

Town of Plymouth
80 Main Street
Terryville, CT 06786
4015
<http://www.plymouthct.us>

Plymouth Town Council
Telephone: (860) 585-4001
Fax: (860) 585-

Minutes

October 4, 2011

Call to Order: Mayor Vincent Festa, Jr., called the October 4, 2011, Plymouth Town Council Regular Meeting to order at 7:08 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 were Public Works Director Anthony Lorenzetti and Town Attorney Salvatore Vitrano.

Fire Exits Notification

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

Pledge of Allegiance

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

Accept Minutes of Town Council Regular Meeting, September 6, 2011; Special Meeting, September 7, 2011

Town Councilman Sandshaw made a motion, seconded by Town Councilman Wunsch, to approve the September 6, 2011, Regular Town Council Minutes as presented. This motion was approved unanimously.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Wunsch, to accept the September 7, 2011, Special Town Council Minutes as presented. This motion was approved unanimously.

Council Rules and Procedures

No report.

**Plymouth Town Council Meeting
October 4, 2011
Page Two of Twenty-Two Pages**

Public Comments on Non-Agenda Items

No report

Mayor's Report: Hurricane Irene Update; Contract Negotiations Update; Grant Award/Connecticut Water, October 17, 2011; Burr Rd./Harwinton Ave. Waterline update; Back Taxes/Property Sale Update; Wartonick Letter; School to Career Partnership Appointment/M. Sandshaw; Thank You Letter to Board of Education; Fire Dept. Recognition; Brownsfields Grants Availability; Recycling Bin Correspondence; River Cleanup, October 8, 2011, Judy Giguere Book Signing

Mayor Festa stated that the Federal Emergency Management Agency (FEMA) had been in Town working with Town officials and with Town residents who had made application for assistance and that there was still time to apply for anyone who had any damage from the storms.

Mayor Festa stated that the special services groups from our Town Fire Department, Ambulance, Police, Public Works, etc., had done a remarkable job in terms of helping people and moving the process forward, including the opening of the shelter operation center under the direction of the Emergency Management Director, Anthony Orsini.

Mayor Festa stated that contract negotiations were ongoing and that they were in the process of closing and that there were several contracts with Town labor unions still being worked on. He further stated that hopefully we would come out with some good news within the next month or so.

Mayor Festa stated that there would be an official awarding of the \$850,000.00, which the Town had received, for the Connecticut Water Company application for the North Street, Plymouth Reservoir. He noted that the State Department would be letting the Town know and that he would then get the notice out to the Council and the general public, as well.

Mayor Festa stated that the Town had been working with the Connecticut Water Company relative to the aspect of the engineering component (taking over the process of the bid proceedings) for Burr Road and Harwinton Avenue.

Mayor Festa stated that the Town would be meeting with them again to see where the Town's requests stood with the Office of Policy and Management (OPM) for the additional monies to offset the cost of this project.

Mayor Festa provided the back taxes property sale update, noting that this issue had been moving forward for the last several months and that it had been moving along nicely.

**Plymouth Town Council Meeting
October 4, 2011
Page Three of Twenty-Two Pages**

Mayor's Report Cont'd.

Mayor Festa stated that a wonderful working relationship had been established between Ana Lagasse, Tax Collector and Ted Scheidel, Administrative Assistant to the Mayor, and that they were working collectively to keep the process moving forward. Mayor Festa stated that he wanted to commend both Ana and Ted for the efforts.

Mayor Festa stated that he had included a thank you letter from the Wartonic's in the Town Council packets, this evening. He further stated that the thank you was received because of the assistance the Wartonic's received when they were evacuated from their home during Storm Irene and that they wanted to express their appreciation for Town services.

Mayor Festa stated that he had been asked to make a recommendation for the School to Career Partnership Appointment, noting that he would be recommending Town Councilman Martin Sandshaw to be a part of the board of Directors, on behalf of the Town. Mayor Festa stated that he had previously spoken to Town Councilman Sandshaw, noting that he had accepted the appointment and thanked him for his volunteerism.

Mayor Festa stated that he would be sending a thank you letter, on behalf of the Mayor's Office, to the Board of Education for turning back \$197,000.00 Town budgetary monies to the Town, which they no longer needed. He further stated that the Board of Education was aware that the Town was in serious need of financial assistance. Mayor Festa stated that the Board of Education no longer needed the monies due to their sound financial planning and management skills for energy conservation.

Mayor Festa stated that there was a letter concerning the Board of Finance in the Town Council packets, which was self-explanatory.

Mayor Festa stated that he wanted to recognize the Fire Department for their efforts at a fire on Main Street, several weeks back, noting that he would provide specific names at the next Town Council meeting. He further stated that due to the heroic efforts of the Fire Department; a man's life was saved; noting that the man had been sleeping at the time of the fire.

Mayor Festa stated that a letter of commendation would be forthcoming and that he would make sure the public was aware of the incident through the newspapers. He further stated that the Town had a wonderful Fire Department who always risk their lives in the line of duty and that they needed to be openly recognized for their work.

**Plymouth Town Council Meeting
October 4, 2011
Page Four of Twenty-Two Pages**

Mayor's Report Cont'd.

Mayor Festa stated that he was in the process of speaking to a local business owner (in Town) who was in the process of cleaning up a Brownsfield issue on his property, and that the owner would be taking the opportunity of receiving a Brownsfield Cleanup Grant.

Mayor Festa stated that the recycling bins were being distributed and that letters of support had been received thanking the Town for the opportunity to utilize this service. He further stated that the bins would help with the Town's tonnage problem.

Anthony Lorenzetti, Public Works Director, stated that the Town presently pays \$64.50 per ton to dispose of solid waste recyclables and only \$20.00 per ton for every recyclable so the potential exists for recycling savings.

Mayor Festa, noting that many people have not recycled in the past, stated that the condos were moving in this direction and that hopefully, the Town will be able to bring its tonnage cost down.

Mayor Festa stated that a river clean up was in place starting at the Pequabuck River area in the lower part of Bristol and that it would be moving to the Terryville side. He further stated that the cleanup would be held on October 8th sponsored by the Pequabuck River Watershed Association, for anyone interested.

Mayor Festa stated that Judy Giguere, local Author, held a book signing this evening, noting that she had written a book, similar to Lani Johnson's, that included historic pictures wonderful articles on the Town of Plymouth.

Mayor Festa stated that the book could be purchased directly from Judy Giguere, the Plymouth Historical Society or from Wood Acres, noting the title of the book was Plymouth Revisited.

Pattie DeHuff, 20 Lynn Avenue, stated that there were a few people who were questioning if there would be smaller recycling bins made available, which could be traded in for the larger one's they had received.

Anthony Lorenzetti stated that the Town had put a notice out, which had expired a couple of weeks ago, however people could telephone Public Works and request to be put on a list for the smaller containers, noting it would depend on availability.

Anthony Lorenzetti stated they the containers were not put out every week, and that people tend to change their minds when they see how quickly the larger container fills up.

**Plymouth Town Council Meeting
October 4, 2011
Page Five of Twenty-Two Pages**

Mayor's Report Cont'd.

Town Councilman Sekorski stated that because this project was now single-stream, there was no longer a need to separate the recyclables, noting that he didn't think people were aware of that and agreed with A. Lorenzetti in that the buckets would fill up quickly

To refund the following property taxes: Keith/Patricia Gagnon \$2.43; Richard/Linda Lazarski \$5.11; Gary/Sylvia Squires \$7.00; Doreen Swenton \$61.74; Janelle Chapin \$6.14; Christopher J. Donaldson \$13.39; Carolyn P. Donaldson \$29.20; Nelson Remodeling LLC. \$39.38; Adrienne A. Johnson \$12.35; M. Tiburcio-Degullon \$30.68; Jason J. Hotchkiss \$59.62; Diane/Michael Corrigan \$14.74; Michelle R. Bosse \$12.00; William Warren \$44.29; Roger or Stephanie Colins \$15.75; Robert L. Lebel \$45.52

Town Councilman Sandshaw made a motion, seconded by Town Councilwoman Schenkel, to approve the Property Tax Funds, as presented. This motion was approved unanimously.

Appointments and Resignations

To appoint Kenneth Bates to the Economic Development Commission as an Alternate Member; term to expire 11-16-12

Town Councilman Wunsch made a motion, seconded by Town Councilman Sekorski, to appoint Kenneth Bates to the Economic Development Commission as an Alternate Member with term to expire on November 16, 2012. This motion was approved unanimously.

To appoint the following to the Property Maintenance and Code Enforcement Commission: William Hubbard, Barbara McCullan, Barbara Watson

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Wunsch, to appoint William Hubbard, Barbara McCullan, and Barbara Watson to the Property Maintenance and Code Enforcement Commission. This motion was approved unanimously.

When questioned by Town Councilman Sandshaw, Mayor Festa stated that one additional member would be needed for the Property Maintenance and Code Enforcement Commission, and then he would schedule a meeting with all the members to set dates, etc., for the Commission.

**Plymouth Town Council Meeting
October 4, 2011
Page Six of Twenty-Two Pages**

Appointments and Resignations Cont'd.

To appoint Mark Galvin to fill Regular Member vacancy, Water Pollution Control Authority; term to expire 1-24-14

Town Councilman Sekorski made a motion, seconded by Town Councilman Sandshaw, to appoint Mark Galvin to fill Regular Member vacancy on the Water Pollution Control Authority; term to expire 1-24-14. This motion was approved unanimously.

To accept the resignation of John F. Schubert as Open Burning Official, effective 9-13-11

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Zagurski, to accept the resignation of John F. Schubert as Open Burning Official, with regret, effective September 13, 2011. This motion was approved unanimously.

Town Councilwoman Schenkel stated that she wanted to thank Jack Schubert for his services to the Town.

To review and discuss insurance settlement/Town Garage issue

Mayor Festa stated that he had included a letter from the Travelers Insurance Company in the Town Council's packets (see attachment) dated September 16, 2011, Printout Claim No. EFY8839, for insurance coverage relative to the replacement cost for the Town Garage, which had been destroyed during a winter storm.

It was noted that the old garage had stood for over 30 years before collapsing in February under the weight of the snow from back-to-back heavy snowstorms.

Mayor Vincent Festa stated that the insurance value was \$162,939.88 depreciation value was \$35,026.91 deductible was \$2,500.00, for a net benefit total of \$125,412.97. He further stated that the Town needed to look at two things; one being to replace the garage and the second to replace the garage on the original ground where it had stood, noting if the garage were moved from its original site, the Town would lose the depreciation value.

Anthony Lorenzetti stated that the present site had drawbacks, i.e., location, proximity to the schools, steep road grade, and that the trucks were presently being garaged outside. Anthony Lorenzetti stated that it was difficult to store the trucks outside during the winter months difficult and noted that he had gotten a couple of different proposals. He further stated that one of the proposals was from Mark Sekorski, and that it included everything, i.e., building, foundations, etc., and was in the \$200,000.00 range.

**Plymouth Town Council Meeting
October 4, 2011
Page Seven of Twenty-Two Pages**

To review and discuss insurance settlement/Town Garage issue Cont'd.

Anthony Lorenzetti stated that he/staff had toured and gotten proposals from Morton Buildings that also had a couple of possible options, including replacing the building on the existing site, and having someone else do/design the foundation, noting that Morton only did buildings.

When questioned by Town Councilwoman Schenkel, Anthony Lorenzetti stated that a new six-bay garage would cost approximately \$126,000.00 to build and approximately \$141,000.00 for a seven-bay garage.

When questioned by Town Councilman Sandshaw, Mayor Festa stated that in order for the Town to recapture the depreciation monies from the insurance company, the garage had to be built on the same footprint.

Town Councilman Zagurski questioned if the Town would be wasting its time building a new garage on the same property.

Anthony Lorenzetti stated that the site had been there for years, the grades were not the best, there were young school children next door, however he was unsure what other options would be available.

Noting that the Town owns property on Tunnel Road, Town Councilman Sandshaw questioned if the new garage could be relocated to that area to protect the Town's assets and start planning for the future from the new facility.

Anthony Lorenzetti stated that part of the condition of closure was that the Town would not be able to excavate where the landfill was located. He further stated that the Town did own some land to the extreme right hand side of that area, but the grades were not conducive and the Tunnel Road area might not be the best idea because of the hills.

When questioned by Town Councilman Zagurski, Anthony Lorenzetti stated that there would be additional costs including electrical, adding insulation, etc. Anthony Lorenzetti stated that a slab would not be installed at this time of year because of winter being so near and that drains in the floor would have to be factored in.

Town Councilwoman Schenkel, noting the short time frame involved, stated that without a viable piece of land, the Town would have to use the old site for the new facility.

Town Councilman Sekorski stated that without additional information and/or recommendation from Staff, he was unable to make a decision on this issue. He further stated that he was unsure what the Council had to do with the decision or if the required was required to take any action.

**Plymouth Town Council Meeting
October 4, 2011
Page Eight of Twenty-Two Pages**

To review and discuss insurance settlement/Town Garage issue Cont'd.

Mayor Festa stated that the issue was being brought to the Council because of the expenditure aspect of the issue, and in turn, making the Council aware of the loss and the options. He further stated that in the best interest of the Community there was a hardship and a provision in the Charter could be invoked (should A. Lorenzetti decide to move in that direction) to circumvent the bidding process in order to protect Public Work's equipment with winter approaching.

Town Councilman Sekorski thanked Mayor Festa for the clarification, but noted that he wanted to see a formal recommendation from staff and Anthony Lorenzetti, outlining what Anthony Lorenzetti wanted to do. He further stated that this information would help the Council and that once this request had been done he would probably be the first person to waive the bidding process because of the short time frame involved.

Anthony Lorenzetti stated that Ted Scheidel, Administrative Assistant to the Mayor, had done a good job of getting figures for him.

Town Councilman Sandshaw made a motion, seconded by Town Councilman Sekorski, to hold a Special Town Council Meeting on October 18, 2011, 7:00 p.m., Community Room to discuss what can be done to protect the Town's assets for the Public Works Department. This motion was approved unanimously.

To authorize the Mayor to enter into an Agreement with the State of Connecticut-Department of Emergency Management and Homeland Security

Town Councilman Sekorski made a motion, seconded by Town Councilman Wunsch, to authorize the mayor to enter into an Agreement with the State of Connecticut-Department of Emergency Management and Homeland Security, as presented as part of the packet to the Town Council this evening. This motion was approved unanimously.

To authorize the Mayor to extend the Lease Agreement with the Secretary of the Army for the Hancock Brook Lake to December 22, 2014.

Town Councilman Sekorski made a motion, seconded by Town Councilwoman Schenkel, to authorize the Mayor to extend the Lease Agreement with the Secretary of the Army for the Hancock Brook Lake to December 22, 2014, as presented as part of the packet to the Town Council this evening. This motion was approved unanimously.

When questioned by Town Councilman Zagurski, Mayor Festa stated this agreement was for the soccer field located at the Hancock Brook Lake area.

**Plymouth Town Council Meeting
October 4, 2011
Page Nine of Twenty-Two Pages**

To approve the Fall Mountain Road Paving/Town Consultant Agreement

Anthony Lorenzetti provided a brief synopsis of the Fall Mountain Road Paving Project, noting that funding had received from the Federal Surface Transportation Priority Program, which had been supported by Senators Dodd, Murphy, and Lieberman. Anthony Lorenzetti stated that a public vote in 2009 passed to support spending the funds up on Fall Mountain, and noted that the Town had been working on this project for about two years. He further stated that this work included the Department of Transportation (DOT) Consultant selection, and that an agreement had been worked up with Town Attorney review. Anthony Lorenzetti stated that Robert Green Associates had been selected to handle the survey work from Town Line Road to the entrance of Fall Mountain Lake Road (the approximate project limit) and the he would forward a copy of the contract to the Town Council for the Mayor's signature.

Town Councilman Sandshaw stated that he did not understand what Article 21, Page 14, of the Agreement meant. A. Lorenzetti stated that he would get clarification for the dollar amounts for the paragraph.

Pattie DeHuff, 20 Lynn Avenue, Terryville, stated if the Town Council did not understand what the information meant, she would strongly urge the Town Council not to take a vote at this time. She further stated that if the Town Council did not know what it would cost, they should not vote because it would not be serving the taxpayer.

Town Councilman Wunsch stated that regardless of the possible typo or otherwise, the sentence read that the total payment could not exceed \$28,337.00.

Town Councilman Sekorski made a motion, seconded by Town Councilman Zagurski, to authorize the Mayor to approve and enter into the Fall Mountain Road Paving/Town Consultant Agreement.

After a brief discussion, Town Councilman Sekorski withdrew his motion and Town Councilman Zagurski withdrew his second.

Town Councilman Sandshaw made a motion, seconded by Town Councilwoman Schenkel, to add the Agenda item "To approve the Fall Mountain Road Paving/Town Consultant Agreement" to the Town Council's October 18, 2011, Special Meeting Agenda. This motion was approved unanimously.

To review request to consider new Traffic Duty Ordinance

Ann Tuleja, 383 Allentown Road, Terryville, Chairman Police Commission, one year ago they reviewed this issue and met with the TC and the Public on the Ordinance.

**Plymouth Town Council Meeting
October 4, 2011
Page Ten of Twenty-Two Pages**

To review request to consider new Traffic Duty Ordinance Cont'd.

Ann Tuleja stated that they (the Police Commission) was a Safety Board and a Traffic Authority Board and that was their job to take in the concerns of having the Police as Flaggers. She further stated that the Board had asked for list of roads from Anthony Lorenzetti, noting he assists with the Police Commission/Traffic Authority that (see attachment) that would require a Police Officer. Ann Tuleja stated that the Police Commission had put 10 months of hard work tweaking the Ordinance. Ann Tuleja stated they had complaints about blocked roads, which led them to look at the Ordinance. They noted that responsibility, the added value of having a Police Officer present and that as a Commission they felt it was important. Ann Tuleja stated that the Police Commission had adopted the Ordinance last month and requested that she go before the Town Council, noting this was a work in progress and only a starting point.

A. Tuleja stated that the Police Commission only had one person in attendance after the first meeting, noting that the first meeting had a much larger attendance, including out of Town people who were flaggers.

Town Councilwoman Schenkel stated that as the Police Commission Liaison, she knew that the Commission had worked very hard on this issue and truly had the best interest of everyone involved (the Town residents, the drivers, children on bikes). She further stated that the Police (as was written) weren't padding their paychecks, noting that the Plymouth Police were some of the hardest working public servants in the Town and if they felt it was important enough in that capacity, it was an issue we should take seriously.

Town Councilman Sandshaw thanked the Police Commission for taking the public's concerns and incorporating them into the Ordinance and noted that the Town's ultimate concern was the safety of the construction workers, as well as the roadway users and the roadway users and this was a great step forward.

Town Councilman Sandshaw stated that most construction companies have qualified certified flaggers in their employee with the ability to do the job. Town Councilman Sandshaw questioned if the certified flaggers didn't have the ability to do the job, why couldn't the Town ask them to obtain the necessary requirement(s).

Town Councilman Sandshaw stated that he was requesting that the Ordinance presented this evening to be changed, if possible, with the following three-step process: The construction company would have the responsibility of providing the flagger, and if they couldn't provide that, then they should be made to try to obtain flaggers, and if they couldn't obtain qualified flaggers, then the Town would look to the Police Department.

**Plymouth Town Council Meeting
October 4, 2011
Page Eleven of Twenty-Two Pages**

To review request to consider new Traffic Duty Ordinance Cont'd.

Keith Golnik, 46 Orchard Street, Terryville, Vice-Chairman Police Commission, noted that this change in the Ordinance came about because of an incident that he witnessed on Beach Avenue approximately a year to two years ago. Keith Golnik stated that new water/gas mains were being installed on that street and that the construction company flagger had her stop sign leaning against a loader and she was sitting on a pile of dirt and ignored his vehicle. Keith Golnik stated that he had asked the Police Chief whom he should direct that sort of situation to and that some investigative work was done and other Town's Ordinances were examined. Keith Golnik stated questioned what the actual process to become a certified flagger was, did they go to school, etc., and that was why they started at looking what was best for the safety of the construction workers, traffic and the Town in general.

Town councilman Wunsch stated that when Harwinton Avenue was being worked on he had witnessed officers from out of Town on traffic duty, noting the officers were sitting inside their patrol cars and ignoring the traffic duty they were assigned to handle and direct. Town Councilman Wunsch noting that section 14-30 gave the Public Works Director the authorization and ability to call traffic control from the Town Police Department when he gives out the permit, why was the Police Commission changing it when he could just call roads out as he deemed necessary.

Ann Tuleja stated that Town and State projects were exempt from the Ordinance, noting that she was against that policy. Ann Tuleja stated the all of Public Work's highway employees were certified. Ann Tuleja stated that an Officer ignoring his duties was an internal issue and that Plymouth Police Officers were aware of their roles and what was expected from them and if it happened in Town, it would be addressed internally.

When questioned by Town Councilman Wunsch, Ann Tuleja stated that she did not know what the criterion was for outside flagging companies.

Town Councilwoman Schenkel stated that the Town Council should not still be offering suggestions for changes to the Ordinance one year after the Public Hearing. She further stated the Town Council should put a certain amount of trust in the efforts that the Police Commission had put through in this proposal and that out of respect for the Police Commission, the Town Council should consider the amount of work that they put into this effort, as presented. Town Councilwoman Schenkel stated that the Town could control what certification/training out of Town flaggers should have, however the Town could not enforce it with a private business until there was some kind of a State test with a minimum bar, noting that there would always be someone sitting on a dirt pile who didn't care about doing a good job.

**Plymouth Town Council Meeting
October 4, 2011
Page Twelve of Twenty-Two Pages**

To review request to consider new Traffic Duty Ordinance Cont'd.

Town Councilwoman Schenkel stated that the Police Commission was trying to say that there were certain roads that were important enough that would require a certain amount of extra care and they would flag those, not every goat path in town.

Ann Tuleja stated that it was a difficult job to figure out what everyone wanted and that they had worked very hard for 10 months to make the Ordinance better and noted that it contained everyone's input.

Melanie Church, 328 Main Street, Terryville, stated that there were other issues at that public meeting, noting that there were companies that live and pay taxes in Town and that they had said all of their flaggers were certified. She further stated that her husband's company works for a construction company and that his company was certified because if someone gets hurt at his company, OSHA would come in and fine them for hundreds of thousands of dollars and that companies would not take that risk. Melanie Church stated that she also felt there should not be favoritism for a business, Police Dept or anyone else, everyone should have an equal right to bid for a job. Melanie Church stated that if a Construction company can do a job cheaper and do more road because they were paying less to a flagger than a policeman you can get more work accomplished and no one should be locked into automatically getting a job.

Melanie Church stated that she had traveled in back of the Town's IGA supermarket and noted that there were two officers and no detour signs in the construction area and was told to turn around and go back the way she came. Melanie Church stated that if that was a construction company someone would have been out there. Melanie Church stated that she's gone by Town trucks and there was no flagger, noting she had told Town Councilman Zagurski at the time. Melanie Church stated that she liked the Town Policemen, but when McDonald's had been completed the Town Police Officer was more into telling them about their business and why if they were going to be open for 24 hours they would be slow, and noted that this wasn't what we were paying Police Officers for either, but this continuously goes on. Melanie Church stated that she was asking the Council to leave it fair and equal to the private businesses and companies. Melanie Church stated that Pete Worhunsky's brother had come to the last meeting and talked about the excess money and how much more it costs to do a job, and noted that the Town was hurting its tax payers and if the Town wanted to get things done, they have to trust and that was why the Town needed more bids to be going out, not proposals, bids for jobs and the same thing should be for this.

Chief Karen Krasicky stated that if any citizen has a problem or sees an Officer on a job site and feels that they were not doing their jobs, telling the Chief months or weeks later is not going to correct the problem.

**Plymouth Town Council Meeting
October 4, 2011
Page Thirteen of Twenty-Two Pages**

To review request to consider new Traffic Duty Ordinance Cont'd.

Chief Karen Krasicky stated that the Police Department needed to be made aware when it was occurring, provide the location, the vehicle marker number, and the Chief or Assistant Chief could go out to the scene and address the issue. She further stated that the Officer should be doing their job and she wanted to know if they were not, noting that she would not condone that type of behavior.

Chief Karen Krasicky stated, in reply to Town Councilman Sandshaw's comments, that she did not feel anyone was questioning the certified flaggers, it was more about what the Town could do to make the scene safer, taking the Town Council's and the public's concerns, they listened and came up with critical roads that could be made safer if an Officer was there.

Chief Karen Krasicky stated that they believed the Officers were safer as flaggers for construction sites and detail a list of reasons which reflected the Commission's reasoning read a list of reasons into the record, noting that the commission had come up with these reasons only to make the job safer for the workers, community members and everyone involved.

When questioned by Town Councilman Zagurski, Anthony Lorenzetti stated that his employees had to take a course provided through CIRMA, the Town's insurance provider.

Town Councilman Zagurski stated the he agreed with Mrs. Church and noted that he had gone by construction sites with Town workers were in the ditch without flaggers and not doing a good job and questioned why the Town should not be providing Police Officers for Public Works..

Ann Tuleja state that Town Councilman Zagurski should have told the Department about the workers not doing their job, because the Town cannot correct the problem if it is not aware of the problem.

Town Councilman Zagurski questioned how A. Lorenzetti determined the number of Police Officers and flaggers, noting that he had witnessed a Police Officer and a flagger up on Town Hill Road recently, while trees were being cut.

Anthony Lorenzetti stated that years ago, the Town did provide Police Officers for some Town projects. Anthony Lorenzetti stated that the number of cones, signs, and noted that all of the contractors don't have all the signs that the Town would want placed in the area, so having a Police Officer with a cruiser helps with advanced warning signs, etc., and a lot has to do with specific situations such as blind spots.

**Plymouth Town Council Meeting
October 4, 2011
Page Fourteen of Twenty-Two Pages**

To review request to consider new Traffic Duty Ordinance Cont'd.

Town Councilman Sekorski stated that he had mentioned have an emergency provision in the Ordinance and questioned what had happened to his suggestion, noting he did not see it in the Ordinance.

Ann Tuleja stated that it had been addressed by Police Sergeant Foster and noted that a Police Officer was always called when an emergency happened, i.e. a line down, etc., noting that the utility company always contacts the Police Department.

Town Councilman Sekorski stated that he felt the permitting process, as written, was not clear and felt more clarity was needed. He further stated that it was at the discretion of the Public Works Director and felt it should be more defined as an acceptable traffic control option provided by the contractor and that the default would be the Police Department.

Town Councilman Sekorski stated that he felt the Commission did a great job on the Ordinance and noted that it was a tough call.

Town Councilman Wunsch stated that 14-30 gave the Public Works Director the ability to decide which streets need a Police Officer(s) were needed or not and did not understand why 14-29 was being changed.

Ann Tuleja stated that the Town Council was not approving the roads, noting that they were submitted to show the Council that the Commission did what they were requested to do and that was to set up a criteria so there wouldn't be dead-end road situations. She further stated that the Commission had set up a basic road list to aid the Public Works Director in the 14-30 and to say that the Ordinance 14-29 wasn't specific enough, so they made it better.

Town Councilman Zagurski stated that the Commission did better with this, including the format, but he was not 100% in agreement with it, and felt that there was items in there that could be twisted around and manipulated and was a concern to him.

After a brief discussion, Ann Tuleja stated that anything could be manipulated, but that she wanted to believe this would not happen.

When questioned by Town Councilman Zagurski, Town Attorney Vitrano stated the next step in the process in moving this Ordinance forward would be to hold a Public Hearing for the final language.

**Plymouth Town Council Meeting
October 4, 2011
Page Fifteen of Twenty-Two Pages**

To review request to consider new Traffic Duty Ordinance Cont'd.

When questioned by Ann Tuleja, Town Councilman Sekorski stated that it would become the Town Council's Public Hearing.

Keith Golnik stated that the Town Council could make small changes and present the changed language as they so desired.

Richard Lyga, 58 Curtis Road, Plymouth, stated that he was concerned about when a Police Officer would be utilized for flagging citing examples of when and where they would and would not be needed in different areas of Town, and that Anthony Lorenzetti should be allowed to use his own discretion.

Cathy Kosak, 201 Harwinton Avenue, Plymouth, questioned the safety of an Officer that had just come off duty and would be working another eight hours and then he would return to work and maybe work. She further cited a second shift person that would be working eight hours and then come in and work another eight hours serving as a Police Officer for our safety, nothing that would be a definite safety issue. Cathy Kosak questioned if a company hired an officer who would be liable if he got hurt on the job, noting that he's working for the company, but was being paid through the Town payroll and that would be a Town liability. Cathy Kosak stated that when she worked for the Town, in the early ninety's, there was a discussion about if the contractors paid the officers directly would their pay would go through their pensions. She further stated that now she was reading that it does go through the pensions, noting that our Officers do a great job, however if they're doing private/off duty why was that figuring into their pension. Cathy Kosak stated that this would be a financial liability way down the road for the Town.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Wunsch, to accept the Traffic Duty Ordinance as presented by the Traffic Safety Commission/Police Commission, with the intention of scheduling a Public Hearing for their input for the final version. This motion was approved unanimously.

To review and discuss Sale Contract with Connecticut Water Company; set date for Public Hearing/Board of Finance

Town Attorney Sal Vitrano stated that he had reviewed the Sale Contract with the Connecticut Water Company and presented his legal take on the matter. Noting that he had reviewed the Purchase and Sale Agreement, as well as the Conservation Easement Exhibit, purchasing the property, he stated that the 177-acre property purchase price was \$1.45 million dollars and that was substantially thorough and included a 39-acre reservoir to the Town for that price.

**Plymouth Town Council Meeting
October 4, 2011
Page Sixteen of Twenty-Two Pages**

To review and discuss Sale Contract with Connecticut Water Company; set date for Public Hearing/Board of Finance Cont'd.

Mayor Vincent Festa stated that the Town had received a \$650,000.00 State Grant and a \$800,000.00 Federal Grant for the purchase, which totaled \$1,450,000.00.

Mayor Festa stated that the Connecticut Water Company was looking for a sale somewhere in the area of 2012 and that would necessitate a meeting with the Board of Finance and then a Town Meeting and that because these were grant monies, there would need for a Referendum.

When questioned by Town Councilman Zagurski, Town Attorney Vitrano stated that the passive recreation, which the purchase agreement stipulates, would be for recreational activities such as boating, biking, hiking, swimming and fishing, but no hunting, no motorized boating, and no horseback riding. He further stated that this was also a condition of the grant money from the State of Connecticut's Department of Energy and Environmental Protection.

Attorney Vitrano said the contract also requires the town to accept the dam on the property in "as is" condition. He said the water company recently had the dam inspected and gave it "a clean bill of health."

Mayor Festa stated that the water company had told him that that the possibility existed to train Town personnel on the use and maintenance of the dam. He further noted that the water company would retain ownership of the pump house and the water tower on a portion of the reservoir property.

When questioned by Town Councilman Wunsch, Mayor Festa stated that the dam maintenance responsibility would fall to Anthony Lorenzetti/Public Works Department.

Attorney Vitrano stated that he was comfortable with the Draft Contract and noted that the Connecticut Water Company wanted to execute the contract as soon as possible.

Mayor Festa stated that the Connecticut Water Company personnel would be in attendance at the Public Hearing to address public questions and concerns.

When questioned by Town Councilman Sekorski Attorney Vitrano stated that a Public Hearing could be incorporated into a Town Meeting, however it had been the Town's past procedure to hold a Public Hearing and gather the information and then present a comprehensive proposal at a Town Meeting.

**Plymouth Town Council Meeting
October 4, 2011
Page Sixteen of Twenty-Two Pages**

To review and discuss Sale Contract with Connecticut Water Company; set date for Public Hearing/Board of Finance Cont'd.

When questioned by Town Councilman Sandshaw, Mayor Festa stated that the issue had to go to the Board of Finance and should be on their next agenda for their blessing and then move forward on our own to set up meeting dates.

Town Councilman Sekorski made a motion, seconded by Town Councilwoman Schenkel, to request that this issue be placed on the Board of Finance's Agenda for their next scheduled meeting the last week of October. This motion was approved unanimously.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Zagurski, to schedule a Public Hearing for the Connecticut Water Company's proposal on October 25, 2011, at 7:00 p.m., in the Community Room, Town Hall. This motion was approved unanimously.

To review and discuss Curbside Waste Collection

Anthony Lorenzetti stated that the Town Council had requested Public Works to solicit for Curbside Solid Waste Collection, noting that Public Works had gone out for bids. He further stated that Public Works had sent out over 10 packets to interested people and had received two bids, one being CWPM and the second from AllWaste, with CWPM being the lowest bidder.

Anthony Lorenzetti stated that this request had gone out to bid in 2008 and that the current price was now two-thirds less for the 2008 bid, that being nine dollars and change to six dollars and change. He further stated that Public Works had been asked to put a bid that could be rolled to roll into the budget process. Anthony Lorenzetti read CWPM's submitted letter into the record, noting that it had been included in the Town Council's packets.

Town Councilman Zagurski he agreed with Anthony Lorenzetti in that it was a very competitive bid, and noted that he had always been an advocate of the Transfer Station.

Town Councilman Zagurski questioned if curbside pickup went into effect, what would happen to the Transfer Station.

Anthony Lorenzetti stated that everyone in Town would be able to get rid of their solid waste and that bulk collection would be picked up curbside, but there would be people that had demolition material, waste oils, and other pieces of metal not being dealt with and the Town would have to look at what could be done with those items.

**Plymouth Town Council Meeting
October 4, 2011
Page Eighteen of Twenty-Two Pages**

To review and discuss Curbside Waste Collection Cont'd.

Anthony Lorenzetti stated that the Town should consider the transfer station being a cost center, and that the fees would come back to offset it and would serve for people with special needs. He further stated that it could be looked at it as being self-supporting, and would not have much effect on the general operating budget.

Anthony Lorenzetti stated that with the present proposal, residents would get two bulk pickups a year, curbside pick up and recycling.

Town Councilman Zagurski questioned if the Transfer Station operation could be moved to the Brush Dump facility, noting that move would allow the Brush Dump to stay open, longer.

Anthony Lorenzetti stated that move could make sense. He further stated that demolition material was based on the truckload and that ideally, at some point in time, it would be nice to get a scale and scale house.

When questioned by Town Councilman Zagurski, Anthony Lorenzetti stated that the bid did not include tipping fees, the figure was just for the simple picking up price and per unit price for the containers.

Town Councilman Zagurski stated that he would still like to see a comparison put together of the Transfer Station versus this recommendation, including the impact to the taxpayer.

Anthony Lorenzetti stated that the Town might want to consider having the Board of Finance do an analysis from their financial standpoint in order to move forward.

Anthony Lorenzetti stated this was not just about straight financials, noting that curbside pickup had a quality of life issue connected to it, noting that it gave people the ability to have their waste picked up curbside and that it might help with some of the blight problems.

Town Councilman Zagurski stated that he agreed with Anthony Lorenzetti, but still wanted to see the financial impact on the taxpayer.

Town Councilwoman Schenkel stated that it might make sense to send a copy of this information to the Board of Finance so that they could review the document.

**Plymouth Town Council Meeting
October 4, 2011
Page Nineteen of Twenty-Two Pages**

To enter into Executive Session to discuss Heart/Hypertension Claim

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Sekorski, to enter into Executive Session at 9:10 p.m., to discuss the Heart/Hypertension Claim. This motion was approved unanimously.

Present for the Executive Session were Mayor Festa, Town Councilman Sandshaw, Town Councilwoman Schenkel, Town Councilman Sekorski, Town Councilman Wunsch, and Town Councilman Zagurski and Attorney Salvatore Vitrano.

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

Mayor Festa called the Town Council out of Executive Session at 9:54 p.m.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Wunsch, to accept the Heart and Hypertension Claim as presented. This motion was approved unanimously.

Liaison Reports

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

Town Councilman Sekorski stated that he had attended the WPCA Meeting.

Town Councilman Sekorski stated that as a result of the hurricane he wanted to commend Pete & Steve Contractors who were called in on an emergency basis to make some repairs and noted that there was never any life threatening issues. He further stated that there was some heavy physical damage around the plant and that it took them 36 hours straight to do the repairs, noting that the WPCA members looked at everything.

Town Councilman Sekorski stated that the WPCA employees were extraordinarily busy handling the extreme amount of water falling through the system.

Based on information received from their contractor, Town Councilman Sekorski stated that the WPCA would be reevaluating and upgrading the de-nitrification part of the plant and considerations for phosphorus cleanup, noting these were the biggest items going on with the WPCA.

Town Councilwoman Schenkel stated that due to illness, she had nothing to report on this evening.

**Plymouth Town Council Meeting
October 4, 2011
Page Twenty of Twenty-Two Pages**

Liaison Reports Cont'd.

Town Councilman Wunsch stated that Gosinski Park Housing had cancelled their last two meetings in part because of Hurricane Irene. He stated that they had been busy repairing roofs, new ceilings, heat pumps have been added, they were still doing work up there, and had rescheduled their meeting for next week.

Town Councilman Wunsch stated that the Public Works Ad Hoc Committee had met.

Town Councilman Wunsch stated that he had been unable to attend the Fire Commission Meeting, but wanted to announce that the new truck for Fall Mountain came in on Friday.

Town Councilman Wunsch stated that Jack Schubert had submitted his formal retirement from the Fire Commission and that Kevin Engle was the appoint interim.

Town Councilman Wunsch stated that he had met with Public Works this morning and had reviewed the STEAP Fund percentages of transportation funds for each town. He further stated that Tony (Lorenzetti) had given him a form from 2002-2010, which showed that Plymouth was first, second and third position for receiving funding out of the following towns: Berlin, Bristol, Burlington, New Britain, Plainville, and Southington, noting these were other towns who were also eligible for funding.

Mayor Festa that this information was in response to people who had been complaining that the State had not been giving much to the Town and that Tony was pointing out that the Town had in fact been number 1, 2 and 3 in different areas relative to the amount of money that the town had been receiving for the State

Town Councilman Sandshaw stated that the Zoning Board of Appeals did not meet due to nothing being on their agenda.

Town Councilman Sandshaw stated that the Park and Recreation Commission had general discussions and that the Skate Park Ad Hoc Committee resumed meetings in September. He further stated that he would present a formal report for the Town Council in the first quarter of 2012.

Town Councilman Sandshaw stated that the Inlands Wetlands Commission had been very active and had granted a couple of permits for right of use. He further stated that they had done a good job of moving agenda items so that the general public didn't have to wait for the Commission to go through their own administrative work. Town Councilman Sandshaw said his hat was off to Chairman Jim Deutsch for helping the public out in this manner and expressed his appreciation

Plymouth Town Council Meeting
October 4, 2011
Page Twenty-One of Twenty-Two Pages

Liaison Reports Cont'd.

Town Councilman Sandshaw stated that the Dr. Distasio, Superintendent Board of Education, would be receiving an Energy Stewardship Award for the green house gas reduction project, which had been taking place over the last two years. He further stated that the presentation would be made and that a Press Release had been done, noting it was quite an honor to receive.

Town Councilman Sandshaw stated that the Town was now an Energy Star Partner for the facilities with the Board of Education and that would give us national recognition and some other insights on how the Town could conserve energy.

Town Councilman Sandshaw stated that there had been an article in the newspaper regarding the green house construction at the high school, noting that \$5,000.00 had been received from CL&P (last spring) for the project. He further stated that the lumber for the project had been donated by Hinman Lumber (out of Burlington).

Public Comments

Keith Golnik, 46 Orchard Street, Terryville, stating that he was speaking as the Vice President of the Plymouth Historical Society, wanted to thank the Mayor (and anyone else involved) for finally getting the resolution to replace the roof that covers the Waterwheel. He further stated that he also wanted to thank Mark Sekorski for his abilities to provide the labor and the material.

Keith Golnik stated that he also wanted to speak about the newspaper article in yesterday's Waterbury Republican-American, which dealt with the Ordinance discussed earlier this evening. Keith Golnik stated that one section of the article mentioned that the Police contract expired in June and that the Commission had negotiated it and he wanted to make sure that the public was aware that Commissions and Boards do not negotiate with the Unions, which negotiations are done through the Mayor's office. Keith Golnik stated that although the Commission had no say over the Police contract, the Mayor may ask the Commission for their advice.

Council Comments

Town Councilman Wunsch stated that last Thursday, Dan Gentile had been involved in a terrible accident and that he was in the Bridgeport Burn Unit. He further stated that the Fire Department and the Emergency Services did another outstanding job.

**Plymouth Town Council Meeting
October 4, 2011
Page Twenty-Two of Twenty-Two Pages**

Council Comments Cont'd.

Town Councilwoman Schenkel stated that she was going to reiterate Town Councilman Wunsch's comment and that she wanted to thank the Fire Department and Emergency Services for their efforts with our friend.

Town Councilman Zagurski questioned if it was possible for someone to cut the ragweed down in front of the Terryville Trust.

Mayor Festa stated that he just put a phone call in today to the person that has handled it in the past; noting that he wanted to deal directly with the owner of the property because he was tired of looking at it himself.

Town Councilman Wunsch stated that since the Town now has the Code Enforcement Ordinance Committee, we could move on this issue.

Town Councilman Sekorski stated that he had gotten a lot of inquires from the general public on the issue and that he had tried to explain that it was just not that easy to take care of because of multiple property owners, out of state owners, properties in litigation, finding the responsible person/owner, etc.

Mayor Festa stated that the Town did have some movement on that block of property again; however the problem was that one particular property owner was a hold out, just as he was in the last go around when we had the Rite-Aid project coming forward. He further stated that there was an investment group, which he had spoken to about a month ago, who was very interested in coming forward and doing something on that site, but again the drawback is that one particular property owner. Mayor Festa stated that the one property owner really doesn't have a need to sell his property because he doesn't really need the money and apparently there is an escalation of price every time they go forward to create some kind of movement. He further stated that he/the Town were not giving up on this investment group because they really seemed committed to doing something in that area, and that hopefully the Town would be able to keep a forward movement going.

Adjournment

There being no further business of the Plymouth Town Council, Town Councilman Zagurski made a motion, seconded by Town Councilwoman Schenkel, to adjourn at 10:08 p.m. This motion was approved unanimously.

Respectfully submitted,
Acting Recording Secretary