

Town of Plymouth
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Plymouth Town Council
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Minutes

November 2, 2010

Call to Order: Mayor Vincent Festa, Jr., called the scheduled November 2, 2010, Plymouth Town Council Meeting to order at 7:12 p.m., in the Community Room, Town Hall.

Roll Call: Present were Mayor Vincent Festa, Jr., Town Councilman Martin Sandshaw, Town Councilwoman DiAnna Schenkel, Town Councilman John Wunsch, and Town Councilman Tom Zagurski. Mayor Festa stated that Town Councilman David Sekorski had an excused absence. Also in attendance were David Bertnagel, Director of Finance, Ad Hoc Blight Committee Member Brian Barnes, Ad Hoc Committee Member Lawrence Deschaine, Ad Hoc Committee Member William Hubbard, Ad Hoc Committee Member/Chairwoman Barbara McClellan and Ad Hoc Committee Member Donald Souza.

Fire Exits Notification

Mayor Festa noted the Fire Exits for the record.

Pledge of Allegiance

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

Acceptance of Minutes

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Sandshaw, to accept the October 5, 2010, Town Council Minutes as presented. This motion was approved unanimously.

Council Rules and Procedures

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Zagurski, to amend Agenda, Item No. 9, to add the appointment of Anthony Vellucci, to the Library Board of Directors. This motion was approved unanimously.

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Public Comments on Non-Agenda Items

Melanie Church, 328 Main Street, Terryville, noted that when she had attended a recent Planning and Zoning Meeting, there was a permit for a sign to go up at the Waterwheel site and questioned what that was about.

Mayor Festa stated that the sign at the Waterwheel site would be for the company that was handling the remediation work and that by virtue of Federal and State guidelines, any Town projects that were funded with Federal and/or State monies, required that the property have signage indicating who was doing the work and under what jurisdiction.

To review and take action on the final report of the Ad Hoc Committee on Blight

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Wunsch, to untable the discussion to review and take action on the final report of the Ad Hoc Committee on Blight. This motion was approved unanimously.

Chairwoman Barbara McClellan stated that the Ad Hoc Blight Committee had met last week and had discussed, at length, each and every Town Council comment, question and concern, regarding the final draft report. She further stated that every change that could be met had been, except where legally not viable.

Chairwoman McClellan distributed copies, and reviewed the draft ordinance report changes, by each page and by each item.

Chairwoman McClellan stated that on Page One, under Section 7-60, Declaration of Policy, storage of unregistered vehicles had been changed to the numeral "two (2)" and that the words "including campers" had been added, as requested by Town Council.

Chairwoman McClellan stated that on Page Two, under Accumulating refuse, the word "private" had been removed, as requested by Town Council.

Chairwoman McClellan stated on Page Two, under Junkyard, the words "As defined in Article 2, Section C of the Plymouth Planning and Zoning Regulations" had been added, noting that the Town Attorney, Salvatore Vitrano, had stated the zoning definitions should be consistent and he had included this (along with a separate attachment) to explain what a junkyard was defined as.

Chairwoman McClellan stated that on Page Three, under Section 8-24, everything the Town Council had wanted to say about the Housing Code had been changed as requested, including the recommendation for a State of Disrepair or becoming dilapidated.

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To review and take action on the Ad Hoc Blight Committee Final Report Cont'd.

It was noted that the Ad Hoc Blight Committee had kept the existing definition in place for section 8-23 (1 through 9) with the addition of the words “or chimneys” under Item No. 2, because both recommendations could not be inserted, and that the Ad Hoc Blight Committee’s definition was more defined and more explicit.

Chairwoman McClellan stated that the Ad Hoc Blight Committee, on Page Four, under Item No. Seven, had eliminated the word/numeral “one” and had changed it to the word/numeral “two”, and added the words “or recreational vehicles such as campers”, as requested by Town Council.

Chairwoman McClellan stated that on Page Four, under This Ordinance, the Ad Hoc Blight Committee had added the section numeral “7-60” and “7-73” as requested by Town Council.

Chairwoman McClellan stated on Page Four, under section 7–62, the Ad Hoc Blight Committee had added in the word “town” as requested by the Town Council.

Chairwoman McClellan stated that on Page Five, under Section 7-67, Prohibition against creating or maintaining blighted premises, penalty, the Ad Hoc Blight Committee changed the fine amount from \$25.00 per day to \$50.00 per day, with a maximum fine of two thousand dollars (\$2,000.00) as requested by some of the Town Council members. She further stated that the maximum fine of \$2,000.00 would not go higher than that amount because every time in the past when the violations had escalated so high, the judge would not honor them. Chairwoman McClellan stated with this maximum fine, if the Town had to go to court, the amount would be honored.

Chairwoman McClellan stated that on Page Six, under Prohibition against creating or maintaining blighted premises, penalty, the Ad Hoc Blight Committee had added the words “Fines collected by the Town shall be put in a separate fund to be used to eliminate blight in the Town”, as requested by Town Council.

Chairwoman McClellan stated that on Page Seven, under Section 7–70, Code Enforcement Committee, the words “director of health” had been eliminated and the words “Town Sanitarian” had been added, as requested by Town Council.

Chairwoman McClellan stated that on Page Seven, under Section 7–70, Code Enforcement Committee, Item No. (e) the words “The Code Enforcement Committee shall provide a report to the Town Council every 6 months with activities and a list of properties that are on the Blight List for the Council to certify. Properties on the Blight list shall have photos and documentation”, as requested by Town Council.

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To review and take action on the Ad Hoc Blight Committee Final Report Cont'd.

Chairwoman McClellan stated that on Page Nine, under Section 7-70, Code Enforcement Committee, Item No. (f) had been added to read "The Code Enforcement Committee shall maintain a record of all proceeding and file minutes with the Town Clerk's Office" and that the Town Attorney had noted this addition requested by the Town Council, was fine with him.

Chairwoman McClellan stated that on Page Nine, under Section 7-73, Enforcement: Citations, the words "Director of Health" had been eliminated and replaced with the words "Town Sanitarian" as requested by the Town Council.

Town Councilman Wunsch, referencing Page Four, questioned if the word camper should be replaced with the words recreational vehicles. It was collectively agreed that recreational vehicles was covered under the word camper.

When questioned by Town Councilwoman Schenkel, Chairwoman McClellan stated that every vehicle, whether registered or not in Town, does need to be listed on the tax rolls.

When questioned by Town Councilman Zagurski, regarding "Abandoned vehicle and exception", Page Two, Chairwoman McClellan stated that she believed Section 10-61; Sec. 10-62; and Sec. 10-63, were from the Planning and Zoning regulations.

Ad Hoc Blight Committee Member L. Deschaine stated that this information could be found in the Code of Ordinance.

Chairwoman McClellan requested that everyone remember that these were only definitions and that they could be found in other places.

Town Councilman Zagurski stated he would like it to be made clearer in case someone wanted to know where to look for this information under the sections listed.

Town Councilman Zagurski stated that that he had noticed under "State of Disrepair", the Ad Hoc Blight Committee had not put any wording in concerning sidewalks and questioned if sidewalks were structures and could they be added into this section.

When questioned as to the importance of this addition by Chairwoman McClellan, Town Councilman Zagurski stated that in his opinion, the Town's sidewalks were the biggest blight problem in the Town.

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To review and take action on the Ad Hoc Blight Committee Final Report Cont'd.

Town Councilman Sandshaw stated he was in agreement with Town Councilman Zagurski's comment on blight and noted that there were sidewalks in Town that were not maintained and that they were in terrible condition. He further stated that the Town required people who put in subdivisions to install sidewalks and that if there was not a house in front of the walks, they were not maintained.

Town Councilwoman Schenkel stated that if the idea was to have business owners on Main Street repair and maintain sidewalks in front of their businesses, they were going to be very upset because they did not feel it was their responsibility to maintain those sidewalks. She further stated that the business owners felt that it was the Town's responsibility.

Ad Hoc Blight Committee Member W. Hubbard stated the Committee had discussed this item and that it had not been added in because sidewalks did not fall under health and safety and that they could still be cited under other sections included in the draft report. He further stated that the present ordinance would back this up allowing the Building Inspector to take action on the item, if necessary.

When questioned by Town Councilman Zagurski, Clarence Atkinson, Town Building Inspector, stated he was unsure if the item was adequately covered by the present ordinance and that he had not really viewed any blighted sidewalks because his main concern had been blighted property itself. He further stated that because of this reason, he did not have any comment on the item at this time.

Ad Hoc Blight Committee Member Brian Barnes, questioned if the ordinance meant that the streets and sidewalks were owned by the Town and noted that the Town of Bristol does own their sidewalks. Brian stated he was under the impression that the town owned the sidewalks.

Town Councilman Zagurski stated his comments were only pertaining to sidewalks.

Melanie Church, 328 Main Street, Terryville, cited an example in the past at 25 Prospect Street, Terryville and stated that five years ago one section of the sidewalk had become dilapidated and that the Building Inspector had notified the owner of the house that they had to repair that sidewalk. She further stated that the maintenance and repair of the sidewalk remains with the property owner and that the Prospect Street property owner had to dig it out and fix that one square of sidewalk. M. Church stated that if a sidewalk was dilapidated and someone trips on it the homeowner could be sued. M. Church stated that there was a section in the ordinance that stated snow removal was required by the homeowner within eight hours after a storm.

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To review and take action on the Ad Hoc Blight Committee Final Report Cont'd.

M. Church stated the Town could charge a fee if the snow was not removed, but in most cases on Main Street, the Town cleared it as a courtesy. Melanie Church stated that technically, anyone could claim discrimination because the Town was clearing Main Street and that was leaving the possibility open.

Ad Hoc Committee Member W. Hubbard stated that the Ad Hoc Blight Committee had a very lengthy meeting to address all of the concerns of the Town Council and that it would not be a big deal to add all the codes, but felt that they were already covered in the draft report. He further stated that it would be impossible to place all of the ordinances within the draft report because there was too much information and that was why they only made reference.

Town Councilman Zagurski stated that if the sidewalks were already covered under the ordinance then it was okay with him.

Mayor Festa stated that this issue was covered under Code Chapter 14 Streets, sidewalks and other public places and that it delineated the responsibility of the homeowner to clear and repair the sidewalks. He further stated that this section gave the authority to the Public Works Director to move forward, if necessary, to take action against the property owner.

Town Councilman Zagurski stated that under Section 7-67 "Prohibition against creating or maintaining blighted premises, penalty:", he had been satisfied with the previous \$25.00 fine and questioned why it had been changed.

Chairwoman McClellan stated that not everyone on the Town Council had been happy with the \$25.00 fine, so the Ad Hoc Blight Committee raised it to \$50.00.

When questioned by Town Councilman Zagurski, Chairwoman McClellan stated that when the fines max out at \$2,000.00, the Town could go to court to collect the monies. Referencing the Town of Plymouth Property Maintenance and Code Enforcement Article IV-Flow Chart Draft Report (see attachment), Chairwoman McClellan stated the process being questioned could be viewed on the chart. Town Councilman Zagurski, referencing Page Seven, Code Enforcement Committee, stated that he had spoken out against the Code Enforcement Police Officer.

Chairwoman McClellan stated that this item had been discussed at length with Chief Krasicky and that the Chief would be directing someone from the present Police force to work on the code enforcement on a very part-time basis, as needed, but that there would not be an additional Police Officer added as a result of the Ordinance.

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To review and take action on the Ad Hoc Blight Committee Final Report Cont'd.

When questioned by Town Councilman Sandshaw, Chairwoman McClellan stated that she was unsure if the Police Union had been in agreement with the Ordinance, noting that was above the Ad Hoc Blight Committee's scope of work.

Town Councilwoman Schenkel stated that under the Charter, the Police Chief was responsible for the day-to-day activities of the Police Department, and that if wanted to grieve an assignment it would be up to the Police Chief, the Police Commission, and the Mayor. Town Councilwoman Schenkel stated that some of the Police Commission members had said if there were a Police Officer available they had no problems with the Department assisting, noting that they were very supportive and cooperative of the issue; they were not looking to put this in under the definition of their union contract. She further stated this issue was no different than if there were a concert on the Town green that needed assistance.

Town Councilman Sandshaw noted that the Ordinance had stated that the Mayor or his designee would convene a Code Enforcement Committee consisting of the Police office attending the meeting(s).

Town Councilwoman Schenkel stated she understood it to mean that it did not have to be the same individual/same identified Police Officer every time, in attendance. She further stated that it would be the Police Chief, or her designee, attending the meeting(s) citing Section 7-70, Code Enforcement Committee, (a). She further stated the word "and" implied that in addition to the Police Chief/or the Police Chief's designee, the Code Enforcement Police Officer would also have to be taken out of the Police Department to attend the meeting.

Chairwoman McClellan stated that was a correct statement. She further stated that the intent of the Committee was to have enough representation from the different Town departments to ensure that there would be enough eyes and ears on the Committee enabling everyone blighted to get a fair deal. When questioned by Town Councilwoman Schenkel, Chairwoman McClellan stated that if the Chief's Designee was the Code Enforcement Officer that would be acceptable.

Mayor Festa stated this Ordinance differed from the previous one in that it now added three electors from the Town that would serve as a liaison to the overall Community, which was an important concept.

When questioned by Town Councilman Zagurski, Chairwoman McClellan stated that the Ad Hoc Blight Committee did not have a lot of involvement with the flow chart, created by the Zoning Enforcement Officer David Elder.

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To review and take action on the Ad Hoc Blight Committee Final Report Cont'd.

Chairwoman McClellan reviewed the flow chart process item by item.

When questioned by Town Councilman Zagurski, Chairwoman McClellan stated that if the person cited ignored the notice, the fine would generate from the date that the notice was first given. Chairwoman McClellan stated the intent of the Ordinance was not to collect fines, but to clean up the Town.

When questioned by Town Councilman Zagurski, Town Councilwoman Schenkel stated that a Municipal Citation was a paper to the court notifying them that the Town had served notice to the resident regarding the blighted property.

Ad Hoc Blight Committee Member W. Hubbard stated the Ad Hoc Blight Committee had answered all of the Town Council's questions and had given many hours to working on the proposed Ordinance and hoped that the Town Council would support the Ordinance as it had been rewritten to address all of their concerns, noting he did not want to go back to the drawing board.

Richard Whitney, 183 Lake Plymouth Boulevard, Plymouth, stated he was confused about the sidewalks and questioned if the Town own any sidewalks in Town.

Mayor Festa stated that by virtue of the Code, Chapter 14, the Town owned any sidewalk in front of Town property and the residents who have sidewalks on Main Street and side roads would be responsible for the upkeep and maintenance of the sidewalks in front of their own property.

When questioned by R. Whitney, Mayor Festa stated that the sidewalks being considered under the STEAP Program for the Route 6 Streetscape and the Safe Routes to School on North Main Street would be taken care of by grant monies provided. Mayor Festa stated that the Town would not maintain the sidewalks; they were being replaced with grant money. He further stated that as additional grant monies become available, other areas in Town that were in serious need of sidewalks, would be addressed. Mayor Festa stated that a Sidewalk Funding Budget Program also existed, but noted it had been depleted when \$40,000.00 had been taken from the program and put into the Waterwheel Project. He further noted this move was done by a Planning and Zoning vote.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman to accept the revised Property Maintenance and Code Enforcement, as proposed by the Ad Hoc Blight Committee, with the addition of the words "Code of Ordinance" under the Abandoned Vehicle and Exceptions, section. This motion was approved unanimously.

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To review and take action on the Ad Hoc Blight Committee Final Report Cont'd.

Mayor Festa thanked the Ad Hoc Blight Committee, on behalf of the Town Council members, for their hard work and efforts over the past seventeen months.

Town Councilman Sandshaw stated that reiterating what the Mayor had said, he wanted to thank the Ad Hoc Blight Committee for their patience with the Town Council, noting it had been an important endeavor for the citizens of the Town.

When questioned by Town Councilman Sandshaw, Mayor Festa stated he would begin the process for the Public Hearing; legal notice, etc., noting another meeting would have to be held to set a date. He further stated that another vote would be taken by the Town Council after receiving the Public input.

Mayor's Report

Historic Property Commission/Waterwheel Park-Streetscape Coordination of Projects

Mayor Festa stated the BL Companies and Milone & MacBroom, Inc., had met last week with the Historic Property Commission to move forward to coordinate all of the amenities for both projects. Mayor Festa stated this was to ensure that they were within the scope of the project and not in conflict with each other, i.e. same streetlamps, trash receptacles, benches, etc., and noted that the meeting had been very successful.

Beautification Committee

Mayor Festa stated that the Beautification Committee had held a Pumpkin Fest in Baldwin Park and noted that there were approximately 55 pumpkin entries and that 150/160 people had been in attendance. Mayor Festa stated that the Committee had been inspired to expand the festival for next year. Mayor Festa thanked Fire Chief Mark Sekorski and his men and women, for providing necessary lighting in the evening hours at the event. He further stated that the Fire Department had their Fire Truck on display, in coordination with Fire Prevention Month. Mayor Festa stated that the men and women had done an excellent job with the double hit and thanked both the Beautification Committee members and the Fire Department volunteers for their services and hard work in making the event so successful. Mayor Festa thanked Town Councilman Sandshaw for presenting him with a photograph of himself with the winning pumpkin, and also thanked Town Councilman Sandshaw's wife, Phyllis, for taking the photograph of the winning pumpkin, which weighed in at 790 pounds.

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Mayor's Report Cont'd.

Nutmeg Spice Company

Mayor Festa stated that he was happy to announce that the Nutmeg Spice Company was the newest business company in the Plymouth Industrial Park. He further stated that the company had begun their test borings and planned to be shovel-ready some time next month. Mayor Festa stated that hopefully, the company would be able to provide a few new jobs within the Community.

DEP/State of Connecticut scheduled for December Meeting

Mayor Festa stated that the Department of Environmental Protection (DEP) State of Connecticut would be coming in to the Town Council Meeting to talk about the particulars of the contaminated wells situation over at Burr Road and Harwinton Avenue in Plymouth.

Thomaston Savings Bank

Mayor Festa stated that the Thomaston Savings Bank had made a \$2,500.00 donation to the Plymouth Fuel Bank and wanted to publically thank Thomaston Savings Bank for their Community involvement and their interest in helping people in need, especially during this time of the year.

Appointments and Resignations

Mayor Festa stated that an appointment had been put forth to appoint Jeannine Jandreau to the Planning and Zoning Commission to fill a vacancy as a regular member, with a term expiration of September 2011.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Zagurski, to appoint Jeannine Jandreau as a Regular Member to the Planning and Zoning Commission with a term expiration date of September 2011. This motion was approved unanimously.

To accept the resignation of Scott Gray from the Water Pollution Control Authority

Mayor Festa noted that Scott Gray was returning to school to advance his degree and noted that his schedule would be in conflict with the meeting nights of the Water Pollution Control Authority's meeting calendar.

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Appointments and Resignations Cont'd.

Town Councilman Zagurski made a motion, seconded by Town Councilman Sandshaw, to accept the resignation of Scott Gray from the Water Pollution Control Authority, with regret. This motion was approved unanimously.

Mayor Festa stated that the Republican Town Committee had requested that Anthony Vellucci be appointed to the Library Board of Directors to replace Kristen Peltz, who resigned in August.

Town Councilman Zagurski made a motion, seconded by Town Councilman Wunsch, to appoint Anthony Vellucci to the Library Board of Directors. This motion was approved unanimously.

Town Councilman Zagurski made a motion, seconded by Town Councilman Sandshaw, to approve and take action to refund property taxes to the following: GMAC (\$179.67, \$252.63), Chase Auto Finance Corp (\$99.18), Toyota Motor Credit Corp (\$172.76), Glenn A. Aldrich (\$21.63), John Huria (\$212.21). This motion was approved unanimously.

To remove from the table to review and take action on the final draft of the Financial Policy Statement: General Fund Balance as recommended by the Board of Finance

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Sandshaw to untable the agenda item to review and take action on the final draft of the Financial Policy Statement: General Fund Balance as recommended by the Board of Finance. This motion was approved unanimously.

Financial Update Presented by David Bertnagel, Director of Finance

David Bertnagel stated that the Board of Finance had approved the Financial Policy Statement, in question, in September 2010. D. Bertnagel stated that basically the Financial Policy Statement provided the Town with guidance for the fund balance and noted that the past history placed the fund balance between three and six percent. D. Bertnagel stated that the current fund balance was at 5.5 percent. D. Bertnagel stated that the Financial Policy Statement wanted to keep the fund balance at a 5.5 percent level and noted this provided the Town with a good cash cushion. D. Bertnagel stated that the Board of Finance had done a good job with the policy. He further stated that the rating agencies liked to see these types of policies adopted and noted that this would be a one-time opportunity to use the fund balance.

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Financial Update Presented by David Bertnagel, Cont'd.

David Bertnagel read (see attachment) the Purpose, the Objectives and the Fund Balance Policy of the Financial Policy Statement into the record, along with examples of the fund balance. D. Bertnagel read and reviewed the Capital Projects Fund (Section 4), the Exceptions (Section 5) and the Amendments and Severability (Section 6) into the record, as well.

When questioned by Town Councilman Sandshaw, D. Bertnagel stated that basically the fund balance was in fact a reserve for emergencies.

When questioned by Town Councilman Sandshaw, D. Bertnagel stated that the fund balance could be used for any emergency that might arise, which might not appear on the proposed bonding projects. D. Bertnagel stated this had been previously done with the roof and oil tanks at one of the schools in Town through a transfer, which had been approved at a Town Meeting.

When questioned by Town Councilman Sandshaw, D. Bertnagel stated that this type of usage would not increase taxes and noted the monies were leftover accumulations from year to year.

When questioned by Town Councilman Zagurski, D. Bertnagel stated that the eight percent (referenced in Section 4. Capital Projects) could be used for other capital projects through an appropriation at a later date, unless it was earmarked for a specific project that someone had in mind and it came in at over the eight percent.

When questioned by Town Councilman Zagurski, D. Bertnagel stated that if the project were over an amount (which would have to be approved at a Town Meeting or by a Referendum vote), the transfer would still have to meet the \$50,000.00 threshold required by the Town Charter.

When questioned by Town Councilman Zagurski, D. Bertnagel stated that under Section 3., Fund Balance Policy, the seven percent referenced was only a guidance level and that anything over eight percent would go to the Town Council and Board of Finance for approval. He further stated that some Communities have five to fifteen percent.

Melanie Church, 328 Main Street, Terryville, questioned if this balance was a rainy day fund. M. Church questioned if the Town had two million dollars in the fund balance and decided to put new windows in the Town Hall and then the Town Council and the Board of Finance decided to put the new windows in and went to a Town Meeting, but at the same token at the end of the year say taxes went up two million dollars could the money be used for that.

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Financial Update Presented by David Bertnagel, Cont'd.

D. Bertnagel stated that sometimes people refer to the undesignated fund balance as a rainy day fund, but that it was actually a balance accumulation over the course of years. He further stated that every year when a budget was approved, a portion of this fund balance was used to balance it. D. Bertnagel stated the Town tries not to use the funds in an effort to offset taxes, yearly.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Sandshaw, to accept the Financial Policy Statement: General Fund Balance, as presented by David Bertnagel, Director of Finance. This motion was approved unanimously.

To discuss and take action on the fee schedule as approved by the Fire Commission

Mayor Festa stated that the Town Council had received a listing of the fee schedules in their Town Council packets.

Town Councilman Zagurski stated that he had not received the listing of the fee schedules in his packet.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Sandshaw, to table this agenda item until the next scheduled meeting of the Town Council, in order to allow time for Town Councilman Zagurski to review the fee schedule. This motion was approved unanimously.

To discuss and take action on the establishment of an Ad Hoc Committee to study the potential for a Public Works Commission

Town Councilman Wunsch made a motion, seconded by Town Councilwoman Schenkel, to place this agenda item on the table for discussion. This motion was approved unanimously.

Town Councilman Wunsch stated that he was opposed to establishing another Town Commission if it was not necessary, however to keep it moving he recommended establishing an Ad Hoc Committee (consisting of knowledgeable members such as Engineers, Construction Professionals, etc.) who would investigate what other towns do and make the decision if the Town of Plymouth needed such a Commission.

Mayor Festa stated that if the Town Council were interested in setting up an Ad Hoc Committee then it would have to be established as to who the Town Council would want sitting on the Committee and what would be the goal and objective(s) for a Public Works Commission.

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To discuss and take action on the establishment of an Ad Hoc Committee to study the potential for a Public Works Commission

Mayor Festa stated that the problems of the general populace would have to be examined on a monthly basis and that an action plan would have to be generated to resolve those issues. Mayor Festa stated he had spoken to Anthony Lorenzetti, Director of Public Works and that when these issues were examined it came down to the money that was allocated to that particular department. He further stated that the lack of guidance, in terms of what needed to be done, could come from a Public Works Commission who would be the appropriate guiding force for projects in Town, etc. Mayor Festa stated that this Commission would be similar to the Planning and Zoning Commission. He further stated that the Planning and Zoning Commission listens to the public problems/issues and then votes on them and in this case it could be voting on a repair project one month for someone in one part of Town and denying approval for another in a different part of Town, noting it was a fine line. Mayor Festa stated that the construction tradesmen would be better able to give the Town a handle on what was significant, i.e. keeping it in house under the Public Works Department and maybe realigning that aspect or going forward with a Public Works Commission to oversee the total operations of the Public Works Department by virtue of the projects accepted or rejected.

Town Councilman Wunsch questioned if the material which had been used and collected in the past for a Public Works Commission, could be utilized by a proposed Ad Hoc Committee, if deemed necessary, for informational purposes.

Town Councilwoman Schenkel stated that she was in full support of an exploratory Ad Hoc Committee to move forward with a Public Works Commission, however if this Commission would become a mechanism for Anthony Lorenzetti to not take responsibility for the Public Works Department, i.e., a “pass the buck” Commission, then she would not be in favor of the Commission. She further stated that A. Lorenzetti was one of the highest paid Town employees and he was paid to pick and choose which projects need to be worked on within his budget. Town Councilwoman Schenkel stated that the Public Works Department recently installed an electronic program, which assisted them in monitoring and prioritizing issues that came in. She further stated that the proposed Commission almost sounded like it would be replacing the Head of Public Works because the Commission would not have authority over him as an employee. She further stated that had been a stumbling block for her in the past.

Town Councilman Sandshaw stated that he envisioned the Public Works Commission as being an overview of the Public Works Department, similar to the Fire Commission. A. Lorenzetti would still be in charge of making the day to day calls, but he would now be running it all by the Commission as a sanity check.

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To discuss and take action on the establishment of an Ad Hoc Committee to study the potential for a Public Works Commission

Town Councilman Sandshaw stated the Commission would be in place only to recommend and support the Public Works Director/Department.

Town Councilman Wunsch stated that he felt the Public Works Commission would be an oversight Board, much like the Police Commission would oversee the Chief of Police and let the Chief know that he/she was not doing what the Town paid him/her to do or the Board of Education informing the Superintendant that he/she was not doing what he/she was being paid to do. Town Councilman Wunsch stated that he was not looking for a cheering section, regardless of who was in the position. Town Councilman stated that this Commission could look at develop what the problems/answers could be, but would not have the power to hire and/or fire.

Town Councilwoman stated that she had a problem with Town Councilman's Wunsch statement, noting that the Police Commission had the power to hire/fire the Chief of Police.

Town Councilman Wunsch stated that the proposed Public Works Commission Ad Hoc Committee could also examine the hire/fire aspect.

Town Councilwoman Schenkel stated that the difference between the Public Works Department and the Fire Department was that the Town did not have Town-wide residents yelling that the Fire Department was not doing its job, and noted that the Fire Department was in fact doing a phenomenal job. She further stated that there were town-wide complaints against the Public Works Department, to the point of lawsuits over issues being neglected and not being implemented. Town Councilwoman Schenkel stated that if the Town needed a Public Works Commission to sort through these types of issues then she would recommend that the Town put Anthony Lorenzetti on notice and inform him that he would have to compete for his job when his contract was up in February. She further stated that the Town would go out for bid for Anthony Lorenzetti's position and then the Town would start with a clean slate and build this all from scratch.

R. Whitney questioned who oversees Mr. Lorenzetti's work and who was in charge of hiring/firing him and questioned if the Town really needed a Commission to tell him if he was or was not, doing his job.

Mayor Festa stated that A. Lorenzetti's position came under the jurisdiction of the Mayor's Office. Mayor Festa stated that because of the wording of the Public Works Department in the Charter, the question of whether or not the Public Works Director was responsible to each and every agency in the Town was where differences came to light.

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To discuss and take action on the establishment of an Ad Hoc Committee to study the potential for a Public Works Commission

Mayor Festa stated that he felt the Public Works Department was the end-all when it came to issues affecting the Town and cited the Traffic Control Authority's recommendation of a traffic sign as an example. He further stated that the question of who was responsible for installing and paying for such a traffic sign existed and that an Ad Hoc Committee could investigate and clarify the responsibilities and obligations of a situation such as this one. Mayor Festa stated that when the question of who would put up signs for a Neighborhood Watch Program, it seemed natural that Public Works would do the work because they had the manpower, the equipment and the knowledge on where and how to dig a hole for such signage. Mayor Festa stated that the electronic program that Town Councilwoman Schenkel had referred to earlier, would come into play relative to what the monthly work allotment would be and where the men would be placed and that these were some of the issues that would be addressed more readily by and with guidance from a Public Works Commission.

When questioned by Town Councilman Wunsch regarding the request for traffic signs by the Chief of Police/Plymouth Traffic Authority, Town Councilwoman Schenkel stated that A. Lorenzetti had noted that he did not have money in his budget for the signs and therefore the signs would not be purchased until he had the money in his budget. She further stated that this type of problem continues without resolution.

Town Councilman Wunsch stated that if the Director of Public Works, the Superintendent, or any Town employee, was not doing his job, then he/she should be replaced.

Town Councilwoman Schenkel stated that they should all have to compete for the positions.

Melanie Church stated that she believed the Town Council was comparing the Public Works Department with the Fire and Police Commissions and noted that the Fire and Police Commissions had to follow State Statutes.

M. Church stated that she whole-heartedly agreed with Town Councilwoman Schenkel and that an ordinance had been passed and repealed for a Public Works Commission, however it was decided that a town the size of Plymouth did not warrant such a Commission. M. Church stated that she had heard A. Lorenzetti stated that he needed a Public Works Commission to fight for his budget and noted that this would not be what the Commission would be set up to do.

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To discuss and take action on the establishment of an Ad Hoc Committee to study the potential for a Public Works Commission

M. Church stated that over the time that A. Lorenzetti had worked for the Town of Plymouth, there had been projects brought before him and it had taken him approximately five years to do them and that it had to be brought to the Mayor's attention in order to get the projects completed.

M. Church stated that residents shouldn't have to wait for once a month to have their issues go before an Ad Hoc Committee, noting they were not under State Statute.

M. Church stated that if A. Lorenzetti felt he was that overworked or could not handle the work with the assistance of 13 employees, then she agreed with Town Councilwoman Schenkel and maybe it was time to start looking for someone else.

M. Church stated that it seemed to her that A. Lorenzetti was constantly stating that that he was overworked or he could not do the work and that she felt the Director of Public Works in the Town of Bristol would love to come to the Town of Plymouth and would only have a third of the problems he presently had and would be able to get everything done.

M. Church stated she had heard this numerous times and that she and Patti DeHuff had to corner A. Lorenzetti in the hallway in order for her to get the end of her driveway work done because the plow had taken it out and that it had taken five years to get the work done.

M. Church stated that a Public Works Commission was not the answer and that the Town needed someone that knew how to direct the work and figure out the timetables.

M. Church stated that it was not the Mayor's job, it was the Director of Public Works job. M. Church encouraged the Town Council to look at Thomaston and other towns and they would notice that they do not have a Public Works Commission and that it was time that A. Lorenzetti just starts doing his job.

Town Councilwoman Schenkel stated she was not opposed to exploring what other Towns do and it might have value and that the Town might even revamp some of its processes, but she did not want to waste citizen's time and efforts, only to come down to a dead-end.

Town Councilman Wunsch made a motion, seconded by Town Councilwoman Schenkel, to look into the establishment of an Ad Hoc Committee to study the potential for a Public Works Commission. This motion was approved unanimously.

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November 2, 2010
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To enter into Executive Session to discuss the following: Real estate transactions; negotiations with AFSCME 1303-151 Council #4; Town Hall; Pending Litigation

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Sandshaw, to move into Executive Session at 8:35 p.m. to discuss real estate transactions; negotiations with AFSCME 1303-151 Council #4; Town Hall; Pending Litigation. This motion was approved unanimously.

Present for the Executive Session were Mayor Vincent Festa, Jr., Town Councilman Martin Sandshaw, Town Councilwoman DiAnna Schenkel, Town Councilman John Wunsch, and Town Councilman Tom Zagurski. Mayor Festa noted for the record that Legal Counsel was not present for the Executive Session.

Mayor Festa called the Town Council Meeting back into Regular Session at 8:46 p.m.

To take action, as may be necessary, from Executive Session

No action taken

Liaison Reports

Town Councilman Zagurski stated that he had been unable to attend the Board of Education Meeting and the Library Board of Directors Meeting.

Town Councilman Zagurski stated that he had attended the Planning and Zoning Commission Meeting and they had mostly sign applications coming through at their last meeting. He further stated that the Planning and Zoning Commission members were anxious to review some of the Planning and Zoning regulations and fee schedules when the new Committee becomes established. Town Councilman stated that he was glad to have Jeannine Jandreau appointed this evening because the Commission had sent a letter out stating they were short members and noted they were still in need of a few more members.

Town Councilwoman Schenkel stated that although she was unable to attend the Board of Finance Meeting, she did have the opportunity to speak with the Chairperson, Ralph Zovich. She further stated that because D. Bertnagel had been unable to attend the meeting, the Audit Report had been postponed.

Town Councilwoman Schenkel stated she had been unable to attend the Economic Development Commission Meeting.

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Liaison Reports Cont'd.

Town Councilman Wunsch stated that the Fire Department had a furnace problem in Plymouth and noted it was being taken care of.

Town Councilman Wunsch stated that the Worhunsky's had been allowing the Fire Department to train at the old OZ Gedney property for the past month. Town Councilman Wunsch stated that the Fire Department had ordered a new truck and noted that it had been budgeted for. Town Councilman stated that the fee schedule for the Fire Marshal had been tabled earlier this evening and could be discussed next month.

Town Councilman Wunsch stated that the Public Works Director was finishing up on the high school track and noted that the work had come out really well. Town Councilman Wunsch stated that the work on Harwinton Avenue had been completed and that Public Works had a lot of meetings, which had included Energy Grant interviews and that they had met with three different contractors. Town Councilman Wunsch stated that the Highway Department had been crushing and screening construction material, as well as hot patching. Town Councilman Wunsch stated that two employees, Mark Mueller and Greg Cody, had attended CDL Class A Training, that catch basins were being vacuumed out and the installation of curbing work on Joseph and Burnham Street was being done, as well as new catch basins and drainage being installed on Oak Street.

Town Councilman Wunsch stated that he was unable to make the Plymouth Early Childhood Council (PECC) meeting, however Gretchen Durly, Children's Librarian, requested that he bring the Town Council up to date with their meetings and work. Town Councilman Wunsch read their report (see attached) into the record.

Mayor Festa stated that he had been involved with the concept that G. Durly was presenting and noted that the PECC was a gem and had a wonderful group of individuals working in it. Mayor Festa stated that G. Durly does a marvelous job and that the PECC was an asset to the Community and recommended that the Town Council consider the PECC's request to meet with the focus group and review their process. He further stated that the PECC was a wonderful group doing a great deal of work on behalf of the children of the Community.

Town Councilman Sandshaw stated he had attended the Parks and Recreation Commission Meeting and noted they had discussed their projects for the upcoming year.

Town Councilman Sandshaw stated that a very informal meeting had taken place to discuss a Skateboard Park in Town and that they wanted to put together an Ad Hoc Committee to explore the idea, further and that he would bring more information for this idea to the next Town Council Meeting.

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Liaison Reports Cont'd.

Mayor Festa stated that he had background information on the Skateboard Project for Town Councilman Sandshaw.

Town Councilman Sandshaw stated that he and Lynn White (Director, Terryville Public Library) had discussed the Lion's Club putting a Low Vision display up at the Terryville Public Library, and noted that L. White had been very supportive of the idea. He further stated that Lion Club Member, Steve Daigle, would be working with him on this project and that they hoped to have a display up for the month of December to help make the public aware of what the Lion's could do to assist with low vision.

Public Comment

Richard Whitney stated that his main reason for coming to this evenings meeting was to comment on his driveway which a Town plow had destroyed over five years ago, noting that he had asked Anthony Lorenzetti, Mayor Covello, Mayor Krampitz and Mayor Festa, for assistance with the issue. He further stated that nothing had been done to date to fix the driveway, other than A. Lorenzetti coming out and taking pictures of the driveway. R. Whitney stated that when he was employed and he made an error with a customer, it went to priority because it was his mistake and he wanted it fixed right away. R. Whitney stated he would not have put the customer on a waiting list and noted because of the delay with the driveway repair, the Town would probably have to fix the entire apron because each year the area fills up with water and splits up the blacktop. R. Whitney stated that he was not questioning Mayor Festa's integrity because Mayor Festa had spoken with him and listened to what he had to say, every time he telephoned him. R. Whitney stated that he was fed up and questioned if there was any possible way the Town could throw some patch in the hole before it starts snowing again.

Mayor Festa stated that first the cause of the problem needed to be understood (runoff, drain pipes on the sides of the driveway bringing water which washes out the apron, etc.) and noted how frustrating that must be. Mayor Festa stated that the problem was still on the books and would not be forgotten and that he questioned Public Works from time to time what the issue was, as well as when they would be in the area. Mayor Festa apologized to R. Whitney for not having an immediate answer and noted that the issue was being looked at from all the different directions.

R. Whitney stated the problem never happened until the plow hit the driveway and described the problem in detail, noting the metal pipe that was now showing appeared after the plow hit the driveway and that the hole in the apron would not be there, if the plow had not hit it.

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Public Comment Cont'd.

Richard Whitney stated that he was aware of the runoff problem, however the issue was the fact that there was no hole on the driveway until the plow hit it and that all he wanted was the Town to fix the hole.

Mayor Festa stated that he appreciated the clarification because it made a difference and now we were talking about a hole verses the driveway and that made a big difference.

R. Whitney stated he would like to see a climbing wall (and other activities) erected at the Skateboard Park for those people that are not good with boards.

Town Councilman Sandshaw stated that the informal group had been discussing alternative activities.

Council Comments

Town Councilman Sandshaw stated that the Pumpkin Fest had been outstanding and that he had received a lot of great comments about it.

Town Councilman Sandshaw stated that he had received a lot of comments regarding the poor upkeep of the Veteran's Memorial in Baldwin Park, noting that the hedges needed trimming and that there was debris in back of the Memorial, itself, and questioned who was responsible for maintaining the area.

Mayor Festa stated that the Town does mow the area and he was taken aback by the same issues that Town Councilman was describing. He further stated that he had taken it upon himself to have the pruning done and the debris cleaned up and that in the future when the mowing takes place by the Parks and Recreation Department, the work would also include the pruning, on a regular basis.

When questioned by Town Councilman Sandshaw regarding the whereabouts of the MIA flag that was flown on the flagpole at the Veteran's Memorial in Baldwin Park, Mayor Festa stated that he understood that the local American Legion was handling the issue.

Town Councilman Sandshaw stated the he would follow up on this lead and report back to the Mayor with an answer.

Town Councilman Sandshaw stated that he had received inquiries regarding the use of the new track at Terryville High School, by the public.

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Council Comments Cont'd.

Mayor Festa stated a lengthy discussion had taken place concerning public use of the track, noting that public funded monies had been used to erect the track for both school and recreation use. He further stated that there was concern raised about setting up rules and regulations concerning equipment to be used on the rubberized track, i.e. shoe/sneaker treads. Mayor Festa stated that it was suggested that the public used the outer circumference of the track where the track was not normally used for running purposes. He further stated it was suggested that the rules be placed on boards, which could then be fastened to the fencing area. Mayor Festa stated that the Board of Education would be working on these recommendations through the School Building Committee, as well as gaining access to the track area.

When questioned by Town Councilman Sandshaw, Mayor Festa stated that he was unsure about handicap accessibility, but that the outer track might accommodate this concern.

Town Councilman questioned who was ultimately responsible to repair a section of outside fence on North Harwinton Avenue, which had collapsed from a falling branch during a past storm, noting that the fence had been a major part of the Planning and Zoning Commission's requirements.

Mayor Festa stated that the Town had put a claim into the Insurance Carrier and that the Town had been monetarily compensated for the loss. He further stated that this kind of issues goes back to the conversation about Public Works (earlier this evening) and that he was uncertain who was responsible for the work, the Public Works Department or the Board of Education. Mayor Festa stated that the Board of Education was utilizing the piece of property, but ultimately every piece of property belonged to the Town.

Town Councilman Zagurski stated that he felt R. Whitney's concerns were common throughout the Town and that he hated to see things such as this example continue and that he would like to see these problems, in particular R. Whitney's, resolved, and brought to fruition as it has been going on for five years.

Town Councilwoman Schenkel stated R. Whitney's issue was frustrating.

Town Councilman Wunsch stated that R. Whitney's issue was ridiculous and unacceptable.

When requested by Town Councilman Zagurski, Mayor Festa stated he would provide an update to R. Whitney's issue at the next scheduled Town Council meeting.

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Council Comments Cont'd.

Town Councilman Zagurski stated that the payphone on the corner of Maple Street and Route 6 was blight and a pet peeve to him. He further stated that the handset had been ripped off, it was no longer in use and that the metal bracket had deteriorated to the point that the unit was hanging backwards and by a single wire. Town Councilman Zagurski questioned what could be done to take care of this blighted problem.

Mayor Festa stated that he had reported this issue in the past to the telephone company and that he would continue to move forward to have the telephone unit removed from the area. Mayor Festa stated that in addition to the conversations he has had to have the unit removed, he had also requested that the number of telephone books be cut way back and not be thrown on the curbs of the driveways. He further stated that he told the company that the Town would fine the company, under blight regulations, for throwing the books around carelessly in the driveways.

Town Councilman Zagurski stated that the recycle bins located at the Transfer Station are continually full and that once incident occurred whereby the bins were full and the attendant directed him to throw his recyclables in the refuse hopper. He further stated that the Town needed to use bigger bins or empty the bins more often and noted that the cardboard bin was always overflowing to the point that the top could not be closed on the bin. Town Councilman Zagurski stated that he would like to see this situation corrected.

Town Councilman Zagurski stated that he researched M. Church's request for the Town Council to examine Superintendent of Schools, Anthony Distasio's contract, and noted that from what he was able to find out the Town Council has no authorization over the Superintendent's contract.

Town Councilwoman Schenkel stated that she was in agreement with Town Councilman Zagurski's findings on this issue.

Mayor Festa stated that by law, the Town had no authority over the Superintendent's contract, only the Teachers contracts that end up through binding arbitration. He further stated that the Superintendent was aware of the charges presented against him and that he was willing to defend his contract with the Board of Education, if necessary.

Town Councilwoman Schenkel stated that M. Church had presented the same information at the Board of Finance Meeting and that the Chairman had told her they had no jurisdiction over the Superintendent and that she should bring the issue before the Board of Education.

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Council Comments Cont'd.

Town Councilman Zagurski stated that he had received a couple of telephone calls concerning the lack of flaggers on Oak Street where drainage roadwork had been taking place. He further stated that he had witnessed the lack of flaggers in the roadway, himself and that A. Lorenzetti needed to be made aware of the issue.

Adjournment

There being no further business of the Plymouth Town Council, Town Councilman Sandshaw made a motion, seconded by Town Councilman Zagurski, to adjourn at 9:20 p.m. This motion was approved unanimously.

Respectfully submitted,

Acting Recording Secretary