

Town of Plymouth
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Plymouth Town Council
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Minutes

December 16, 2010

Call to Order: Mayor Vincent Festa, Jr., called the scheduled December 16, 2010, Plymouth Town Council Special Meeting to order at 6:04 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 David Sekorski, Town Councilman John Wunsch, and Town Councilman Tom Zagurski.

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.

Public Comments on non-agenda items

No report.

To set a date for the following:

Town Meeting to vote on an additional appropriation of \$60,180.80 for Heart/Hypertension Award

Mayor Festa stated that dates to be considered for this appropriation would be Monday, December 27, 2010, Tuesday, December 28, 2010, or Wednesday, December 29, 2010.

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Town Meeting to vote on an additional appropriation of \$60,180.80 for Heart/Hypertension Award Discussion Cont'd.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Zagurski, to hold discussion in order to set a date for a Town Meeting to vote on an additional appropriation of \$60,180.80 for a Heart/Hypertension Award. This motion was approved unanimously.

Town Councilman Wunsch stated that a Tuesday or a Wednesday would be better for him.

Town Councilman Sandshaw stated that he could not make any of the recommended dates, however he could be in attendance on Thursday, December 30, 2010.

When questioned by Town Councilwoman Schenkel, Town Councilman Sandshaw stated that he could not make any of the recommended dates because he would be out of Town.

Town Councilwoman Schenkel questioned if any other Town Council people would be out of Town for the recommended dates.

Town Councilman Zagurski stated that any of the recommended dates would be fine with him.

Town Councilwoman Schenkel stated that any of the recommended dates would be fine with her, as well.

Town Councilman Wunsch stated that if Monday, December 27, 2010, was acceptable to everyone else, he could rearrange his schedule.

Mayor Festa stated that the date would not have to be on a Monday.

Town Councilman Sandshaw stated if the Town Council needed him to make the quorum, he could push his schedule back.

Mayor Festa questioned if any of the Town Council people would be unavailable for Thursday, December 30, 2010.

Mayor Festa stated that he would speak to the Town Attorney, relative to the two extra days, noting it should not be a problem.

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Town Meeting to vote on an additional appropriation of \$60,180.80 for Heart/Hypertension Award Discussion Cont'd.

When questioned by Town Councilman Wunsch, Mayor Festa stated this would be due to the 20-day window.

Mayor Festa stated that another issue had arisen concerning publicizing the 16th verses the 20th, at the last go around. Mayor Festa stated that he had received a telephone call from the Town Attorney, which he would address in a moment, and noted that the Attorney had said that the Town Council could push it out, but not to extend it too long, so the 30th would only be a two-day lapse.

Town Councilman Sandshaw stated that if the Town Attorney indicated that the Town Meeting would have to be held on Monday, December 27, 2010, he would change his schedule to make it happen.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Zagurski, to set the Town Meeting to vote on an additional appropriation of \$60,180.80 for a Heart/Hypertension Award, for December 30, 2010, at 6:00 p.m., in the Community Room. This motion was approved unanimously.

Public Comments

No Report

Council Comments

Town Councilwoman Schenkel stated that she wanted to publically thank the Terryville/Plymouth Fire Department for coming to her home for a chimney fire and noted that they had been very professional, very courteous, and her home was saved because of them and that she wanted them to know that she appreciated them and had an immense amount of gratitude and respect for them.

Town Councilman Sandshaw thanked Town Councilwoman Schenkel for her comments.

Mayor Festa stated that he wanted to mention an involvement that took place relative to the Heart and Hypertension issue. Mayor Festa stated that first and foremost the Board of Finance was meeting this evening and that they had already approved the appropriation back on September 16, 2010, so the Town was well within the legal aspects of the Charter.

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Council Comments Cont'd.

Mayor Festa stated that he had received some telephone calls, relative to if the Townspeople voted down this particular appropriation, and noted that the Town would still have to go through and pay it.

Mayor Festa stated that secondly, and more importantly, one of the other reasons the meeting had been changed from the other night was because he had received a call from the Attorney on a separate issue. Mayor Festa stated that the Attorney had told him that there had been a ruling on the Federal level, relative to when a claim can be put in for a Heart and Hypertension, and that the court had ruled it was a year from the date that the doctor had announced to the patient that he or she had Heart and Hypertension.

Mayor Festa stated that the bottom line was that the Town does have a case coming before the Town Council in the amount of forty-two thousand dollar (plus change) award that was being granted to the next individual which would be coming up very shortly. Mayor Festa stated that the question was if the individual remained active, it would be limited to the number of stipulated awards that could be followed through. Mayor Festa stated that, if in fact the person retired, there would be a substantial amount of money that would be due and forthcoming through payment of the award in that regard.

Mayor Festa requested that the Town Council understand that within the next month or so there would be a request for another appropriation for about \$42,332.00 (plus change) in that regard.

Town Councilman Sandshaw questioned if the additional \$42,332.00 (plus change) was in addition to the \$60,180.80.

Mayor Festa stated that the \$42,332.00 (plus change) just mentioned, was for another individual, not for the individual receiving the \$60,180.80. Mayor Festa further stated that the \$60,180.80 was just a stipulated figure, not a final settlement for this individual.

Mayor Festa stated that there would be two other cases coming before the Town Council, relative to the Worker's Comp. Mayor Festa stated that one would be a person who was going out for a second opinion by an independent doctor and that the Town would hear from them whether or not there would an increase in cost because the doctor that the person had seen had already increased the percentage of liability on the part of the Town because of the increase and the status of the health and heart condition of the patient.

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Adjournment

There being no further business of the Plymouth Town Council, Town Councilman Sandshaw made a motion, seconded by Town Councilwoman Schenkel, to adjourn at 6:10 p.m. This motion was approved unanimously.

Respectfully submitted,

Acting Recording Secretary