

Town of Plymouth
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Plymouth Town Council
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Minutes

April 5, 2011

Call to Order: Mayor Vincent Festa, Jr., called the April 5, 2011, Plymouth Town Council Meeting to order at 7:00 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 made note of the Fire Exits for the Town Council and the Public Audience.

Pledge of Allegiance

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

Acceptance of Minutes of Town Council Meeting of 3/1/11

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Wunsch, to accept the March 1, 2011, Plymouth Town Council Minutes as presented. This motion was approved unanimously.

Pattie DeHuff, 20 Lynn Avenue, Terryville, stated that she had reviewed the March 1, 2011, Plymouth Town Council Minutes, online, and stated that the copy of the minutes on the Town's website did not show a second the motion (shown on Page 14) concerning the Capital Improvement Projects.

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Public Comment on Non-Agenda Items Cont'd.

It was noted that the page must have been cut off in error when it was posted online and would be brought to the attention of the Webmaster; however, the second to the motion (made by Town Councilman Sekorski) had been seconded by Town Councilwoman Schenkel.

Melanie Church, 328 Main Street, Terryville, stated that she wanted to thank whoever was responsible for finally getting the chain against the back of George Street down, noting it was a very crucial time for her mother-in-law, who was recovering from recent surgery. She further stated that she had been concerned about an ambulance being able to access the property with the chain in the way, and noted there used to be a wooden fence in that area. M. Church stated that the wooden fence protected the ball fields and was unsure of who took it down. She further stated it left the area open to the residents on George Street, noting it was difficult to back out of the street/driveways with the chain in place.

M. Church stated that she had telephoned the Police Department, the Mayor's Office, the Public Works Department and the Board of Education, requesting that the chain be removed.

M. Church stated that something had to be done there, noting it had been blocked off approximately two years ago and that this situation affected everyone in the neighborhood. She further stated that this should be taken into consideration, prior to the sale of the land.

Council Rules and Procedures

Town Councilman Sekorski made a motion, seconded by Town Councilwoman Schenkel, to amend this evening's Agenda to add the following additional names under Appointments/Resignations:

To appoint Michael Maffia, Regular Member Conservation Inland/Wetlands Commission, term to expire 9/1/13, James Benway, Alternate Member, Planning and Zoning Commission, term to expire 2/28/12, Joseph D. Carey, Sr., Richard M. Lyga, Thomas J. Zagurski, to the Public Works Ad Hoc Committee, to accept the resignation of Katherine Peterson Conservation Inland Wetlands Commission, term to expire 9/1/13.

Vote: M. Sandshaw/yes; D. Schenkel/abstained; D. Sekorski/yes; J. Wunsch/yes; T. Zagurski/yes; motion passed.

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Council Rules and Procedures Cont'd.

It was noted that Town Councilwoman Schenkel had stated that she had a personal interest in the Public Works Ad Hoc Committee, and that she would be recusing herself from the vote.

Mayors' Report

Mayor Festa stated that the Nutmeg Spice Company's Ground Breaking Ceremony would be held at 7 Bombard Court, Terryville, on April 13, 2011, from 5:00 p.m.-7:00 p.m., and that formal invitations had been mailed out to those individuals responsible with assisting the business in their forward movement, and to friends and family of the Nutmeg Spice Company's owners. Mayor Festa stated that the general public and members of the Community, were invited as well, and encouraged everyone to come out and show their support for one of the newer members of the Community. Mayor Festa stated that the Nutmeg Spice Company was very excited about moving into Town and that they would be erecting a prefab building soon. Mayor Festa stated that Owner, Greg Miller, was recommending the Park to other businesses, which might be interested in moving into the Community. Mayor Festa stated that he was very pleased with G. Miller's very positive attitude regarding the Town of Plymouth.

Mayor Festa stated that Ana Legassey's (Tax Collector) name had been misspelled and noted the correction for the record. Mayor Festa stated that A. Legassey had begun some fieldwork today in the Tax Collector's Office. Mayor Festa stated that A. Legassey would be replacing Linda Hood (current Tax Collector), who would be leaving the position in April 2011, and that A. Legassey would move forward for an election bid in November 2011.

Mayor Festa welcomed Ana and stated that he believed she would do very well in her position.

Noting that the newspaper had reported on the Structus building, Mayor Festa stated that an attempt to demolish the building without a permit had been thwarted. Mayor Festa stated that approximately \$9,979.00 was collected for the permit and that the Town Attorney had a prejudgment against the company, on behalf of the Town, for the back taxes and the insurance monies claim.

Mayor Festa stated that the first formal Public Hearing for the Level Debt Bonding Proposal would be held on April 12, 2011, at the Town Hall, Community Room, 7:00 p.m.

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Mayor's Report Cont'd.

Mayor Festa stated that Senator Welch and State Representative, Whit Betts, would be sponsoring a Town Hall Meeting at the Plymouth Town Hall on April 19, 2011 from 7:00 p.m.-8:30 p.m., and noted that the public was invited to attend.

Mayor Festa stated that the Board of Finance would be holding their annual Budget Hearing on April 11, 2011, at 7:00 p.m.

Appointments/Resignations

Town Councilman Sandshaw made a motion, seconded by Town Councilman Sekorski, to appoint the following people to the Public Works Ad Hoc Committee: Ronald Wollenberg, Gary Belanger, Noel Schenkel, Joseph D. Carey, Sr., Richard M. Lyga, Thomas J. Zagurski.

Town Councilman Zagurski stated for the record that Thomas J. Zagurski was his son, that he had no conflict with voting on his appointment to the Public Works Ad Hoc Committee and noted that he would recuse himself if anyone had a conflict with the vote.

Town Councilwoman Schenkel recommending voting on the appointees, individually.

Town Councilman Sekorski withdrew his second to the motion, Town Councilman Sandshaw withdrew his motion.

Town Councilman Sekorski made a motion, seconded by Town Councilwoman Schenkel, to appoint Ronald Wollenberg to the Public Works Ad Hoc Committee. This motion was approved unanimously.

Town Councilman Zagurski made a motion, seconded by Town Councilman Wunsch, to appoint Gary Belanger to the Public Works Ad Hoc Committee. This motion was approved unanimously.

Town Councilman Sekorski made a motion, seconded by Town Councilman Zagurski, to appoint Noel Schenkel to the Public Works Ad Hoc Committee. Vote: M. Sandshaw/yes; D. Schenkel/abstained; D. Sekorski/yes; J. Wunsch/yes; T. Zagurski/yes. Motion passed.

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Appointments/Resignations Cont'd.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Wunsch, to appoint Joseph D. Carey, Sr., to the Public Works Ad Hoc Committee. This motion was approved unanimously.

Town Councilman Wunsch made a motion, seconded by Town Councilman Sekorski, to appoint Richard M. Lyga, to the Public Works Ad Hoc Committee. This motion was approved unanimously.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Sekorski, to appoint Thomas J. Zagurski to the Public Works Ad Hoc Committee. Vote: M. Sandshaw/yes; D. Schenkel/yes; D. Sekorski/yes; J. Wunsch/yes; T. Zagurski/abstained. Motion passed.

Mayor Festa stated that a potential existed for one to two more individuals, who have shown an interest, in the Public Works Ad Hoc Committee, noting that up until this time, there were four applicants all from the same political party. He further stated that by virtue of State Statutes and the Town Charter, two more Democrats and/or Independents could be added and may come before the Town Council at next month's meeting.

Mayor Festa stated that would be a minimum of seven with a five member majority, complying with the State Statutes and the Charter, noting this was the reason for the delay in appointments for the Ad Hoc Committee.

Town Councilman Zagurski made a motion, seconded by Town Councilman Sekorski, to appoint Jolene Dutkiewicz and Paul Gianesini, to the Skate Park Ad Hoc Committee. This motion was approved unanimously.

Town Councilman Sandshaw made a motion, seconded by Town Councilwoman Schenkel, to appoint Brooke Matuszczak, to the Economic Development Commission, term to expire 11/16/12. This motion was approved unanimously.

Town Councilman Sandshaw stated that Brook Matuszczak was a Business Teacher at Terryville High School and noted that she was enthusiastic and would be a great addition to the Economic Development Commission.

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Schenkel, to appoint Joseph Biernacki to the Plymouth Police Commission, term to expire 1/14/14. This motion was approved unanimously.

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Appointments/Resignations Cont'd.

Town Councilwoman Schenkel stated that speaking as the Town Council Liaison to the Plymouth Police Commission, Joseph Biernacki had done a great job on the Commission, had some great innovative ideas and was a great asset to the Commission.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Sandshaw, to accept, with regret, the resignation of Janice Shurack from the Economic Development Commission. This motion was approved unanimously.

Town Councilwoman Schenkel stated that Janice Shurack was moving out of Town and that her removal from the Commission was a great loss, that Janice had great memories of working on the Commission and that she would be missed.

Town Councilman Zagurski made a motion, seconded by Town Councilman Wunsch, to accept the retirement notice of Linda Hood, Tax Collector, effective April 30, 2011. This motion was approved unanimously.

Town Councilman Zagurski stated that he wanted to thank Linda Hood for her many years of service and wished her well on her retirement.

With permission from Town Councilman Zagurski, Mayor Festa stated that Town Councilman Zagurski's remarks would also be extended to Linda Hood, on behalf of the entire Town Council.

Town Councilman Wunsch made a motion, seconded by Town Councilwoman Schenkel, to appoint Michael Maffia as a Regular Member on the Conservation Inland/Wetlands Commission, term to expire 9/1/13. This motion was approved unanimously.

Town Councilman Sekorski made a motion, seconded by Town Councilman Zagurski, to appoint James Benway as an Alternate Member on the Planning and Zoning Commission, term to expire 2/28/12. Vote: Sandshaw/abstained; D. Schenkel/yes; D. Sekorski/yes; J. Wunsch/yes; T. Zagurski/abstained. Motion passed.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Sandshaw, to accept, with regret, the resignation of Katherine Peterson from the Conservation Inland/Wetlands Commission. This motion was approved unanimously.

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Property Tax Refunds

Town Councilman Wunsch made a motion, seconded by Town Councilman Sekorski, to approve \$277.96, in property tax refunds to Edward or Elizabeth Trudeau. This motion was approved unanimously.

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Schenkel, to approve \$46.24, in property tax refunds to Brian F. Morin. This motion was approved unanimously.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Sekorski, to approve \$249.73 and \$208.45, in property tax refunds to Cab East LLC. This motion was approved unanimously.

To Remove from table for action: Resolution for Natural Mitigation Plan (CCRPA)

Mayor Festa stated that the Central Connecticut Regional Planning Agency (CCRPA) had sent notification that there were two remaining communities that needed to vote on this item, one being the Town of Plymouth, the other being New Britain, with New Britain taking the item up at their Council Meeting next week. Mayor Festa stated that the Plymouth Town Council needed to decide this evening if they would be willing to support the Resolution for submission to FEMA. He further stated that affirmation from the Plymouth Town Council would result in any refunds that would come forward due to natural disasters.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Wunsch, to remove from table for action Resolution for Natural Mitigation Plan (CARP). This motion was approved unanimously.

Town Councilman Sekorski made a motion, seconded by Town Councilwoman Schenkel, to accept the Resolution for Natural Mitigation Plan that had been presented to the Plymouth Town Council from CCRPA. This motion was approved unanimously.

Town Councilman Zagurski stated that he was concerned about the wording and questioned if the Town Council was approving or accepting the plan.

Mayor Festa stated that the Plymouth Town Council would be accepting the plan as presented and would be participating in the plan by virtue of the acceptance.

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Remove from table for action: Fee Schedule for Fire Marshal's Office

Town Councilman Wunsch made a motion, seconded by Town Councilwoman Schenkel, to remove from table for action, the Fee Schedule for the Fire Marshal's Office. This motion was approved unanimously.

Town Councilman Zagurski stated the he did not believe that the Town Council had received the information that they had requested for this item.

Mayor Festa stated that according to the Fire Marshal (John Schubert) the answer had been provided, it was an action taken by the Fire Commission back in October 2010 and that everything was in order. He further stated that from that response, he had assumed that the questions, which had been raised by the Town Council, had been taken of by the Fire Marshal.

Town Councilman Zagurski stated that the Fire Marshal had given him a copy of what the Fire Watch was and further, that a motion had been made at the March 1, 2011 Town Council Meeting that the Town Council would receive in writing from the Fire Commission, their recommendations for the new Fee Schedule, including the Fire Watch charge represented as the present hourly rate of the Fire Marshal at time and one half.

The Town Council collectively agreed that they had been looking for the wording to be changed, as stated by Town Councilman Zagurski.

Mayor Festa requested a motion to table the item.

Town Councilman Sandshaw stated that the Town Council had also requested that the collected fees be returned to the Fire Department's budget.

Mayor Festa stated that this had been taken of previously.

Town Councilman Wunsch rescinded his motion to untable the Fee Schedule for Fire Marshal's Office, and Town Councilwoman Schenkel rescinded her second, noting the item would remain tabled.

Mayor Festa stated that the Fire Marshal had provided him with information, separate from the Fee Schedule, which would have an effect on the Town's Business Community and stated that he would request the Fire Marshal provide this information to the Town Council, as well, noting that it was important that this information be discussed openly.

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Remove from table for action: Fee Schedule for Fire Marshal's Office Cont'd.

Town Councilman Sekorski stated that he did not believe there was an issue with the fees, the item in question was the fact that there was a flat dollar amount in the Fee Schedule for the Fire Watch and further, that the Fire Marshal had stated that was incorrect and that the actual amount was supposed to be based on the hourly rate of the Fire Marshall, at one and a half.

Town Councilman Sekorski stated that the Town Council had asked that for this copy to be revised with that information and the other item, which Town Councilman Zagurski had requested.

Mayor Festa stated that there were additional issues that he would ask the Fire Marshal to speak about with the Town Council present, that were relative to fees concerning a future issue which would be forthcoming, and that he wanted it to be discussed in the correct arena, with the Town Council.

When questioned by Town Councilman Wunsch, Mayor Festa stated the additional new information would be discussed with the Fire Commission, as well, because it would have an impact throughout the Community, and that it should actually go before the Fire Commission prior to the Town Council.

To discuss and take action on the following: Fair Housing Policy Statement, Fair Housing Resolution, Compliance with Title VI/Civil Rights Act-1964, Affirmative Action Policy Statement

Mayor Festa stated that April was Fair Housing Month and that a number of items from the Federal Government relative to action was required from the Community.

Mayor Festa stated the first item would be the Fair Housing Policy Statement and that the Town Council had their choice to present and place it into the record as shown in the this evenings Town Council packets or that the statement could be read into the record.

Town Councilman Wunsch made a motion, seconded by Town Councilwoman Schenkel, to place the Fair Housing Policy Statement into the record as presented in the Town Council's packets this evening, and that the Town Council was in agreement with the statement. This motion was approved unanimously.

When questioned by Town Councilman Sekorski, Mayor Festa stated it was the same policy statement presented in years past and that this item was standard procedure.

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Fair Housing Policy Statement, Resolution-Compliance with Title VI/Civil Rights Act-1964 Affirmative Action Policy Statement Discussion Cont'd.

At the request of Mayor Festa, the Acting Recording Secretary read the Fair Housing Resolution (see attachment) for the Town of Plymouth into the record.

Town Councilman Wunsch made a motion, seconded by Town Councilwoman Schenkel, to accept and endorse the Fair Housing Resolution as read into the record by the Acting Recording Secretary and as presented at this evenings Town Council Meeting. This motion was approved unanimously.

Town Councilman Sekorski made a motion, seconded by Town Councilwoman Schenkel, to accept and endorse the Town of Plymouth Compliance with Title VI of the Civil Rights Act of 1964 (see attachment) as presented this evening and read into the record by Town Councilman Sekorski. This motion was approved unanimously.

Town Councilman Wunsch made a motion, seconded by Town Councilman Sandshaw, to accept and endorse the Town of Plymouth Affirmative Action Policy Statement (see attachment) as presented this evening. This motion was approved unanimously.

Mayor Festa stated that the passing of the above motions would keep the Town of Plymouth in compliance with the Small City Block Grant Programs, as well.

To remove from table and take action on the following: Safe Routes to School Funding-\$25,000 (Survey) ARRA Energy Funds-\$59,779 (Set Hearing Date)

Safe Routes to School-\$25,000 (Survey)

Town Councilman Sekorski made a motion, seconded by Town Councilwoman Schenkel, to remove from table and take action on the following: Safe Routes to School Funding-\$25,000 (Survey) ARRA Energy Funds-\$59,779 (Set Hearing Date). This motion was approved unanimously.

Town Councilman Sekorski made a motion to authorize the Public Works Director to move forward in executing the funding for the recommended survey. (Note: there was no second to this motion.)

Town Councilman Zagurski stated that part of the motion should include a recommendation to the Board of Finance to appropriate the necessary \$25,000 for the funding.

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**To remove from table and take action on the Safe Routes to School Funding-
\$25,000 (Survey) Cont'd.**

Anthony Lorenzetti, Director of Public Works, stated that this agenda item was a continuation from the discussion at the previous Town Council meeting and that as part of the Safe Routes to School Program, the Town would have to supply its own survey.

A. Lorenzetti stated that he was asking for the Town Council's approval to go out for bid and solicit services to perform the necessary survey in an amount not to exceed \$25,000.

When questioned by Mayor Festa, A. Lorenzetti stated the money for the survey would also address the question of which route to take for the project, noting that some of the Town Council members had walked the route and discussed the different choices available.

Town Councilman Zagurski questioned if the alternate route of putting the sidewalks in back of the Eli Terry Middle School, and along Charles Street, had been investigated.

When questioned by Town Councilman Zagurski, A. Lorenzetti stated that the access route by the school would be examined if that was a choice recommended and that a decision would have to be made as to which side of Charles Street would house the sidewalks, noting that the parking lot was utilized for the ball field on Charles Street.

A. Lorenzetti stated that there was other potential additional funding available, but because Plymouth already had a project on the table, the Town was not eligible until such time as the present project had been completed.

Mayor Festa questioned if approving funding for the survey work was step one, would step two be allowing the Town to continue with design work of the accepted plan and apply for money to follow through in step two phase with new money that might come in. Mayor Festa noted that there had been opposition to putting the sidewalks on North Main on a particular side and if a secondary location was chosen, could step two be funded by new grant money and continue with step two sidewalk additions.

A. Lorenzetti stated that he was told until the Town completes the project for which the Town had been approved with the idea there might be alternate routes, the Town would not be eligible until something was done with this particular project.

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**To remove from table and take action on the Safe Routes to School Funding-
\$25,000 (Survey) Cont'd.**

Mayor Festa questioned if the Town decided that it liked a different location, but was lacking monies in the grant to do the necessary sidewalk in the plan that everyone liked, would there be the potential for doing the plan partially with the money given to the Town and then reapply for another grant application to continue that sidewalk route beyond the scope from where it was ended. He further questioned if there was any prohibition in terms of piggybacking.

A. Lorenzetti stated that he would have to know more information about what the Town wanted to get done, what the Town would not want, and noted that the perception of the project would be that it have a completed plan from point A to point B and noted that the survey would help to decide this issue.

Town Councilman Sekorski rescinded his motion.

Town Councilman Zagurski rescinded his addition to the motion for the Board of Finance to appropriate the \$25,000.

Town Councilman Sekorski made a motion, seconded by Town Councilman Zagurski, that the Town Council authorize the Public Works Director to seek the \$25,000 for the survey from the Board of Finance, for the Safe Routes to School Project. This motion was approved unanimously.

Lisa Schneider, 6 Gold Street, Terryville, stated that as a parent she was concerned about the sidewalk issue. She stated that she had telephoned the Superintendent of Schools in the past and had questioned the lack of sidewalks in her area and stated that she had heard the sidewalks would be located primarily in the vicinity of the schools. She further stated that in the wintertime, her son was forced to walk in the road and that at other times of the year, he was forced to walk on residential property because of the lack of sidewalks. L. Schneider stated that she hoped her concern would be looked into, further.

Melanie Church, 328 Main Street, Terryville, stated that she could be confused and she could be wrong, but it seemed to her that when this issue was previously discussed, it was discussed as being across the street from North Main Street, right where originally the sidewalks were going to go. She further stated that there was going to be the correction of the sidewalks across the street because they were a mess and kids were walking on them.

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To remove from table and take action on the Safe Routes to School Funding-\$25,000 (Survey) Cont'd.

Melanie Church stated that the suggestion was made why not use that grant money that's already there to repair from the Eli Terry on that side of the road up to Hillside which has to be done anyway and that way there it would open it up for the second grant and complete the study of going up that way because it seemed like people were looking at North Main on the other side and saying it was too close. She further stated that to her the Town might be able to start and do both sidewalks which need to be done and children are using everyday and that's a safe route to school and then go across the street into the cemetery and up Hillside Avenue and it could be decided at that time

ARRA Energy Funds-\$59,779 (Set Hearing Date)

Mayor Festa stated that this particular issue would have to go before a Town Public Hearing and therefore a Public Hearing Date would need to be set.

A. Lorenzetti stated that the Town had been give an allocation based on a block grant in the amount of \$59,779, which needed to be spent by June 2012. He further stated that Phase One was to perform an energy audit of the Town buildings (\$10,000) and that the remaining monies (\$49,779) would be spent on upgrades of the buildings. A. Lorenzetti stated that he had received a couple of State of CT approved applications, noting that had gone before the Town Council, previously. A. Lorenzetti stated that at this time, he was looking to appropriate the monies.

Mayor Festa stated that at this time the Town Council needed to set a date for a Public Hearing for approval, noting that the amount requested was above the \$50,000 limit set by the Charter.

Mayor Festa stated that a Public Hearing had already been set for April 12, 2011, at 7:00 p.m., and the Town Council could call for a Public hearing at 6:30 p.m. to deal with this issue on the same date.

Town Councilman Wunsch noted that it would be two meetings for three separate issues.

Town Councilwoman Schenkel stated this issue could be dealt with on April 11, 2011, as well.

Town Councilman Zagurski questioned if there was enough time for notification in the newspapers.

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ARRA Energy Funds-\$59,779 (Set Hearing Date) Cont'd.

Mayor Festa stated that it was five-day legal notice publication, and would have to be in the newspaper tomorrow, however he was uncertain of A. Lorenzetti's time frame.

A. Lorenzetti stated that the monies had to be expended by June 2012

Town Councilman Zagurski made a motion, seconded by Town Councilman Sekorski, to set the Public Hearing date for the AARA Energy Funds-\$59,779, for April 12, 2011, 6:30 p.m., Community Room, Town Hall. This motion was approved unanimously.

To take action on 2011 Neighborhood Assistance Act Program

Mayor Festa stated that this was a standard program that is sent by the State of Connecticut and that it allows businesses, organizations, neighborhoods, to come forward with application requests for consideration of the Town endorsing their particular project.

Mayor Festa stated that it could be one particular neighbor of the Town or throughout the Town, certain civic organizations, private organization individuals helping to finance a particular project, and allowing them to get some tax credit for the project.

Mayor Festa stated at this time, the Town Council would need to decide if they wanted to accept the Neighborhood Assistance Act Program application for the current year and publicize the fact that the Town of Plymouth was a participant in the activity.

Mayor Festa stated that the Town accepted the Act last year, on behalf of the Colt Museum building in Hartford, for an individual out of Bristol, CT, who was looking for endorsement.

Mayor Festa stated that the Act does not bind the Town to a particular project; it just allows the individual(s) to submit an application under the auspices of the Town.

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Schenkel, to approve the acceptance of the 2011 Neighborhood Assistance Act Program, allowing the Town to publicize the fact that the Town does have applications available for entities interested in securing funding for their pet project. This motion was approved unanimously.

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To enter into Executive Session for the following: Contract Negotiations, AFSCME Unions-Town Hall, Public Works, WPCA, Police

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Sekorski, to move into Executive Session at 7:54 p.m., for the following: Contract Negotiations, AFSCME Unions-Town Hall, Public Works, WPCA, Police, and a five-minute recess. This motion was approved unanimously.

It was noted that only the Plymouth Town Council members would be present for the Executive Session.

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

Mayor Festa called the Plymouth Town Council Meeting back into Regular Session at 9:32 p.m. It was noted for the record that no action was taken as a result of the Executive Session.

To discuss and take action on K-9 Officer Position

Ann Tuleja, 383 Allentown Road, Terryville, Chairwoman, Plymouth Police Commission, noted that Chief Krasicky would also be speaking on this agenda item, this evening.

A. Tuleja stated that the K-9 Officer Position had been negotiated between Administration and the Union and then it was sent to the Police Commission, who voted unanimously to send it to the Town Council.

A. Tuleja stated that the Police Commission had been trying for five years to get this position within the Community and noted that the Community supported the position, as well. A. Tuleja stated that the Clergy and the Lion's Club had held dinners for the startup costs for the purchase of the dog and the car. She further stated that the Clergy had come before the Police Commission to state that they endorse the dog and would try to pay the \$850.00 for the dog annually.

A. Tuleja stated that when the Police Commission had gone before the Board of Finance, as they do every year, they spoke to them about the dog. She further noted that in the past, they had set \$850.00 aside for the dog, noting that the Board was in favor of the position and recommended that the position be filled with the current rank and file.

A. Tuleja stated that there were specifics that the Chief would be answering regarding the position, the dog and the training.

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To discuss and take action on K-9 Officer Position Cont'd.

Chief Krasicky stated that the training program for the K-9 Handler would take 14 weeks and that they would be sending the K-9 Handler to the Connecticut State Police.

Chief Krasicky stated that there was \$4,694.88 in a bank account for start-up costs and noted that two of the Clergy had stated that they were willing to fund the dog, as well as other people who have stated that they also would be willing to give donations annually for the dog.

Chief Krasicky stated that in 2006, the approximate cost was \$870.00 annually, and noted that the current annual average cost to fund the dog (food, Veterinary bills, annual association license) could be anywhere from \$1,200.00 to \$1,600.00.

Chief Krasicky stated that the dog would be getting a bulletproof vest, at a cost (five years ago) of \$1,400.00. She further stated that in 2006, the local school children had raised and donated monies for the bulletproof vest because they wanted to be a part of this project.

Chief Krasicky stated that if the dog were approved, she wanted to have a "Name the Dog" contest to involve all the students in the Community, noting that would make for good public relations.

Chief Krasicky stated that she had attended the March 22, 2011, Lion's Club Meeting and noted that Mr. Eliot Russman, CEO and Executive Director, of the Fidelco Guide Dog Foundation, was also in attendance and that he had stated that Fidelco would donate a dog to the Department, cost-free.

Chief Krasicky stated that Fidelco dogs, which could not be used as Seeing Eye dogs, were normally used for law enforcement. She further stated that Bristol had informed her that Fidelco dogs were the way to go and that they made the best law enforcement dogs available. Chief Krasicky stated that Fidelco had requested she let them know four to five months in advance of the program and that they would have a dog ready to go.

Chief Krasicky stated that the Town really needed a dog, noting that past incidents (known and unknown) warranted one. She further stated that one case involved a missing person in cold weather and that having a dog would have been useful. Chief Krasicky noted that they had to use a State canine dog and that the animal had been able to locate the missing person.

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To discuss and take action on K-9 Officer Position Cont'd.

She further stated that the person would probably have died without the dog and noted the person had been drinking and was on prescription drugs and had wandered out of her home.

Chief Krasicky stated that the dog would also be cross-trained to sniff out narcotics and noted that every time the department was requested to do a sweep at the local high school, they have to go to an outside agency.

Chief Krasicky stated that the dog would be trained as a Police Officer first, and then about a year later, the dog would be cross-trained for narcotics.

Chief Krasicky stated that there have been incidents in Town where Police Officers have been sent into homes, where maybe weapons were being fired, and if a dog was available, the dog would be sent in first, noting that was one of the purposes of having a dog.

Chief Krasicky stated there have been incidents in the past where the Department had to call the State Police Emergency Response Team and noted that they bring their dogs with them.

Chief Krasicky stated that the dog, with only one Police Officer, could be very intimidating, whereas five burly Police Officers without a dog were not always as threatening.

Chief Krasicky stated the dog was considered to be a Police Officer, it would have a badge and if the dog were assaulted, the person(s) would be charged with assault on a Police Officer.

A. Tuleja stated that the Police Commission felt that the dog would be more of an asset to second shift Police Officers.

A. Tuleja stated that the Police Commission felt that taking a Police cruiser from the present fleet, which did not have a lot of mileage, and outfitting it, would be the way to go, and that the department would not be purchasing a new vehicle.

Town Councilman Wunsch stated that he was not against getting the dog, and was only questioning how often the drug sweeps were performed, and how many times per year would the Department go out of Town to Bristol or the State Police to request the use of a dog.

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To discuss and take action on K-9 Officer Position Cont'd.

Chief Krasicky stated that there have been robberies in Town whereby they would have used the dog for tracking purposes, noting it would only take one incident for a major law suit to occur, when the Town could have done something to prevent it from happening.

When questioned by Town Councilman Wunsch, Chief Krasicky stated that an outside testing agency, who would also be performing the testing, would determine which officer would be best qualified for the position. Chief Krasicky stated that the dog would count as a Police Officer and that there were three Police Officers on any given shift. She further stated that if one Officer were busy at an accident, the K-9 Officer would be able to utilize the dog for a domestic dispute as his partner.

A. Tuleja stated that she felt the question should be why not Plymouth for a dog, noting that both Watertown and Farmington were small communities like Plymouth and that they have dogs. She further noted that the dog would be a great access to the Community, and that the Police Commission had been looking at the dog question for five years.

A. Tuleja stated that the dog would be developed over a period of time, just like the addition of two detectives to the force and the School Resource Officer (SRO), noting that over the past five years, the SRO had become invaluable and that the schools do not want to go a day without the SRO in-house. A. Tuleja stated that when you look at the beginning of these additional positions, the long-term affect had not been examined, but in every case, the additions had given back to the Town, three-fold.

A. Tuleja invited everyone to examine the Chief's monthly report, noting that the Police Commission tracks every position in the department so that they can see what every person was doing and cited examples. She further stated that the dog and the position were not wants, but were needs, and if the dog was good enough for Farmington and Watertown, then the dog was good enough for Plymouth, as well.

When questioned by Town Councilman Wunsch, Chief Krasicky stated that the average longevity for the Police dog was nine to ten years, depending on each individual dog, their caliber and how the dog was used.

When questioned by Town Councilman Wunsch, Chief Krasicky stated that the retired dogs normally stay with their handler as his pet and that the handler would get another dog.

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To discuss and take action on K-9 Officer Position Cont'd.

Town Councilman Sandshaw questioned what would happen if the K-9 Police Officer, after qualifying and 7 months had passed, changed his mind and no longer wanted to work with the dog.

Chief Krasicky stated that if the K-9 Police Officer changed his mind, then the next qualified person would be chosen, noting that it was hard to say what one could not foresee.

Chief Krasicky stated that when the K-9 Officer goes on vacation he could take the dog with him or he could leave the dog with a certified dog handler. She further stated that she was unsure if there would be a cost involved, but did not think so, noting a mutual aid arrangement could be made.

Chief Krasicky read Page One of the General Order, which stated what the dog would be used for, into the record.

When questioned as to how the annual donations would be coordinated, Chief Krasicky stated that she believed the Director of Finance, David Bertnagel, had set up a line item in the budget.

A. Tuleja stated that the Town's Clergy had stated five years ago, that they were willing to fund \$250.00 annually to support the dog.

Town Councilman Wunsch stated that his church (St. Paul's Lutheran Church) had committed to holding fundraisers, throughout the year, with the proceeds going towards the dog.

Town Councilman Zagurski stated that the Memo of Understanding (MOU) read that the shift would be seven hours long and questioned if that included a lunch, and if that was that normal for other officers.

Chief Krasicky stated that the Union and Management had agreed to go with the seven hour shift and that the K-9 Police Officer would get one hour to take care of the dog.

Town Councilman Zagurski stated that he would like to see an account set up in Town for pet food for the dog, noting that would help support our local businesses.

Chief Krasicky stated the purchase would be based on the best price bid received and that the Town would have the opportunity to bid.

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To discuss and take action on K-9 Officer Position Cont'd.

When questioned by Town Councilman Zagurski, Chief Krasicky stated that she believed the hour of pay outlined in the MOU was at regular time, however she was not involved with the discussion, noting that was between the union and Management.

When questioned by Town Councilman Zagurski, Chief Krasicky stated that BDU, the uniform of the day for the K-9 Handler, was an acronym for Battled Dress Uniform, which were looser pants and looser shirts.

Town Councilman Zagurski stated that Article H. stated that the K-9 Position would require a backfill, and that he was against backfilling and questioned how binding the MOU was.

Chief Krasicky stated that the Board of Finance had questioned if the Department could fill the position within the rank and that if there any problems they could come back to the Board. She further stated that the MOU was between the Union and Management, however they had every intention of doing what the Board had recommended.

When questioned by Town Councilman Zagurski, Mayor Festa stated that if the Town Council were to strike that particular line, they would have to go back for negotiation.

When questioned by Town Councilman Zagurski, Chief Krasicky stated that the general description called for a secured outside area for the K-9 dog because like all dogs, the K-9 dog was not allowed to roam around free, however the K-9 Police Officer was allowed to keep the dog inside his home with him.

When questioned by Town Councilman Zagurski, Chief Krasicky stated if the K-9 Police Officer were to leave the Department and only a short period of time had passed, the dog could be retrained with another Officer. She further stated if the dog was on in years, eight years or older, the dog would be retired, and a younger dog would be brought in and retrained.

Town Councilman stated that he was concerned about the statement in the Charter, which noted that all Police Officers were required to live within Town and/or the continuous Towns to Plymouth.

Mayor Festa noted that this statement had been challenged in the past and would have to be researched.

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To discuss and take action on K-9 Officer Position Cont'd.

When questioned by Town Councilman Zagurski, Chief Krasicky stated that the decision to loan the K-9 dog out to another town was at the discretion of the Department and would be based on the Town's needs, first.

Town Councilman Zagurski stated that he felt the General Orders were nicely written, however Page Two was missing.

When questioned by Town Councilman Zagurski, Chief Krasicky stated that the Police Department did not have the authority to open a student's locker, however the school, itself, did have that authority.

When questioned by Town Councilman Zagurski, Chief Krasicky stated that the K-9 Police Officer would have either a pager or a cell phone, depending on which piece of equipment was cheaper.

When questioned by Town Councilman Zagurski regarding Page Nine, under "On Duty" the request would incur any undue overtime expenses, Chief Krasicky stated that it would not cause any overtime expenses if the department had a backfill for the position. She further stated that if another call came in for assistance from an outside community, the decision would lie with her or the Captain on duty.

Town Councilman Sekorski stated that the MOU did not state a preference or offer a provision for a local Police Officer filling the position, however it did clearly state that the full time officer would be hired as a backfiller. He further stated that the understanding was between the Union and Management and that the Town would have to hire the back fill Officer.

Mayor Festa stated that Management and the Union would have to go back and renegotiate if the Town Council were to decide that they wanted the dog/position.

Ralph Zovich, 4 Knight Lane, Terryville, stated that D. Bertnagel had inquired about hiring an additional Police Officer. He further stated that the Board of Finance was dumbfounded that the dog had not been procured after the five years had passed. R. Zovich stated that the Board of Finance did not understand the details of the MOU and that they had to prepare the budget for the April 11, 2011, Budget Hearing and had not put any monies in for another Officer. R. Zovich stated that the Board had told the Police Commission to go ahead and have the Officer(s) tested, promote from within if possible, go six months to one year if it was manageable and to change the wording from "shall" to "may". He further stated this would keep the Town from having to backfill.

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To discuss and take action on K-9 Officer Position Cont'd.

Ralph Zovich stated that if the situation were manageable, the dog would count as personnel in the shift count so it would be a no brainer to do this within the existing budget. He further stated that the average Police Officer (with benefits) runs between \$75,000 and \$80,000 per year and that a four-legged Officer, donated for free from Fidelco, would only be a \$1,500 expense item. R. Zovich stated that the understanding was that if another two-legged Police Officer were needed, the Commission could come back with a Special Appropriation midyear.

When questioned by Town Councilwoman Schenkel, regarding ongoing refresher courses for the dog, Chief Krasicky stated that helping out other towns with the K-9 dog would help to keep the dog's training on the upswing.

Town Councilwoman Schenkel stated that the Department should consider, after the dog was trained, a rollout Community effort or something similar, so that the Community would be made aware that the dog was not a pet.

Town Councilwoman Schenkel stated that an article could be placed in the Plymouth Community News or an event could be held at the schools, with do's and don'ts.

Chief Krasicky stated that they had planned on something similar, as suggested by Town Councilwoman Schenkel.

Town Councilman Sandshaw stated that under the General Description, the person who qualified as the K-9 Handler would have to have a secured outside area for the dog and questioned who would pay to construct one if the handler did not have one.

Chief Krasicky stated that would be the responsibility of the Town.

Chief Krasicky stated that the part of the startup cost for the dog was already in the line item.

A. Tuleja stated that the Police Commission has anticipated this dog for five years and hoped that that the Town Council would be supportive of their request.

Town Councilman Wunsch made a motion, seconded by Town Councilwoman Schenkel, to move forward with the request, but stated that the wording would be changed from "shall" to "may" be hired, at a time to be determined. This motion was approved unanimously.

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Liaison Reports

Town Councilman Zagurski stated that the Planning and Zoning Commission had concerns about the plan presented to them by the Streetscape Committee, and noted that the concerns centered around the northern side of Route 6, near the stores. He further stated that the Commission was concerned about the area not being handicapped accessible and requested that the designer go back and change the plans enabling wheelchairs to pass by the benches and lamp poles.

Town Councilman Zagurski congratulated Patrick Herzing, Chairman of the Planning and Zoning Commission, for receiving Zoning Commissioner of the Year from the State of Connecticut.

Town Councilman Sekorski stated that he had nothing to report on.

Town Councilwoman Schenkel stated that due to health issues, she had nothing to report on at this time.

Town Councilman Wunsch stated that he and the Mayor had recently bowled for the Early Childhood Council fundraiser and noted that they would never make it as professional bowlers. He further stated that any senior who could pick up those heavy balls, throw them, and walk away, was a lucky individual. Town Councilman Wunsch stated that the event was a lot of fun; however bowling was a dangerous sport.

Town Councilman Wunsch stated that Public Works would be holding a residential Hazardous Waste Collection on April 16th, in the back parking lot of Town Hall.

Town Councilman Wunsch stated that the Public Works Department would be cutting trees down on the corner of South Main after April 11th.

Town Councilman Wunsch stated that the Public Works Department had begun the springtime street sweeping.

Anthony Lorenzetti, Public Works Director, stated that the Leaf and Brush Facility would open on April 16th and that Amnesty Week would begin the last week of April and would run through the first week of May.

Town Councilman Wunsch stated that the School Building Committee was winding down and that he was available for one evening if someone had something they needed him to do.

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Liaison Reports

Town Councilman Wunsch stated that the Fire Department had a couple of passing's in the last month, those being Hank Sekorski (Mark Sekorski's father) and Vern Wagner's wife.

Town Councilman Wunsch stated that Charles (Charlie) Freimuth was being inducted into the Fire Fighter's Hall of Fame and that Charlie had been the Fire Chief in Town for a good many years and had been very active on the State level.

Town Councilman Sandshaw stated that the Conservation Inland/Wetlands Commission had granted two permits, one for the Waterwheel and one for the Route 6 Streetscape Project.

Town Councilman Sandshaw stated that the Skateboard Park Ad Hoc Committee had formed Committees, which were looking at areas to build the Skateboard Park, as well as looking for grant monies. He further stated that a survey had been taken at the Middle School and High School levels to see how high the interest was for the Skateboard Park. Town Councilman Sandshaw stated that there were 450 youth actively skateboarding in Town and that a couple of high school students would be attending their next meeting to tell the Committee what they were looking for in a skateboard park. He further stated that the Committee was examining what other towns had done and how they had gone about the work.

Town Councilman Sandshaw stated that he had missed the Zoning Board Meeting due to a scheduled Special Town Council Meeting and that the last Economic Development Commission Meeting had been rescheduled and he had not been aware of the new time.

Mayor Festa stated, for clarification purposes, that the Economic Development Commission had recommended completing only one side of the street to start (the most severe) with the allocation monies, under the Route 6 Streetscape Plan.

Mayor Festa stated that as far as bowling goes, he would take Town Councilman Wunsch as a partner every time and that Town Councilman Wunsch kept the team alive.

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Public Comments

R. Zovich stated that the Budget was available in the Town Clerk's Office and recommended everyone go through it prior to the April 11, 2011, Budget Hearing. He further stated that this year's budget came in at \$38,598,000, or up \$29,000, which was basically no increase.

Council Comments

Town Councilwoman Schenkel stated that she wanted to express her deepest sympathy for the two individuals previously named by Town Councilman Wunsch, and that on behalf of the entire Town Council, their thoughts and prayers were with the families.

Adjournment

There being no further business of the Plymouth Town Council, Town Councilwoman Schenkel made a motion, seconded by Town Councilman Sandshaw, to adjourn at 10:30 p.m. This motion was approved unanimously.

Respectfully submitted,
Acting Recording Secretary

attachments