Town Councilwoman Murawski stated the Fire Marshal had reported that snow could not be removed from around the panels on the Eli Terry Jr. Middle School's roof and that snow would be measured and school would be cancelled if it reached an unsafe weight.

Town Councilman Zagurski stated he had nothing to report on at this time.

Town Councilman John Pajeski reported the Human Services Department Backpack Program went well (75 children received backpacks) and provided total numbers of calls. Town Councilman Pajeski stated they were still working on the 501c and hoped to get things moving soon. Town Councilman John Pajeski stated Gosinski Park was still a mess and briefly explained his statement, noting there was an incident of a refrigerator that had been broken for three weeks, nothing was done and it was just replaced.

Town Councilman Heering stated the Conservation Inland-Wetlands Commission did not meet in August, but would be meeting tomorrow night. Town Councilman Heering stated the Police Commission would be meeting on September 8<sup>th</sup> and the Board of Education would be meeting on September 9<sup>th</sup> at Terryville High School. He further stated the Board of Education had discussed term limits for its members. Town Councilman Heering stated the Board of Education had discussed the bussing issue for inter-district students (Magnet Schools), noting some minor problems remained. Town Councilman Heering stated the Board of Education was continuing discussion on the Charles Street Project, noting counterproposals from the audience had been offered. Town Councilman Heering stated an Out-of-State Field Trip had been approved for the Terryville High School students to attend a Students Against Destructive Decisions on Substance Abuse in Nation Harbor Maryland/Washington DC in February 2016. Town Councilman Heering stated that sidewalk repair had taken place in front of Terryville High School. Town Councilman Heering stated that Superintendent Semmel had stepped up his communications effort and he had started a Facebook page, as well as a Twitter feed. Town Councilman Heering stated that Terryville High School would be holding Open House for the parents on September 10<sup>th</sup>, Eli Terry Middle School on September 8<sup>th</sup>, Plymouth Center School on September 16<sup>th</sup> and Fisher Elementary School on September 17<sup>th</sup>.

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**Council Comments**

Town Councilman Heering stated he was thrilled to see that Jim Deutsch had reapplied to the Conservation Inland-Wetlands Commission, noting he was a genuine asset to the Commission.

Town Councilman Pajeski stated he had no comments at this time.

When questioned by Town Councilman Zagurski, Mayor Merchant and Attorney Hamzy stated that the Linda Cyrulik's water lien assessment issue had been resolved and the liens had been released.

When questioned by Town Councilman Zagurski, Charles Wiegert stated the problems that Greystone Road was experiencing last year were repaired this year, but the road was still failing in a different manner now, noting a different contractor was being brought in to work on the issue. He further stated the problems areas would be fixed and the contractors stated they would stand by their work and it was under warranty; a brief discussion followed.

Town Councilwoman Murawski stated she had no comments at this time.

**Adjournment**

There being no further business of the Plymouth Town Council, Town Councilwoman Murawski made a motion, seconded by Town Councilman Zagurski, to adjourn at 8:48 p.m. This motion was approved unanimously.