

Town of Plymouth
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Plymouth Town Council
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Minutes

August 2, 2011

Call to Order: Mayor Vincent Festa, Jr., called the August 2, 2011, Plymouth Town Council Meeting to order at 7:03 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. Also in attendance was David Bertnagel, Director of Finance.

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, Special Meeting July 11, 2011

Town Councilman Sandshaw made a motion, seconded by Town Councilman Wunsch, to accept the July 11, 2011, Plymouth Town Council Special Minutes with the following correction:

Page Twenty-three, Paragraph Nine, should read that Town Councilman Wunsch had met with "Public Works" and remove the word "Board" from the sentence. Vote: Town Councilman Sandshaw/yes; Town Councilwoman Schenkel/yes; Town Councilman Sekorski/abstained; Town Councilman Wunsch/yes; Town Councilman Zagurski/yes, motion passed to accept minutes as amended.

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Council Rules and Procedures

No report.

Public Comment on Non-Agenda Items

Vincent Klimas, 5 Coral Drive, Terryville, referencing Ralph Zovich's comments on Page 16, Paragraph's One and Two, of the July 11, 2011, Special Town Council Minutes, requested further clarification and information. V. Klimas stated that R. Zovich had implied that there was a way to get an expenditure of funds/monies for purchasing or leasing new items over \$50,000.00. V. Klimas stated that he was not an Attorney, however it would be illegal for the Town to spend \$50,000.00 without a Referendum or a Special Town Meeting, and that it would be a serious violation of the Town Charter.

Mayor Festa recommended that V. Klimas contact R. Zovich directly to ask him what he meant by his statements and to provide clarification for him on the issue.

When questioned by V. Klimas if an expenditure of \$50,000.00 had ever occurred (to-date) on a purchase of or over \$50,000.00, Mayor Festa stated that the Town had approved two land purchases, noting one being the Trelli property and that the other purchase had been the Hart/Belonik property.

When questioned by V. Klimas as to when these two purchases occurred, and were any legal opinions obtained authorizing the purchases, Mayor Festa stated that he was not around for the purchases so he did not know, and further, that they had occurred within a ten-year time-frame.

V. Klimas questioned if Agenda Item No. 10 was the Main Street/Prospect School Street discussion, and would the public be allowed to speak on the agenda item, and if so, at what point in the agenda would that occur.

Mayor Festa stated that only the "invited" could go into Executive Session with the Council, however if any decisions/actions were made as a result of the Executive Session, the public would be allowed to comment under Agenda Item No. 11.

Melanie Church, 328 Main Street, Terryville, questioned when the Town would be starting the water line work on Burr Road and North Harwinton Avenue.

Mayor Festa stated that the bid packages were being worked on and that the issue would be moving forward when the bid packages went out.

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Mayor's Report-Correspondence/Discussion on various items: Bond Referendum; Waterwheel Park Activity/Additional Grant Money; Streetscape Update; State Contracting Bid Pricing; Code Enforcement Ordinance Legal Notification; Burr Road/Harwinton Avenue Well Update; Discover Plymouth "after Dinner Walks" 8-7-11 North Street/Plymouth Land Trust; Distribution from CIRMA, Roof Repairs-Town Hall, Fire Stations; CL&P Presentation

Mayor Festa stated that the Bond Referendum issue was being looked at again, by virtue of the Town Council's discussion at its last meeting. He further stated that the re-establishment of the Committees involved would be made and that they would be bringing their recommendations back to the Council when they had finished their work.

Mayor Festa stated that the Town had just received notification that the Environmental Protection Agency (EPA) had granted the Town additional amount of funds to clean up the additional 130 tons of contaminated soil that was found in the drywells on the property that had been dug up in the Waterwheel area. He further stated that forward movement would begin, again.

Mayor Festa stated that the application of new shingles on the Waterwheel would be addressed, as well as some other housekeeping chores on the Waterwheel, itself. He further stated that some work would be started on the first phase of the construction aspect of the Waterwheel Project.

Mayor Festa stated that some additional grant monies would be coming forward for the Streetscape Project, noting that the Town had put an application in for \$500,000.00 and were waiting to hear back that the request had been accepted. He further stated that once Plymouth was accepted, and the permit to move forward was received from the Department of Transportation (DOT), the Town could begin the actual construction of sidewalks in the downtown area.

Mayor Festa stated that the DOT had been holding up the progress of the work because of a floodplain area near the Whole Donut, noting that a bench and a light pole would need to be moved from the area, per the DOT. He further stated that the DOT had concerns regarding a two-inch sidewalk height, as well, but that it would be taken care of.

Mayor Festa stated that he had requested that the Director of Finance, David Bertnagel, address the State Contract Bid waiving process question, which had arisen at the last Town Council meeting.

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Mayor's Report Cont'd.

David Bertnagel, Director of Finance, distributed copies (see attachment) of the Town of Plymouth Bids from 2005 through the 2011 years, for review.

D. Bertnagel stated that the bids went back approximately five years and outlined each line item in detail.

D. Bertnagel stated that the Board of Education was not included in the attachment, noting that they had their own system in-place during the years shown.

D. Bertnagel stated that the information excluded the new high school bids, as well as the Fall Mountain Project.

D. Bertnagel stated that the Bid Waivers in 2006 were as follows: Catch Basin Cleaning, Bullet Proof Vests, and the Emergency Communications Shed at Fairgrounds.

D. Bertnagel stated that the Bid Waivers in 2008-2009 were as follows: Marola Auto for Highway Trucks matched State Bid prices, a second excavator matched State Bid price, and Emergency Communications Console due to old Console shutting down and not working.

D. Bertnagel stated that basically, since the time he had been employed as the Director of Finance, he felt it had been appropriate to go out for bid in an attempt to get the most bang for the Town's buck, and that the Town had been doing that on a consistent basis.

Mayor Festa stated that the Code Enforcement Ordinance Legal Notification was ready to go out, noting that the one more person was needed to qualify for a vacancy. He further stated that the Town was looking to obtain a cross-section of the Community and noted that the members had to be residents, taxpayers, and landlords.

Mayor Festa stated that the bid packages were being prepared to be sent out for the Burr Road/Harwinton Avenue Waterline Project and that the Town would be moving in a forward direction for the project, very shortly.

Mayor Festa stated that a Discover Plymouth After Dinner Walks had been scheduled for this coming Sunday, August 7th, on the North Street Plymouth Land Trust.

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Mayor's Report Cont'd.

Mayor Festa noted that the Beautification Committee was sponsoring the program. He further stated that the walks would continue through the month of September and into early October, for anyone interested.

Mayor Festa stated that the Town had received notification of a rebate award in the amount \$12,634.00 from Connecticut Interlocal Risk Management Agency (CIRMA). He further stated that the money was the Town's share of a three million dollar CIRMA Member Equity distribution and was due in part to the work performed by Bill Bellotti. Mayor Festa stated that the Town was working to bring employees back to work on lighter duty, avoiding full time pay for staying home, instead.

Mayor Festa stated that the rebate was CIRMA's way of rewarding the Town. He further stated that the Board of Education had an incident with an employee who had very serious issues, which caused the rates to be higher than normal, but continued efforts have kept the Town's rates down.

Mayor Festa stated that the Town Hall roof repairs had begun and that parts had been sent in from Canada. He further stated that the roof leaked during the last storm, however not as much as it normally did prior to the temporary patching, noting the work was ongoing. Mayor Festa stated that work was also moving forward on the Fire Station roofs.

Mayor Festa stated that Anthony Lorenzetti, Public Works Director, had informed him that CL&P had returned from their vacation and were willing to come to a regular or special Town Council Meeting to give an Energy Audit presentation.

Mayor Festa stated that anyone wanting to hold the presentation separate from the regular September Town Council Meeting should contact the Mayor's Office.

To refund the following property taxes: Holly I. Schrager, \$34.55; Amy Charlton, \$30.42; Carl Kulesa, \$130.81; Nissan Infinity LT, \$200.84; Stanko S. Manichev, \$12.61; John Palesty, \$1,254.23; Kenneth or Mary Grendziszewski, \$368.26; Salvator Santopietro, \$94.50; Joseph C. Ozga, \$2.27

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Sandshaw, to refund the property taxes as follows: Holly I. Schrager, \$34.55; Amy Charlton, \$30.42; Carl Kulesa, \$130.81; Nissan Infinity LT, \$200.84; Stanko S. Manichev, \$12.61; John Palesty, \$1,254.23; Kenneth or Mary Grendziszewski, \$368.26; Salvator Santopietro, \$94.50; and Joseph C. Ozga, \$2.27. This motion was approved unanimously.

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Appointments/Resignations

Town Councilman Sandshaw made a motion, seconded by Town Councilwoman Schenkel, to appoint Joy Stregowski from an Alternate to a Regular Member on the Conservation Inland/Wetlands Commission, with a term ending September 1, 2013. This motion was approved unanimously.

To enter into Executive Session for real estate transactions for Town owned properties; School/Industrial Park sites

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Wunsch, to enter into Executive Session for real estate transactions for Town owned properties; School/Industrial Park sites, at 7:25 p.m. This motion was approved unanimously. It was noted for the record that there was no objection to the Director of Finance attending the Executive Session.

Present for the Executive Session were: Director of Finance David Bertnagel, Mayor Festa, Town Councilman Sandshaw, Town Councilwoman Schenkel, Town Councilman Sekorski, Town Councilman John Wunsch, and Town Councilman Tom Zagurski.

Mayor Festa called the Town Council back into the Regular Session at 8:02 p.m.

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

Town Councilman Sandshaw made a motion, seconded by Town Councilman Sekorski, to reject the proposal made on the Main Street School property, made by Attorney Morrocco, Attorney Cohen, and Mr. Marrone. Discussion on the motion as follows:

Vincent Klimas, citing his experience with the disposal of properties, noted there were a variety of issues that needed to be dealt with beforehand. V. Klimas questioned if there had been any research performed and was the Town in compliance of proposed disposition of properties bought by State and Federal funds, noting that there were regulations that must be followed. He further stated that the Town could be in deep trouble if the disposition of property regulations were not reviewed and questioned, again, if they had been reviewed.

Mayor Festa stated the disposal of property had in fact been reviewed and that it depended on the use of the buildings, who would be building and renovating, the purpose of the renovation, i.e. elderly housing, etc.

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To take action, as may be necessary, from Executive Session Cont'd.

Mayor Festa stated that there were a number of issues and that the specifics had gone before legal counsel, Planning and Zoning, and all of the different bodies involved in the process. Mayor Festa stated that there were specifics, relative to Planning and Zoning regulations, which the particular owner had to agree to before the sale went through. Mayor Festa stated that the property in question did not have the regulations referred to by V. Klimas and so the Town had not come across those particular aspects.

Vincent Klimas stated that he was sure the schools had been bought with educational funds and that he knew of cases where the Towns had to pay the monies back.

Mayor Festa stated that from what the Town had found out, there was no life to that issue any longer and that the rules and regulations had been taken care of, adding that the same had been done with the Prospect Street School. He further stated that nothing at the State and/or Federal level required that the Town to do anything else.

When questioned by V. Klimas as to what the certified appraisals of the properties was, Mayor Festa stated that at this point in time he did not want reveal any numbers, noting if the properties were to go onto the market again, the Town could be limiting itself to the asking price based on what was given out as the appraisal fee. He further stated that one of the reasons you do not go into legal discussion of transactions and potential sales in public is the very reason that the cost factors involved in the sale and/or the purchase of, can have an effect by what is given out.

V. Klimas stated that he hoped that each Council member would not vote in favor of selling the property unless it meets a certifiable appraisal, (within three to five percent), noting to do that would be just giving taxpayers money away.

Mayor Festa stated that certifiable appraisals, including a complete report and pictorial, had been done.

Vote: Motion approved unanimously.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Sekorski, to recommend to the Board of Finance that they transfer \$40,000.00 from Community Development Block Grant Loan Fund to the Economic Development Fund for the purpose of giving Economic Development Grants. Discussion as follows:

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To take action, as may be necessary, from Executive Session Cont'd.

Vincent Klimas, citing his 17 years of experience dealing with millions of dollars in Community Block Grant monies, including Economic Development, stated that there would need to be a process followed, whether it was forty thousand or forty million, and hoped it would be made public. V. Klimas stated that a good evaluation system should take place for the people asking for the funds so that they could be ranked as to who should receive the monies.

Vote: Motion approved unanimously.

Liaison Reports

Town Councilman Zagurski stated that Planning and Zoning had met and that they were very happy with McDonalds and asked that the word be sent that everything looked great over there. He further stated that he echoes those sentiments.

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

Town Councilwoman Schenkel stated that the Economic Development Commission had moved their meeting so she was unable to attend.

Town Councilwoman Schenkel stated that she had attended the Police Commission Meeting and that basically, they were reviewing the public feedback on the Traffic Ordinance with the requests for police presence verses people who work for private companies.

She further stated they were looking at requests for certain areas where people were rolling through stop signs and there had been many near miss accidents.

Town Councilman Wunsch stated that the Public Works Ad Hoc Committee met last Thursday, noting that he felt it was a pretty good meeting. He further stated that they would be meeting regularly on the second Tuesday of each month at 7:00 p.m.

Town Councilman Wunsch stated that he had met with Jimmy Schultz, Public Works, and that J. Schultz had told him that they were finishing the installation of drainage on North Street and that it would be paved in a couple of weeks.

Town Councilman Wunsch stated that they had begun crack-sealing various roads in Town, as well.

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

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Public Comments

No report.

Council Comments

Town Councilman Sekorski questioned if the Town had any information from Khara Dodds, Director of Planning and Economic Development, about the punch list for the new high school, which included tree plantings and the sidewalk issue. He further questioned if the School Building Committee could go to the Planning and Zoning Commission to get the project closed.

Mayor Festa stated that he had discussion this afternoon and that it was his understanding at the time that a tree was the issue at hand, however he was later told that the tree had been taken care of. He further stated that a staff member had informed him that the issue for the hold up was the patchwork at the beginning of the driveway to the new high school. Mayor Festa stated that the area was supposed to have been repaired, but it was patched instead. He further stated that the School Building Committee would be meeting tomorrow evening (August 3, 2011) and that the Committee would be taking up the issue at that time.

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 8:16 p.m. This motion was approved unanimously.

Respectfully submitted,

Acting Recording Secretary

attachment