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**Plymouth Town Council**  
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**Minutes**

**September 12, 2011**

**Call to Order:** Mayor Vincent Festa, Jr., called the September 12, 2011, Special Joint Meeting of the Plymouth Board of Finance and the Plymouth Town Council to order at 7:02 p.m., in the Community Room, Town Hall.

**Roll Call:** Town Council-Present were Town Councilman Martin Sandshaw, Town Councilwoman DiAnna Schenkel, Town Councilman David Sekorski, Town Councilman John Wunsch, and Town Councilman Tom Zagurski. Board of Finance Present were: Commissioner Patricia Budnick, Commissioner Victoria Carey, Commissioner Peter Cook, Commissioner Michael Drozdick, Commissioner Daniel Murray, and Commissioner/Chairman Ralph Zovich. Also in attendance were Director of Finance David Bertnagel, Public Works Director Anthony Lorenzetti, and Highway Superintendent James Schultz.

**Fire Exits Notification**

Mayor Festa made note of the Fire Exits for the Plymouth Board of Finance, the Plymouth Town Council and the Public Audience.

**Pledge of Allegiance**

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

**Discussion of Emergency Plans and Operations due to storm related activities**

Mayor Festa stated that the reason for this evenings Special Joint Meeting with the Board of Finance and the Plymouth Town Council was to discuss the dilemma that the Community was facing and noted that there were several options that could be looked at in relation to the recent Hurricane Irene damage throughout the Town and Community, as well as the remnants of Storm Lee and the rains that followed and also created damage.

**Plymouth Board of Finance and Plymouth Town Council Special Joint Meeting  
September 12, 2011  
Page Two of Nineteen Pages**

**Discussion of EPO due to Storm Related Activities Cont'd.**

Mayor Festa stated that he would open the floor to dialogue after listening to remarks from David Bertnagel, Director of Finance, Anthony Lorenzetti, Director of Public Works/Town Engineer, and James Schultz, Highway Superintendent, regarding the damage incurred from the storms previously mentioned. He further stated that Public Comment would then follow.

Mayor Festa stated that resolutions needed to be made because of 30 to 40 years of continuous flooding on Beach Avenue, as well as in the center of Town, on Bemis Street, and on Route 72, etc., noting that there had always been talk about repairing the areas in question, however there had been no true representation of how to resolve the issues.

Mayor Festa stated that he had reviewed various reports that he had received from Anthony Lorenzetti, noting that one was the Preauthorization Planning on Upper Pequabuck River Watershed from March 1983, from the Connecticut Department of Environmental Protection (DEP) USDA Soil Conservation Service. He further stated that the report contained a number of recommendations, however there was never any follow-up performed.

Mayor Festa stated that he had received correspondence (today) from the State Department of Transportation (DOT) relative to funding for Connecticut roads, and that he had spoken to Anthony Lorenzetti who would be researching which roads in Town could be considered. He further stated that this funding was not a part of the Federal Emergency Management Agency (FEMA), that it was from the Federal Highway Administration (FHWA) project. Mayor Festa stated that it would involve the same application process as FEMA required.

Mayor Festa stated that he had received notification from the Travelers Insurance Company that the collapsed wall and destroyed pipes at the Water Pollution Control Authority (WPCA) were not covered under the Town's policy. He further stated that the damage from the hurricane to the WPCA's wall and pipes totaled \$97,000.00.

Anthony Lorenzetti stated that his department had estimated numbers, together with assistance from Federal Emergency Management Agency (FEMA) and that at this point in time the estimated damage was in the six figures.

Anthony Lorenzetti stated that the figures he had put together, to date, for FEMA included departmental staff time, spot road damage estimates and noted a few of the areas where washouts had occurred as follow: Bemis Street, Wolcott Road, Judd Road, Cross Road, Scott Road, and Todd Hollow. He further stated that he had also put together the figures for the damage at the WPCA.

**Plymouth Board of Finance and Plymouth Town Council Special Joint Meeting  
September 12, 2011  
Page Three of Nineteen Pages**

**Discussion of EPO due to Storm Related Activities Cont'd.**

Mayor Festa stated that he had received approximately 24-30 telephone calls from residential homeowners and Town businesses that were looking for assistance from the Town because their insurance would not cover their damages and some of them did not qualify for grants.

Mayor Festa stated that the Learning Center had telephoned him and questioned if the Town would be willing hold a fundraiser for them and noted that he had told them it was unlawful for the Town to meet their request. He further stated that he had informed them that the Town would be willing to provide them (and any other Town businesses) with any other possible assistance and the necessary processes, which they would need to be following. Mayor Festa stated that the unoccupied Main Street School did not qualify as a temporary shelter for the Learning Center. Mayor Festa stated that he was concerned for the plight of parents who had to pay tuitions to the Learning Center, as well as to the temporary day-care providers they were being forced to utilize. He further stated that the plight of Town residents, who had horrendous damage to their properties, was a very serious situation and of great concern to him.

Mayor Festa stated that his initial consideration was to look at a new Bonding Proposal and that based on the amount of monies needed, the costs involved and to be readied for the next go round, the cost would be prohibitive and that the Town would have to go up on its mill rate to meet the needs and fix the problems. He further noted that the new proposal would have to be more specific, noting that was the cry of the people who had voted the first Bonding Proposal down.

Anthony Lorenzetti stated that the Study, which Mayor Festa had previously referred to, had been performed in 1983 in order to try to qualify for grant monies, which would help fix up the Pequabuck River Watershed.

Anthony Lorenzetti distributed copies of the Study, along with the Executive Summary, as well as estimates for additional options. Anthony Lorenzetti stated that the Pequabuck River Watershed has had flooding issues for many years and that various issues occur with each storm and flooding event. He further stated that because of flooding on Route 72, the Post Office, Webster Bank, the Learning Center had severe flooding. Anthony Lorenzetti stated that on Route 6 (Main Street) a foot of water had risen (near the Whole Donut) and had gone over the bridge. He further stated that because of waterways and pond breaching, many residential yards in the Bemis Street (Sherman Lane and Upper Pond area) had also experienced damage and debris in their yards. Anthony Lorenzetti stated that the area in question (on Bemis Street) would require reconstruction attention, including bank stabilization.

**Plymouth Board of Finance and Plymouth Town Council Special Joint Meeting  
September 12, 2011  
Page Four of Nineteen Pages**

**Discussion of EPO due to Storm Related Activities Cont'd.**

Anthony Lorenzetti stated that he, along with Town Councilman Martin Sandshaw and representatives from FEMA, had met with Town residents on several occasions and that they had gone to some of the local businesses, including the Scott Funeral Home, Lee Hardware, a church on Maple Street and one residence on Silver Street. Anthony Lorenzetti stated that they did not bring FEMA to review the flooding on Woodside Lane, however it was a problem spot and that there was a sub-station located in that area. Anthony Lorenzetti stated that there had been high water flooding on Harwinton Avenue, which had backed into the Pequabuck River and that flooding had also occurred in the IGA Plaza with the water starting at Adams Drive and flowing down Orchard Street. He further stated that some other areas of major flooding concerns had been Cross Road, Keegan Road, as well as Todd Hollow Road. Anthony Lorenzetti stated that the DEP had gone out to look at a private dam on Todd Hollow Road and questioned if evacuation might be necessary as a result of the second rainstorm. He further stated that a private culvert had let go on Minor Road that the residents living there had experienced problems getting access to their home. Anthony Lorenzetti stated that debris in the Pequabuck River (and other waterways) including fallen trees, branches/limbs, sediment, and leftover bricks from the old Eagle Lock fire, were obstructions, which should be removed to minimize future flooding problems for some of the homeowners.

Other problem areas included the Matthews Street bridge (Bristol side), Judd Road, reservoir off Preston Road (noting that it was full), Wilton Pond, and the North Street reservoir. Anthony Lorenzetti stated that he had been in contact with Water Company on possible breaching and that they inspected dam the by high school.

Mayor Festa requested that Anthony Lorenzetti report on the United States Department of Agriculture (USDA) representatives, who had been in the Town Hall this past Thursday, in regards to the Town applying for monies for cleaning up rivers, streams, and the impact involving widths of the rivers on one side verses the other, etc. Mayor Festa further stated that the Army Corps of Engineers was not properly authorized to come in and help out.

Anthony Lorenzetti stated that he had also spoken to the USDA NCRS people on Thursday about making application for potential available monies for cleaning Town rivers. He further stated that he had brought them around (noting that they used to be the U.S. Soil Conservation Service) to many spots to show them the debris in the Pequabuck River, Maple Street, Todd Hollow Road, and the downtown area. Anthony Lorenzetti stated that they had taken pictures, but that they did not make him feel good about the potential of receiving any grant money through their program. He further stated that they had discussed the imminent danger and possible loss of human life because of some of blockages that had occurred.

**Plymouth Board of Finance and Plymouth Town Council Special Joint Meeting  
September 12, 2011  
Page Five of Nineteen Pages**

**Discussion of EPO due to Storm Related Activities Cont'd.**

Anthony Lorenzetti stated that they had come back and had spoken to the Mayor, after seeing the areas previously stated, and noted that they had questioned if the Town had other agencies it could look to for monies, noting that the Town only had a minimal chance with them. He further stated that they did not give the Town a definite no. Anthony Lorenzetti stated that it all came down to the Town initially helping itself and that it would be a long application process from whenever the Town applied for assistance. Anthony Lorenzetti stated that the Town could also look at the regionalization approach component.

Mayor Festa stated that after speaking to Central Connecticut Regional Planning Agency (CCRPA) he would be suggesting that they look at the geographic location of the Town's membership and to write to Washington D.C. to pass legislation that would be proactive rather than reactive. He further stated that all of his research and material that he had read up on suggested that FEMA monies were for reactive purposes. He further stated that it was time someone took a serious look noting that every time this type of storm damage occurred it was always in the same location in every community and that the reason was because the problem was never taken of. Citing the bridge that was located near the Whole Donut, Mayor Festa stated that one side of road was approximately 35 feet in width (17 feet in width as it crosses the road) and that when the water rushes across that area with debris in it, it acts as a dam and backs everything up and flooding occurs. Mayor Festa stated that at one time the Army Corps of Engineers went into communities and cleared out brooks and related work, noting that he had asked the USDA if that kind of action was still available with local people. Mayor Festa stated that the State of Connecticut had enough people unemployed and that there would be an opportunity if the Governor put money into reconstruction, etc., noting that we could put legislation in to assist local governments, as well as State government.

Mayor Festa stated that he was waiting to hear back from Carl Stephani, Executive Director of CCRPA, to see if he would be contacting Mayors from surrounding communities, who also were members of CCROA, for a possible joint meeting to push for some kind of serious legislation in Washington D.C.

At the request of Mayor Festa, David Bertnagel, Director of Finance, reviewed the impact of the storms on the budgetary component.

David Bertnagel stated that he had calculated approximately \$38,000.00 in the General Fund of Operating Expenses due to Irene and Lee, to date. He further stated that the second component was the WPCA coming in at approximately \$100,000.00 in repair work, and that to date, \$138,000.00 of expenditures had been committed for the events.

**Plymouth Board of Finance and Plymouth Town Council Special Joint Meeting  
September 12, 2011  
Page Six of Nineteen Pages**

**Discussion of EPO due to Storm Related Activities Cont'd.**

David Bertnagel stated that the Town was entitled to an eligibility expenditure from FEMA, noting that we would need them to come out and give their approval, and that if approved, the Town would receive up to 75 percent in reimbursements. He further stated that the WPCA wall was still questionable, due to a sliding scale. David Bertnagel stated that in a similar past situation, the Town had received approval for a January snowstorm declared emergency at a 75 percent reimbursement amount, however we had not received the money as yet.

David Bertnagel stated that after the storm had hit New England, FEMA had noted that they were out of money. He further stated that the cost estimates on Bemis Street could be in the millions of dollars range to do long term solutions. David Bertnagel stated that a provision in the Town's Charter allowed for emergency expenditures (5%) for items to take place and that using an example of \$24 million (for taxation) or \$1.2 million it could be authorized as an emergency. He further stated that the Town Council would need to approve the authorization and that a Public Hearing would need to be held. David Bertnagel stated that there were also provisions for additional appropriations for various items and that anything over \$50,000.00 would require Town Meeting approval. He further stated that the Council had the authority to bond up to \$149,000.00 without a Referendum, but we would still need a Town Meeting. David Bertnagel stated that presently, there was a \$50,000.00 Contingency Line Item for the Board of Finance and that could be used, however it had been used for the entire year.

Mayor Festa stated that it would be very foolish for him, or any other Mayor, to invoke the options mentioned by David Bertnagel, simply because the line items existed. He further stated that this was a very serious issue and that the Town did not have the full implication of what had been expended to date. He further stated that the safety and welfare of the people in our Community would come first and that the finances would be second. Mayor Festa stated that the Town was at a crossroad and would not make a decision without coming back to Council and the Board of Finance, noting that both groups were very instrumental and important to the Community.

Town Councilman Wunsch questioned if dredging Upper Pond would help the flooding that occurs on Bemis Street.

Anthony Lorenzetti stated that it was actually a control structure and that if the pond had the ability to be lowered and if the damn control operated it, then the Town would have the ability to control the water. He further stated that the Pequabuck River Watershed had water coming at the bridge near Main Street/Route 6 and that anything the Town could do to control the water would be of help.

**Plymouth Board of Finance and Plymouth Town Council Special Joint Meeting  
September 12, 2011  
Page Seven of Nineteen Pages**

**Discussion of EPO due to Storm Related Activities Cont'd.**

Anthony Lorenzetti stated that the Parks and Recreation Department had moved boards at Lake Winfield and that the dam had not been at risk. He further stated that the State did not have a policy on how the Town(s) should handle these types of issues. Anthony Lorenzetti stated that the dam at the pond did not belong to the Town, however they needed to be looked at together for a solution. Anthony Lorenzetti stated that they had looked at the flood mapping of the area in question and that he was unsure if the mapping was correct. He further stated that because of a breach location on Bemis Street, the water runs along the street before it enters back into the pond, however that was not showing up on the flood map print.

Town Councilman Sandshaw stated that there were many issues that needed addressing and noted that all of them could not be solved.

Town Councilman Sandshaw questioned Anthony Lorenzetti, for his professional opinion, as to which issues should be addressed first, how they should be attacked financially and what would provide the most bang for the buck and be the most beneficial to the Town.

Town Councilman Sandshaw stated that in driving around with Tony and FEMA, he felt that stream-bed maintenance would have prevented at least 25 percent of the flooding that had occurred.

Tony Lorenzetti stated that downstream debris was the big reason for flooding and debris and that Rockwell Park in Bristol was a perfect example of this type of problem. He further stated that debris had gone under bridges and ripped out utilities. Anthony Lorenzetti stated that in some areas of our rivers there were not a lot of mature trees but that there were some 20-30 year old trees that have fallen in and that certainly, removing some of this type of debris from the watercourses would help out. Citing Silver Street as an example, Anthony Lorenzetti stated that it had a huge amount of debris in it.

Town Councilman Sandshaw questioned if the Town had opportunities to work on this problem and if so, what would the avenues be that Tony would utilize.

Anthony Lorenzetti stated that this was private property that Town Councilman Sandshaw was referring to and that anybody doing the work (including the Town) would need permission from landowner. Citing the Learning Center as an example, Anthony Lorenzetti stated that it was privately owned and had watercourses on both sides of the building. He further stated that they had the ability to perform maintenance and to control the number of trees and brush that limit the storm water flow in the area.

**Plymouth Board of Finance and Plymouth Town Council Special Joint Meeting  
September 12, 2011  
Page Eight of Nineteen Pages**

**Discussion of EPO due to Storm Related Activities Cont'd.**

When questioned by Town Councilman Sandshaw, Anthony Lorenzetti stated that he was unsure if the Town had the ability to say that public health and safety would allow the Town to perform the necessary work in question and that it should be directed to the Town Attorney.

Anthony Lorenzetti stated that if you minimized the debris floating downstream you would minimize the risk.

Anthony Lorenzetti stated that we were still in hurricane season and that it was critical that dialogue take place to investigate what could be done in the most critical spots. He further stated that the Town had 25 to 30 Town-owned bridges to maintain and that it was a huge issue that would need to be addressed.

Town Councilwoman Schenkel stated that eminent domain was a precise legal mechanism that would require the Town of provide just compensation to the owner(s). She further stated that if the Town were to get funding to do something that would require private property owners to do something, Anthony Lorenzetti might want to think about an easement to see if the homeowner would be willing to do a voluntary easement even if it were for a limited amount of time allowing the Town access to the property.

Town Councilwoman Schenkel stated that she was 100 percent in favor of an Engineering Study and noted that the issue needed to be fixed correctly the first time to eliminate an erosion problem later down the road.

Town Councilwoman Schenkel stated that she was very concerned about the safety of the Town Roads and was hoping that whatever proposal gets chosen, that the day-to-day travel by families in Town would be taken into consideration.

When questioned by BOF Commissioner Michael Drozdick, Anthony Lorenzetti stated that the 1983 report was an Engineering Study concerning soil conservation and that it had been an attempt on the Town's part to procure DEP funding. Anthony Lorenzetti stated that there had been three options contained within the report.

When questioned by Cmsr. Drozdick if the report was still valid today, Anthony Lorenzetti stated that the reality was that the issue had not gone away and that nothing had been done to date.

Anthony Lorenzetti stated that he had some discussion with the State Department of Agriculture to determine if there were standards for storm events, noting that there had been some strange extreme weather events.

**Plymouth Board of Finance and Plymouth Town Council Special Joint Meeting  
September 12, 2011  
Page Nine of Nineteen Pages**

**Discussion of EPO due to Storm Related Activities Cont'd.**

Anthony Lorenzetti stated that the 1983 Study would be updated, the numbers would be changed, but that funding still needed to be sought and that the Report was a good starting point.

Mayor Festa stated that the Town needed to take a lesson from the past storm (year and half ago) whereby the Town of Bristol received monies, but the Town of Plymouth did not because the Town had not qualified as a regional component. He further stated that the Study of the Pequabuck Rivershed was stopped because it could not be afforded and at the time and it was put on a shelf and that happens with a lot of Town projects because of the lack of money for the project. Mayor Festa stated that the bottom line would be where would the money come from and that only a few sources of taxation existed including increasing the mill rate and/or the Bonding Proposal, an attempt to go back to a level debt Bonding Proposal or any combination of these ideas that could be made available to the Community to address the severe problems the Town was experiencing.

BOF Commissioner Patricia Budnick stated that if the Town did not qualify for Grant monies, then it should look at the possibility of working alongside with the City of Bristol, which might be more cost effective. She further stated that she was in agreement with Town Councilwoman Schenkel concerning the \$30,000.00 Road Study and that some roads, including Bemis Street, had been an ongoing project and that if a bonding proposal went forward to correct the roads there should be some correlation there. Cmsr. Budnick stated that it would not pay to work on public and private dams if the roadwork was corrected first. She further stated that she owned a lot on Burnham Street but was unsure if they owned the land on the other side, but would be happy to give the Town an easement to do clean up work and stated that she felt the majority of people who owned property would agree with her. Cmsr. Budnick stated that the Army Corps of Engineers used to send unemployed people to State Parks to perform clean up work and that perhaps some of the available Stimulus monies should be utilized for this idea.

Anthony Lorenzetti stated that the people would require training; Cmsr. Budnick stated that should not be a problem, they could be trained.

BOF Commissioner Dan Murray stated that the example cited by Cmsr. Budnick was also utilized when the Hoover Dam had been built and that it had required minimum training and that Cmsr. Budnick had made a very valid point.

Cmsr. Budnick stated that some of the flooding occurred on sites that used to be ponds, including the Early Learning Center property and that the IGA Plaza used to be a swamp area and that was the reason for flooding in those areas. She further stated that the water needed to be redirected to other open spaces.

**Plymouth Board of Finance and Plymouth Town Council Special Joint Meeting  
September 12, 2011  
Page Ten of Nineteen Pages**

**Discussion of EPO due to Storm Related Activities Cont'd.**

When questioned by Cmsr. Budnick, Anthony Lorenzetti detailed the damage to the WPCA, noting that the embankment had been scoured, pipes had become exposed and that the slope had to be reestablished with larger stone.

When questioned by Cmsr. Budnick, Anthony Lorenzetti stated he had put \$400,000.00 for Road Repair and that in terms of discretionary road monies, they used that money for crack sealing, putting pipe in ground, and paving. When questioned by Cmsr. Budnick, Anthony Lorenzetti stated that the roads that needed to be repaired would cost more than the allotted \$400,000.00.

Cmsr. Budnick stated that she felt the monies should be used for debt service and stated that if the Town were to bond 20 million dollars for the Road Repair then \$400,000.00 would be the debt service applied against it.

Vice Chairman BOF Cmsr. Vicky Carey stated that Public Works did not have enough monies for Road Repair and that what they did receive was just a band-aid citing Greystone Road as an example. She further stated that tar and asphalt was expensive and if the Town were to go with the level debt service, there would only be a short time to go around and examine the roads. Cmsr. Carey stated that if Anthony Lorenzetti needed to reprioritize the Road Study with drainage then she wanted to see the best estimate figures and then she wanted to move forward with the bond package and keep the level debt service as planned.

Dave Bertnagel stated that it was a structuring of debt service and briefly explained the process.

BOF Cmsr. Peter Cook stated that the reason the Bond Proposal failed was because everyone had talked and talked and that he had just been given two numbers of \$38,000.00 and 75% paid for and \$100,000.00 for the WPCA and that given six figures and that for all this, talking meant nothing because there was no list. He further that if everyone talked less and had written the figures on the corner board (this evening) he would have more knowledge than he had sitting here for an hour.

Cmsr. Cook stated that Anthony Lorenzetti should have provided a listing of street names with "x" amount of required dollars for repair for this evenings meeting. He further stated that the Town needed a plan for yearly maintenance costs for river repairs, cleanup, i.e. bamboo removal, etc., and a plan to mitigate potential flooding in the future.

Cmsr. Cook further questioned what was in the plan that would accomplish these items with bonded monies.

**Plymouth Board of Finance and Plymouth Town Council Special Joint Meeting  
September 12, 2011  
Page Eleven of Nineteen Pages**

**Discussion of EPO due to Storm Related Activities Cont'd.**

BOF Chairman Ralph Zovich stated that two issues existed; one issue was the short term approach for the urgent repairs that needed to be made in the short term and that this could be discussed at the next Board of Finance Meeting. He further stated that there was long term bonding in Capital Improvements. Cmsr. Zovich stated that the Emergency Appropriation clause in the Town Charter was for circumstances when there was no time to hold a Town Meeting or to have a Bond, however the Town was not at that point, at this time. Cmsr. Zovich stated that this issue could not be rushed headlong and that all of the Capital Projects would have to be bonded. He further stated that the previous Bonding Proposal lacked specificity and was too vague in terms of the entire kit and caboodle, and that we did need complete list.

Cmsr. Zovich stated that the Beach Street flooding was in the 1983 report along with the flooding of the downtown area (Routes 72/6 section over the Pequabuck River) and Canal Street which ties into the WPCA damage. He further stated that lower Bemis Street was two issues, that the lower section to Route 72 had been patched, which Public Works could no longer continue patching. Cmsr. Zovich stated that the upper portion of Bemis Street that flooded near the pond would be a long term project. Cmsr. Zovich stated that Old Waterbury Road had a catch basin that was depressed for a week and a half now and was a short term project and should be done. Cmsr. Zovich stated that that short term list would include all 13 Public Works crew employees and that should be working on it. Cmsr. Zovich stated that we needed a short term repair list, as well as a long term Capital Improvements list for the engineering and bonding. Cmsr. Zovich stated that Cross Road had a long term and short term component and that it could be patched and the bridge would be passable. Cmsr. Zovich stated that priorities for long term were public health and safety. He further stated that what would help individual owners and people who lived by river and in flood plain would not be first, major repair would have to come first. Cmsr. Zovich stated that some of the recommendations in the Report had been done. He further stated that concrete channel upstream and down stream on Route 6 should be cleaned out and was a maintenance issue that could be done in-house or hired out to a Contractor. He further stated that Beach Avenue had to be addressed and had to be in the Bonding Proposal. Cmsr. Zovich stated that regarding the financing, the Town had incurred \$138,000.00 in expenditures and needed to cover that and when the 75 percent came in (appropriated to the WPCA) the rest would go back to the Board of Finance for contingency and did not require an Emergency Appropriation. Cmsr. Zovich stated that long term Bonding would require all of us working together with the Municipal Facilities Committee and the Capital Improvements Committee, and that we would need to reconfigure the Bond Proposal. He further stated that we would need to put eight separate ballot questions for eight separate projects and that some projects would need to grow and some would need to shrink.

**Plymouth Board of Finance and Plymouth Town Council Special Joint Meeting  
September 12, 2011  
Page Twelve of Nineteen Pages**

**Discussion of EPO due to Storm Related Activities Cont'd.**

When questioned by Town Councilman Wunsch, Anthony Lorenzetti stated that out of the \$400,000.00, roughly two-thirds had been spent to date.

Cmsr. Budnick requested clarification on the \$3.3 million dollar Bonding and questioned if it were approved, how would we accommodate the Road Repair Bond, specifically questioning if we would refinance the debt.

David Bertnagel stated that we needed to remember that the Sewer Plant was paid off this year and would be reducing the debt burden for the next year.

David Bertnagel stated that the Plymouth Center School had come off and lowered down the debt and that our bucket (full at 3.3) would drop off next year to roughly \$1.7 million.

Cmsr. Zovich stated that the key would be to get the authorization from the taxpayers at a Referendum and then David Bertnagel could then sell the bonds.

When questioned by Cmsr. Cook, Anthony Lorenzetti stated that we could set up a package, go out for bid for a Study and that we could have discussion on the financials for the study. He further stated that he would need to know if we would be going with the regional approach or on our own.

Cmsr. Murray stated that after listening to this evening's discussion, a variety of issues, including road repairs, dams, waterway, etc., which had been cited in the 1983 Study, it still seemed relevant today. He further stated that the projects, which were in front of Public Works, had to be separated out individually and should be prioritized in order to determine how long they would take, the cost and the time frame needed to put it all together.

Anthony Lorenzetti stated that the projects had been submitted year after year with all the Capital Projects, including Beach Avenue, and had been given to the Capital Improvements Committee. He further stated that the information provided to the Capital Improvements Committee had included the design and project costs.

Town Councilman Sandshaw stated that he was in agreement with Cmsr. Murray and that a listing should be formulized.

Town Councilman Sandshaw stated that the Town could not afford an additional Study and that the Town Staff should come back with recommendations for the necessary work immediately and provide their best guess of what it would cost to get the work done.

**Plymouth Board of Finance and Plymouth Town Council Special Joint Meeting  
September 12, 2011  
Page Thirteen of Nineteen Pages**

**Discussion of EPO due to Storm Related Activities Cont'd.**

Town Councilwoman Schenkel stated Anthony Lorenzetti had done several studies and that he could begin looking at upper Bemis Street (by Armbruster Road) to see if an Engineering Study would be necessary to present the cost. She further stated that the Study could include the cost for the dam or bridge (if repairs were needed) and that he could also break out the estimated cost and that it the collective information could be present to the Capital Improvements Committee/Municipal Facilities Committee.

Town Councilwoman Schenkel stated that the Committees would need to see what the projects would take from start to finish and why the projects were necessary.

Cmsr. Budnick stated that she was in agreement with Town Councilwoman Schenkel and that this issue should be a top priority, including the cleanup of the waterways in Town.

Cmsr. Carey stated that this issue was an emergency and that the welfare and safety of people needed to be addressed. She further stated that she would like to see a listing of the roads and the associated costs.

Cmsr. Zovich stated that he wanted it noted that the original Bond Proposal had come in at \$19.5 million, which included underwriting costs, and that only 7.5 to 8 million dollars of that money had been for Public Works. He further stated that figure had included code upgrades for the Town Hall.

Mayor Festa stated that ultimately, we needed a listing with figures and that the money would have to be procured. He further stated that although we did not have a listing, decisions would have to be made to do repair work or complete restoration, including what the impact on Bemis Street would be for reconstruction.

Anthony Lorenzetti stated that the area, which had been washed out, was less than 1,000 feet, but that the entire area would have to be addressed, not just piece work. He further stated that High Street to Route 72 would be approximately \$2 to \$3 million dollars and three-quarters of a million dollars to for the other piece.

Anthony Lorenzetti stated that the root of the problem was the dam at the Fish and Game Club and that area needed to be addressed and the road corrected, as well.

Mayor Festa stated the point remained that we were still looking at millions of dollars.

When questioned by Town Councilman Wunsch if everyone was looking to Public Works for a prevention listing and a listing of the roads that came under heavily damaged, Mayor Festa stated that understanding prevention was for secondary issues.

**Plymouth Board of Finance and Plymouth Town Council Special Joint Meeting  
September 12, 2011  
Page Fourteen of Nineteen Pages**

**Discussion of EPO due to Storm Related Activities Cont'd.**

Town Councilwoman Schenkel questioned how many other smaller issues needed to be addressed in Town and questioned Anthony Lorenzetti if he needed funding.

Anthony Lorenzetti stated that with his resources he was doing temporary repairs in-house with the departmental's own equipment and noted that winter was fast approaching.

Town Councilman Sandshaw questioned if we needed an Emergency Appropriation for temporary help, questioning if part of the problem was manpower issues.

James Schultz cited an example behind the IGA Plaza, noting that if they did not backfill the area that they had just paved, they would lose the roads and would have to make patches.

Ralph Zovich stated that short term emergency repairs could be done, noting that the Council had the authority to approve temporary help.

Town Councilman Sandshaw stated that the Learning Center was not in operation and questioned if the Town could do something to assist them. He further questioned if the Town could provide space to the Learning Center such as the vacant Main Street School

Town Councilwoman Schenkel stated that the Learning Center was a private business and that the Town would have to provide that type of assistance to every business in Town.

Cmsr. Cook stated that the Fire Marshal would tell us that the Learning Center would not be allowed to occupy the Main Street School.

Mayor Festa stated that it also involved licensing, that the State of Connecticut licenses the Learning Center and was unsure if the State would give the a license to operate out of Main Street School, noting that it was no longer a school. He further stated that parents had called the Mayor's Office and that there were looking for money or projects, which the Town would be willing to sponsor as fundraising activities.

Cmsr. Carey suggested that the Learning Center could rent a portable classroom. She further stated that the Daycare (through the Planning and Zoning Commission) had been made aware that their building was in a flood plain and they would have to maintain insurance for a 100-year flood. Cmsr. Carey stated that their engineer had done design work and that it was supposed to have been able to sustain flooding. She further stated that they needed to examine other avenues or consider renting another building in Town.

**Plymouth Board of Finance and Plymouth Town Council Special Joint Meeting  
September 12, 2011  
Page Fifteen of Nineteen Pages**

**Discussion of EPO due to Storm Related Activities Cont'd.**

Cmsr. Carey stated that in order to utilize the Main Street School it would have to be brought up to code and the liability would like with the Town.

Cmsr. Cook stated that the closing of day care was not an emergency situation and that we should not have to help private businesses, and that further it was not a life or death situation. He further stated that this particular issue was not the reason for this evening's meeting.

Town Councilman Wunsch stated that he believed the Learning Center had opened for business today.

**Public Comment**

Ann Tuleja, 383 Allentown Road, Terryville, Municipal Facilities Committee member, stated that she had been disappointed that the Municipal Facilities Committee had not met during the summer months.

Cmsr. Tuleja stated that she owned lake property in Massachusetts and noted that Massachusetts's law required the property owner to have long term bonding packages for dams and waterways that were on private property. She further questioned why the State of Connecticut did not require property owners who live near waterways to maintain their property, as well, and questioned when did it become the State's/Municipality's problem.

Cmsr. Tuleja stated that private dams and waterway homeowners had no choice but to maintain their properties in the State of Massachusetts or they would incur a per-day fine for the violation.

Cmsr. Tuleja stated that she was in agreement and that the projects had gone before the Board of Finance for 25 years and noted that there had not been monies for the projects. She further stated that by the time specs were received and went before the Boards and Commissions, it would be two years and that the money issue could be dealt at a later date.

When questioned by Town Councilman Wunsch, Anthony Lorenzetti stated that he did not know if the Upper Pond was up to the State's requirements.

Pattie DeHuff, 20 Lynn Avenue, Terryville, questioned if the Pequabuck River was a navigable river.

Town Councilwoman Schenkel stated that it was not a navigable river.

**Plymouth Board of Finance and Plymouth Town Council Special Joint Meeting  
September 12, 2011  
Page Sixteen of Nineteen Pages**

**Public Comment Cont'd.**

Anthony Lorenzetti stated that one of the things that always arose was the question of who owned these properties and that that he had a map that showed the person who owned the property on both sides of the Learning Center property.

David Bertnagel stated that the Town could spend up to \$150,000.00 before having to out for Bonding and that up to \$50,000.00 before a Town Meeting would be required. He further stated that the Council could issue Bonds and Notes up to \$150,000.00 without a Referendum. David Bertnagel read the section of the Town Charter (9a, Chapter 7) into the record.

It was noted that this reading was not from the updated version of the 2009 Charter changes and that the Town Clerk's Charter had not been updated to reflect the 2009 Charter changes.

David Bertnagel stated that \$1.8 million dollars remained in the Undesignated Fund and that \$250,000.00 had been allocated for next year, with a remaining amount of \$1.6 million dollars.

James Deutsch, 34 Orchard Street, Terryville, stated that in relation to the Bemis Street piece, discussed earlier this evening, he had noticed that the dam was leaking (on Saturday) and that he did not understand why the gate was not working. He further questioned if there had been any planning or discussions with the Fish and Game Club as to when the gate/valve could be repaired.

Mayor Festa stated that we would have to find out if the information was accurate and that discussion would take place to set up a meeting for this purpose. He further stated that it would be a short term solution and questioned if the Fish and Game Club had funds to make the repair(s).

Mayor Festa stated that fixing Bemis Street would not work if the repair work was not taken care of first.

James Deutsch questioned if the reservoir (like Old Marsh) or the Preston Road dam, had their water levels lowered prior to each of the storms.

Mayor Festa stated that they had been monitored for the first storm with someone present at the locations 24/7 and that someone had been monitoring the dam, as well.

It was noted that the Preston Road dam had breached and that it was presently being filled with material.

**Plymouth Board of Finance and Plymouth Town Council Special Joint Meeting  
September 12, 2011  
Page Seventeen of Nineteen Pages**

**Public Comment Cont'd.**

Mayor Festa stated that there were State Regulations relative to maintenance and yearly check alarms, etc., and that the Water Company had put sandbags out around their areas.

It was noted that Anthony Lorenzetti and James Schultz had to check properties by sight and were not allowed to go onto private properties. It was also noted that James Schultz had to place telephone calls to people (during the last round of storms) and request that they check the water level in order to take the level down.

James Schultz stated that the Todd Hollow dam was privately owned and that the dam had also breached. He further stated that the homeowner was filling it in himself and not getting professionally engineered assistance.

It was questioned if the Conservation Inland/Wetlands Commission had jurisdiction over dams on private homeowner properties.

When questioned by Town Councilman Zagurski about the Dam Safety Division within the State of Connecticut, Anthony Lorenzetti stated that they were involved in some locations and some more than others. He further stated that for the short term planning there was a check listing in place.

It was noted that some communities did not want people to go into the rivers and streams because of the velocity of the water. It was also noted that from a safety and health perspective, some towns were reporting Escherichia coli (E. coli) bacteria issues.

When questioned if there was any monitoring of water from a bacteria perspective, Mayor Festa stated that the Torrington Area Health District had not performed any to the best of his knowledge.

Mayor Festa stated that people who had wells were concerned and that they had called the Health Department and that information had been given out.

It was noted that some people would have more responsibility to clean up than others and that what Tony eluded to earlier, about people who live with rivers in back yards and run into on wetlands, not only own to the edge of the river, but also own parts of the riverbed itself. It was also noted that the question then became who owned trees which fall across waterways and who would be responsible to remove the trees.

Mayor Festa stated that the Town held no responsibility for those people who do not keep their portion of the waterways clean.

**Plymouth Board of Finance and Plymouth Town Council Special Joint Meeting  
September 12, 2011  
Page Eighteen of Nineteen Pages**

**Public Comment Cont'd.**

Melanie Church, 328 Main Street, Terryville, stated that the undesignated money was for emergencies and that if the Town had roads that washed out, that would be an emergency. She further stated that it was time to start taking money to get studies done.

Melanie Church stated that if it was an emergency it should not be questioned, however it should be backed up by factual information. She further stated that the Referendum failed because it was not factual and there were no studies. Citing the new high school, Melanie Church stated that all of the information had been broken down and that was what people were looking for. Melanie Church stated that she had looked back 20 years in Town records regarding the Todd Bridge and stated that under Capital Improvements a grant was available to fix the problem, however nothing was ever done and the money was lost. She further stated that another problem was that when we have emergencies these are things that need to be fixed and completed. Melanie Church stated that we need to be ready to complete them and the only way to be ready was to have the Study done.

Melanie Church stated that sections of Bemis Street needed concrete numbers in case FEMA decided to come in, noting there could be price fluctuations of the estimated costs. Melanie Church stated that buildings could wait and that the priority for the whole Town was the roads, noting that was another reason the Referendum had failed and that the people had wanted roads, not buildings.

**Board Member Comments**

Town Councilwoman Schenkel stated that she felt frustrated because no one had been helped this evening and that at the next meeting solid decisions should be made from the meeting.

Cmsr. Zovich stated that both Committees (Capital Improvements Committee and the Municipal Facilities Committee) would need a listing of the projects, as well as a compilation of the major Road Projects (from the Summary of the Consultant), as well as the discussions that took place this evening.

Peter Cook stated that in order to bond every road, Public Works would need more than \$400,000.00 per year.

Cmsr. Budnick stated that \$150,000.00 would be needed to do a thorough road study and that we needed to get a listing together for each road. She further stated that we needed \$1 million dollars to get the necessary studies and that we would also need the exact figures for how much road reconstruction would cost for the design work. Cmsr. Budnick stated that the issue would then go to Referendum for project approval.

**Plymouth Board of Finance and Plymouth Town Council Special Joint Meeting  
September 12, 2011  
Page Nineteen of Nineteen Pages**

**Board Member Comments Cont'd.**

Town Councilman Sandshaw stated that we would get a list of priorities and direction as to whether or not we needed additional manpower to make emergency repairs prior to winter.

Mayor Festa thanked everyone for his or her input and attendance at this evening's meeting.

**Adjournment**

There being no further business of the Plymouth Board of Finance and the Plymouth Town Council, Town Councilwoman Schenkel made a motion, seconded by Cmsr. Murray, to adjourn at 9:28 p.m. This motion was approved unanimously.

Respectfully submitted,

Acting Recording Secretary