

1. CALL TO ORDER – The Special Meeting of the **Town of Plymouth Town Council** was called to order by Mayor Vincent Festa on **Monday, May 10, 2010 at 7:04 p.m.** in the Plymouth Town Hall Assembly Room. Members in attendance: Councilman Martin Sandshaw, Councilwoman DiAnna Schenkel, Councilman David Sekorski, Councilman Tom Zagurski. Excused absent Councilman John Wunsch. Also present: David Bertnagel, Comptroller; Robin Gudeczauskas, Clerk of the Council; Attorney Sal Vitrano.

2. FIRE EXIT NOTIFICATION

3. PLEDGE OF ALLEGIANCE

4. TO MOVE TO SCHEDULE TUESDAY, MAY 25, 2010, AS THE DATE FOR THE SECOND BUDGET REFERENDUM FOR THE PURPOSE OF ADOPTING A BUDGET

**MOTION:** To schedule Monday, May 24, 2010 as the date for the second budget referendum for the purpose of adopting a budget by Councilwoman Schenkel; second Councilman Sandshaw. Discussion: Councilman Sandshaw, I have had some people call me and say the last time they voted at the referendum they voted no because they felt some budgets should have more money than being proposed. Is there any way that we can change that ballot for yes if it is yes but if it is no it is because we wanted more or we wanted less. I don't know if we even want to approach it but some people called me and I said well I will bring it up. Mayor Festa, one of the things that was discussed during Charter and Tom could probably address it far better than I as chairman and DiAnna Schenkel as well from when she was involved. The issue we raised was whether or not we needed a section as people voted no the reason why, too much of an increase in taxes, not enough increase or with the revenue or expenditure side of it. And that was bantered around for quite a while, Tom, and it was decided not to do that. Councilman Zagurski, yes. Mayor Festa, it gives you a very difficult understanding of how people actually voted for it. Yes. Attorney Vitrano, Mr. Mayor and Councilman Sandshaw if you want to advise those people that there is a public hearing and that is an opportunity to come and say what you think about the budget and how it should be adjusted and that might be the way to get their input because you are right it is hard to tell why people rejected it. But, so the public hearing is a good time. Councilman Sandshaw, that is why I said I would bring it up at the special meeting. Mayor Festa, I have gotten a number of calls also and some people talked of various issues talked about relative to increase in some of the budgets, other people called didn't like the increase at all, other people came in and blocked vote simply because they are having trouble within their particular area and feeling that their taxes aren't being spent to protect them and therefore they are not going to spend any more on an increase until they get some action taken care of, private matter but you know. Any other discussion. Councilman Sekorski, I would just like to say for the record, that you know, it is still disappointing that you have 500 people just determining the budget when you have 2500 - 2700 eligible voters. That is the worse commentary because we you know I was a big advocate when we went to referendum at the time when I was involved in the earlier Council to get more people engaged because we got at that time was that especially when we went to town meeting and didn't like it

because people, it was able to be railroaded by anybody who wanted to adjust the budget on any given night. So, you know, I am not sure what we can do under absolutely unusual circumstances and so hopefully we get more people out to vote. And that is what we can hope for, I would tell people to get out to vote. Councilwoman Schenkel, the biggest issue I've heard was it was not advertised enough and that our two newspapers really didn't promote the referendum and people just were not aware and than the other things that were going on in town people were distracted. Councilman Sekorski, exactly. What was the consideration for the move to Monday Mr. Mayor. Mayor Festa, I can explain that. The bottom line is that there is a 20 day period between the first referendum and the time in which we can hold the second. Relative to that particular issue to try to get quorums for the Board of Finance, Board of Education joint meeting, try to get a quorum for the Town Council taking into consideration some things that occurred beyond our control. And also with the understanding that we were not sure whether or not the second referendum had to fall under the same guise as original referendum. Setting up the time frame with a legal notice, x number of days, calendar days versus x number of business days versus how many days prior to, a second notice has to go out and so on and so forth. So I did seek legal counsel relative to because the other side of the coin is when you look at the date that the joint meeting has to be held and the public hearing, it would not be enough time to put it into the newspaper within that five day time frame, the actual budget that is going to be proposed if there is going to be a change in the budget. So one of the things I would like to read a statement to you so you will understand what is going on. We have the same budgets from the Board of Ed and the Board of Finance and what we have done is put what I would consider a disclaimer on it and it reads as follows: "The budget published herein is that which will be the subject of a public hearing and action by the Board of Finance, Board of Education and the Plymouth Town Council on May 17, 2010. Said budget subject to any changes made on May 17, 2010 shall be the subject to action by the electors and qualified taxpayers at the referendum to be held on Monday, May 24, 2010". That will give us an opportunity to at least have this publicized out and about to the community, it was already posted today. It will give us the opportunity to have the legal notice which was put in the paper about the joint meeting and also to give us the opportunity to put in the legal notice relative to the budget which will be one and the same with this disclaimer attached to it as well. If we didn't do that, any action taken on the 17<sup>th</sup> could not be published within at least the five day prior to and therefore we would be in violation of. That is if in fact we understood the intent of the Charter Revision Commission and the vote was to hold a second referendum in the same frame that you hold the first; however there is no language whatsoever other than the time frame that was to be changed. So I double checked with the town clerk today and she felt there was nothing there as well either. So just to cover ourselves we went this route which I think was a good suggestion on the part of legal counsel. Councilman Sekorski, so the public hearing date was set by the Board of Finance already. Mayor Festa, right, correct. Councilman Sekorski, very good, thank you. Councilwoman Schenkel, I just want to say one more thing about turnout. The way it was expressed in the newspaper people misunderstood and thought there was a 1.99% mill increase; which it wasn't. It is a 1.99% over the entire budget and actually a .68% mill increase. So there was a lot of misunderstanding but the way the headline read and people read into that and

thought it was 2 mil increase and they were upset. Mayor Festa, any other discussion. Seeing none I will gave a vote. Vote: unanimous.

5. ADJOURNMENT

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

Meeting adjourned at 7:12 pm.

Respectfully submitted,

Robin Gudeczauskas  
Clerk of the Council