

Town of Plymouth
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Plymouth Town Council
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Minutes

March 1, 2011

Call to Order: Mayor Vincent Festa, Jr., called the scheduled March 1, 2011, Plymouth Town Council Meeting to order at 7:00 p.m., in the Community Room, Town Hall.

Roll Call: Present were Mayor Vincent Festa, Jr., Town Councilman Martin Sandshaw, Town Councilwoman DiAnna Schenkel, Town Councilman David Sekorski, Town Councilman John Wunsch, and Town Councilman Tom Zagurski. Also in attendance were David Bertnagel-Director of Finance, Barbara Rockwell-Town Clerk and Salvatore Vitrano-Town Attorney.

Fire Exits Notification

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

Pledge of Allegiance

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

Acceptance of Minutes of Town Council Public Hearing of 1/4/11; Town Council Meeting of 1/4/11; Special Meeting of 2/8/11

Town Councilman Wunsch made a motion, seconded by Town Councilwoman Schenkel, to accept the Minutes of the Town Council Public Hearing of 1/4/11, as presented. Vote: M. Sandshaw/yes; D. Schenkel/yes; D. Sekorski/abstained, J. Wunsch/yes; T. Zagurski/yes; motion passed.

Town Councilman Wunsch made a motion, seconded by Town Councilman Zagurski, to accept the Minutes of the Town Council Meeting of 1/4/11, as presented. Vote: M. Sandshaw/yes; D. Schenkel/yes; D. Sekorski/abstained, J. Wunsch/yes; T. Zagurski/yes; motion passed.

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Acceptance of Minutes of Town Council Public Hearing of 1/4/11; Town Council Meeting of 1/4/11; Special Meeting of 2/8/11 Cont'd.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Wunsch, to accept the Minutes of the Special Meeting of 2/8/11 as presented. Vote: M. Sandshaw/yes; D. Schenkel/yes; D. Sekorski/abstained, J. Wunsch/yes; T. Zagurski/yes; motion passed.

Council Rules and Procedures

No report.

Public Comment on Non-Agenda Items

No Report.

Mayor's Report

Mayor Festa stated that he had received a note from Ralph Zovich, Chairman, Board of Finance, notifying him that a Joint Meeting between the Board of Finance and the Board of Education had been set for Thursday, March 24, 2011, at 7:00 p.m., in the Community Room, Town Hall.

Mayor Festa stated that Chairman Zovich had also noted that the Annual Budget Hearing would be held at the Terryville High School Auditorium on Monday, April 11, 2011.

Mayor Festa stated the Town was beginning its budget preparation season and that David Bertnagel, Director of Finance, was at another meeting this evening, but hopefully he would be able to later join this evening's Town Council Meeting and provide a report.

Mayor Festa stated that the Small Cities Block Grant Application for Gosinski Park had been put off until next year. He further noted that the Town had been meeting with the L. Wagner Group, the decision had been made to postpone until next year in order for the Town to get a better grip on exactly what they needed to file and decisions would be made to decide which particular renovations would be made to the Housing Project.

Mayor Festa stated that Ana Legassey would be training in the Tax Collector's Office on March 9, 2011, in preparation of replacing the current Tax Collector, Linda Hood.

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Take action to refund Property Taxes

Town Councilman Sandshaw made a motion, seconded by Town Councilman Zagurski, to refund the following Property Taxes: Holly L. Schrager \$34.55; Amy Charlton \$30.42; Carl Kulesa \$130.81; Nissan Infiniti LT. \$200.84. This motion was approved unanimously.

Appointments/Resignations

Mayor Festa stated at the request of Town Councilman Wunsch, he had included three applications from interested people applying for the Public Works Ad Hoc Committee and Public Works Commission.

Mayor Festa stated that he would forward forthcoming applications to the Town Council members for appointment at the next scheduled Town Council Meeting.

To approve Resolution for Natural Hazard Mitigation Plan

Mayor Festa introduced Ethan Abeles, Transportation Planner, Central Connecticut Regional Planning Agency (CCRPA), Bristol, CT, and requested that he provide the Plymouth Town Council and the Public, with a brief synopsis of the Natural Hazard Mitigation Plan in terms of the history, when it began, the involvement of the Towns that helped develop it and the reason for the plan.

Ethan Abeles stated that he was in attendance to present the Resolution for the Natural Hazard Mitigation Plan for adoption by the Plymouth Town Council, noting that this was the final step in the long Hazard Mitigation planning process. Ethan Abeles stated that the plan process had begun approximately 18 months ago by the person whom he replaced at CCRPA and that she also created the plan with input from the Town of Plymouth (see below).

Ethan Abeles stated that the plan was Federally mandated that all Regions have a Hazard Mitigation Plan in place. He further stated that the plan has to be kept updated, noting that the last plan for the Central Connecticut Planning Region had been in 2005, and that essentially, this information was just an update for that particular plan.

Ethan Abeles stated that the Hazard Mitigation Plan had been conditionally approved by the Federal Emergency Management Agency (FEMA) and had been developed with the contribution of relevant parties from the Town of Plymouth. He further stated that the plan was approximately 100 pages and that with the Appendices included, it was approximately 300 pages.

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To approve Resolution for Natural Hazard Mitigation Plan Cont'd.

Ethan Abeles stated that the Hazard Mitigation Plan identifies the characteristics and potential consequences of hazards in the Central Connecticut Region including the Town of Plymouth, and outlines possible ways to avoid or minimize the negative effects caused by these hazards. Ethan Abeles stated that the Disaster Mitigation Act of 2000, was the most current Federal legislation that guides the Hazard Mitigation planning process.

Ethan Abeles stated that the mitigation actions could be grouped into six categories as follows: 1. Prevention, 2. Property Protection, 3. Public Education, 4. Natural Resource Protection, 5. Emergency Services, and 6. Structural Projects.

Ethan Abeles stated that the Hazard Mitigation Plan prioritizes mitigation strategies and proposes an overall implementation strategy and that in order for it to become a working document and to qualify for certain Federal funding from FEMA and under the National Flood Insurance Program, a current Hazard Mitigation Plan must be adopted by all of the Town Municipalities in the Region, collectively.

Mayor Festa stated that under this new plan, the Town of Plymouth could make application on behalf of homeowners in several locations within the Town that have ongoing flooding after severe storms, and whereby previously, the Town experienced difficulty qualifying for FEMA assistance through FEMA.

Ethan Abeles stated that Mayor Festa was correct and that the intention of the Federal government was to streamline the process and identify areas that were available for disaster relief and this would cover places in the Town of Plymouth that were prone to flooding. He further stated that the plan would include strategies to deal with this type of problem, as well.

When questioned by Town Councilman Sandshaw, as to who would assist in identifying the problem areas in Town, Ethan Abeles stated that the problem areas had already been identified and that the plan had been completed.

Ethan Abeles stated that the following people had contributed input to the present plan and the previous 2005 plan: Mark Sekorski (Fire Chief), Paul Schwanka (Civil Preparedness Director), Khara Dodds (Director of Planning & Economic Development), Anthony Lorenzetti (Director of Public Works), Bill Kuehn (former Director of Planning and Economic Development), Tom Pollack (former Interim Director of Public Works), Karl Paulette (former Interim Highway Superintendent), Bill Herzman (former Building Official), and Tony Orsini (former Emergency Management Director).

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To approve Resolution for Natural Hazard Mitigation Plan Cont'd.

Town Councilman Sandshaw stated that some of the names provided by Ethan Abeles would need updating, as they were no longer in the positions as stated.

Ethan Abeles stated the reason for the former names was because they did have input and provided information for the plan.

When questioned by Town Councilman Sandshaw, Ethan Abeles stated there was no cost to the Town of Plymouth involved, and that the plan was funded by a Federal Grant, which CCRPA had received for the Region. He further stated that the benefit to the Town of Plymouth could be significant, should something happen, noting that it was a win-win from the Town's perspective.

When questioned by Town Councilwoman Schenkel, Ethan Abeles stated that the plan covered flooding, tornadoes, earthquakes, etc.; however flooding was the largest hazard that most towns in New England experience.

When questioned by Town Councilwoman Schenkel, Ethan Abeles stated that coverage for an ice storm would be dependent upon the severity of the storm and that he would have to look into that particular natural hazard, further.

When questioned by Town Councilman Zagurski, Ethan Abeles stated that the Natural Hazard Mitigation Plan came with its own implementation strategy and that it was laid out in the plan. He further stated that it did not involve a lot on the part of the towns.

When questioned by Town Councilman Zagurski, Ethan Abeles stated that the Public Works representative, the Emergency Management representative and the Planning representative from each town would have a copy of the Natural Hazard Mitigation Plan. He further stated that these representatives would be responsible for implementing the plan should anything arise that would call for such implementation. Ethan Abeles noted that the name of the Emergency Management representative would need to be updated.

When questioned by Town Councilman Sandshaw, Ethan Abeles stated that the three representatives (previously stated) had all received training in implementing the Natural Hazard Mitigation Plan, should a need arise, however he was unsure of the level of training which they had received, but stated that he would look into the question further and provide the information as soon as he was able.

Town Councilman Wunsch stated that the plan sounded a little loose.

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To approve Resolution for Natural Hazard Mitigation Plan Cont'd.

Mayor Festa questioned if the plan would be used for after storm preparation to make processes/applications for natural hazard cleanup assistance verses having a team on board that would come out during the storm to help take care of the emergency situations that were occurring during the hazard. He further questioned if it was a plan that any homeowner, individual or business owner could look to for funding and sources of assistance in taking care of property damage.

Ethan Abeles stated that the plan could be used prior to a potential storm hazard and cited the New Orleans flooding disaster as an example. He further stated that a case could be made to mitigate potential natural hazards prior to them happening, as outlined in the plan.

Mayor Festa questioned if the plan was an outgrowth of the outcry from communities that have asked FEMA to provide proactive rather than reactive assistance, and cited some situations where repeated damage to properties (flooding, etc.) occur.

Ethan Abeles stated that Mayor Festa's statement was an accurate one, and that the plan would mitigate potential repetitive hazards/problems down the road.

Ethan Abeles stated that the plan itself was not loose; that it might of seemed that way because of his presentation since he was not involved in the creation of the plan and he came late to the process. He further stated that this evening's presentation was the first presentation that he had given, and felt that the questions asked were good and that he would get answers back to the Town as soon as he could. He further stated that it was more of a proactive and prescriptive type of plan to address potential future impacts.

When questioned by Mayor Festa, Ethan Abeles stated that all of the towns in the Regional would have to agree to adopt the Region-wide plan in order for it to become a Regional plan, noting there was not one plan for each individual town. He further noted that each town was addressed individually within the plan, within the Region. Ethan Abeles noted that the Town of New Britain was a world apart from the Town of Plymouth, and that the plan was not drawn with a broad brush, it addressed each town's individual needs.

When questioned by Town Councilman Sandshaw, Ethan Abeles stated that if the Town of Plymouth does not adopt the plan, it was his understanding that the plan could not be adopted by the Region and that the Region would be not be eligible for certain FEMA assistance.

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To approve Resolution for Natural Hazard Mitigation Plan Cont'd.

When questioned by Mayor Festa, Ethan Abeles stated that he would leave a copy of the Natural Hazard Mitigation Plan with the Town this evening, and that he would forward a copy of the Appendices as soon as possible.

When questioned by Town Councilman Sekorski, Ethan Abeles stated that the timeline for adopting the Natural Hazard Mitigation Plan would be within a couple of months time and that the sooner he finished addressing all of the towns involved in the Region, the sooner the final approval from FEMA would come, ultimately activating the plan.

When questioned by Town Councilman Sekorski, Ethan Abeles stated that a full copy of the Natural Hazard Mitigation Plan should be online at the CCRPA website and that if it was not, he would be certain that it was up on the site this week.

Town Councilman Sekorski stated that the Plymouth Town Council likes to be informed and review documents and that he, personally, would probably end up supporting the plan. He further stated that the new Emergency Preparedness Director, and others, would need time to review the plan, as well.

Town Councilman Sekorski made a motion, seconded by Town Councilman Sandshaw, to move Agenda Item No. 10, "To approve Natural Hazard Mitigation Plan" to the next agenda of the Regular scheduled Town Council Meeting. This motion was approved unanimously.

To review the status of Harwinton Avenue/Burr Road Wells

Mayor Festa stated that this evening's audience included State Representative Whit Betts, Senator Jason Welch's Aide Jill Fitzgerald, State of Connecticut Department of Environmental Protection (DEP) Representative Patrick Bowe, and Connecticut Water Company Representative Pat Corbit.

Mayor Festa stated that he had invited the named guests so that they could provide informational updates relative to the status of the Harwinton Avenue/Burr Road contaminated well issue.

Mayor Festa stated that in order to bring closure, the Plymouth Town Council had decided to move forward on the issue and were looking for facts and figures due to financial discrepancies that have occurred.

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To review the status of Harwinton Avenue/Burr Road Wells Cont'd.

Mayor Festa requested that Whit Betts come forward to update the Plymouth Town Council and public audience as to what had taken place at the Legislative level in Hartford.

Whit Betts thanked Mayor Festa for the introduction and noted that Senator Welch was out of State, and that Jill Fitzgerald would be representing the Senator's office.

Whit Betts stated that from the time he and Senator Welch had received notification of the well situation, several meetings had been held with the DEP and Betty Boukus, State Representative, in an effort to help the Town of Plymouth come to some sort of resolution. Whit Betts noted that Betty Boukus was a legislature on the Finance and Bond Review Committee and had offered to be an advocate to try and find some funding to resolve the problem. He further stated that if necessary, they would have a meeting with one of the Governor's staff to make them aware of the situation, as well. Whit Betts stated that Mayor Festa and Town Councilman Sandshaw, had attended the Public Hearing in Hartford, and had addressed Bill No. 497 (introduced by Senator Welch) which included substitute language to address the problem. He further noted that Bill No. 497 had gone before Planning and Development. Whit Betts stated that they had included language which specifically dealt with the issue, and that after having met with the very informative and helpful DEP, they have embarked on a path to try and have a long-term permanent solution as opposed to an intermediate one, such as the DEP recommended filtration system. Whit Betts stated that nine, and potentially 18 homes, were affected and that it would be wiser to take care of the problem on a long-term basis.

Whit Betts stated they were looking at the issue on three different levels; one being on the local level with a potential for a Referendum/Appropriation, at the State level, and noted they were meeting with Betty Boukus to try to get the issue through the legislative process for bonding to pave the entire project with the hook-up for the water main system. He noted that the Town would still have to be put on the Bond Commission before the Town would see any monies with this level of approval and noted that it was a fairly lengthy process that could happen very quickly or in some cases take many years. Whit Betts stated that given the current economic situation of the State of Connecticut, receiving a State Grant was virtually nil.

Whit Betts stated that the DEP could not identify the source of the well contamination and they had said that there was multiple ways the contamination was happening and that it was beginning to spread. He further stated the DEP has noted that they would like to have a permanent long-term solution to the problem.

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To review the status of Harwinton Avenue/Burr Road Wells Cont'd.

Whit Betts stated that as legislatures, they had did not have the fiscal constraints which the DEP did, but that they had the ability to go a little bit higher and that they would be asking for the full funding. He further stated that this was their plan of action for the present time.

Whit Betts stated that this was one of their very top priorities and that they would do everything possible to expedite the process at the State level. He further stated that he believed the cleanest, neatest, quickest way of getting money and doing the work, would probably be at the local level, however all three options were on the table.

Town Councilman Zagurski questioned if the Town handled the issue locally, what were the chances of reimbursement from the State of Connecticut later on. He further noted that he realized going through the State would take years and that the Town would like to get the process started.

Whitt Betts stated that he did not have an answer, either way, if the State would financially reimburse the Town, but that they would certainly try to get the reimbursement on behalf of the Town because they knew that the magnitude of the project was pretty sizeable and would pursue it.

Town Councilwoman Schenkel thanked Whit Betts and Jason Welch for stepping up and fighting on behalf of the Town of Plymouth. She further acknowledged that they were both new to their positions and that the Town of Plymouth had put them on the spot with the urgency of the matter.

Whit Betts stated thanked the Town of Plymouth for providing the information and noted that they would need clearer information to better define a final number. He further stated that they felt, as did the Town of Plymouth, bad for the homeowners.

Whit Betts stated that if the Town of Plymouth ended up taking care of the situation at the local level, they would work very hard to get the Town some kind of reimbursement.

Mayor Festa requested that Patrick Bowe, DEP Representative, come forward to speak as a follow up to Whit Betts and to provide information/explanation for the 471 Plan process, which the DEP had mentioned at a previous meeting as another funding option for the Town to examine.

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To review the status of Harwinton Avenue/Burr Road Wells Cont'd.

Patrick Bowe stated that a Special Act allocation, which Whit Betts had been referring to, would normally come through the Bond Commission and then would be passed onto the DEP, who would handle the reimbursement for the Town, including processing fees, etc., that were incurred as the process progressed.

Patrick Bowe stated that the 471 process allows for the DEP to issue an order, either through consent or unilaterally, to the community as a community pollution problem and the order acts as a ticket for the Town and the DEP to get in line at the Bond Commission and to present the request to take up the issue and vote on it. He further noted that there have been cases that sat before the Bond Commission for many years before they were voted on and sometimes very short periods of time. Patrick Bowe stated that the DEP sends forward a recommendation for bond action and noted that potable water support was always their first and highest priority, however that did not mean that the Bond Commission would address their highest priorities first. He further stated that the 471 process acts as a ticket to get in line. Patrick Bowe stated that abandonment of the wells would be included in setting a figure and explained the process in detail. Patrick Bowe stated that the lateral line, from the water main in the street to the homes, would also have to be factored into the final figure for the Bond Commission, noting that would be expensive. Patrick Bowe stated that the numbers would have to include the Study and Engineering step and the actual construction, as well. Patrick Bowe stated the 471 process requires the DEP to use the most cost effective option for the protection of the homeowners and noted that they had looked at the cost of the installation of the filtration systems verses the installation of a water main system. Patrick Bowe stated that the construction of water mains would run approximately \$900,000.00 and with the water main connections, in excess of one million dollars. He further stated that it would cost approximately \$500,000.00 to install the treatment systems. Patrick Bowe stated that if the Town and homeowners were to decide to use the water main, instead of the water systems, that the 471 process could still kick in the \$500,000.00 that could be utilized by the Town to pay for the water mains going into the resident's homes. Patrick Bowe stated that the DEP was leaning in favor of the water mains as their option of choice, noting that monitoring and maintenance would increase (cost-wise) over time.

When questioned by Mayor Festa, Patrick Bowe stated the \$200,000.00 quotation for filtration systems and \$500,000.00 quotation for the water line only covered one street, not both roads, which is why the figure was now doubled. Patrick Bowe explained the benefits of installing a water main on both roads at length, and in detail.

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To review the status of Harwinton Avenue/Burr Road Wells Cont'd.

Mayor Festa requested that Pat Corbit, Connecticut Water Company, explain what he was looking at for the lay-out and the potential cost of the project, noting that the Town Council would have to come to a pretty finite dollar amount to present in the form of a motion by resolution, to the Board of Finance for an appropriation to move forward to a Referendum on the issue.

Pat Corbit stated that he concurred with what Patrick Bowe had presented for figures, noting that they were close to accurate. He further stated that for 3,900 feet of water main, the figure would be \$200.00 per foot, or approximately \$780,000.00 just to install the water main and that with the added costs of engineering and services cost, etc., this figure could climb quite a bit.

Mayor Festa stated that with construction costs and contingency aspects, the Town was looking at approximately one million dollars.

When questioned by Town Councilman Sandshaw, Pat Corbit stated that he did not know what the engineering costs would total.

Town Councilwoman Schenkel stated that she thought the cost would escalate because of the ledge in the area and different grades, blasting, etc.

When questioned by Town Councilman Wunsch, Mayor Festa stated that Anthony Lorenzetti, Director of Public Works, had estimated \$944,000.00 to install the water line, for 3,900 linear feet, total (see attachment). It was noted that the figure did not include the laterals.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Sandshaw, to approach the Board of Finance for 1.2 million dollars for the purpose of the Burr Road/Harwinton Avenue Water Main Project. This motion was approved unanimously.

To remove from table to discuss and take action on Fee Schedule as presented by Plymouth Fire Marshal's Office

Town Councilman Wunsch made a motion, seconded by Town Councilwoman Schenkel, to remove from table to discuss and take action on Fee Schedule as presented by Plymouth Fire Marshal's Office. This motion was approved unanimously.

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To remove from table to discuss and take action on Fee Schedule Cont'd.

Fire Marshal John Schubert explained the revised Plymouth Fire Marshal's new Fee Schedule in detail.

When questioned by Mayor Festa, John Schubert stated that from the section "New Buildings" down to the "Specialty Plan Review" section, were all old structures and old standard fees. He further stated that he was looking for approval from the Town Council for the two new sections, "Hot Work Permit" and "Fire Watch".

Jack Schubert stated that his office was recommending the \$35.83 per hour fee for the Fire Watch and that it would be changed to time and one half (for the Fire Marshal's rate) and noted that it would need to be changed in the future should any hourly rates increase. He further stated that it would not be going to the Fire Marshal; it would be going to the person being paid for the Fire Watch.

Town Councilman Zagurski stated that there was not a lot of definition stating what a Fire Watch actually was.

John Schubert cited examples of what would be covered under a Fire Watch, i.e. sprinklers at one of the Town schools because the system was not in operation at the time of an event. He further stated that a convalescent home, such as Cook Willow would be an example, but added they do have their own people who were trained. John Schubert stated that it would not be used on a daily basis, only in certain situations. John Schubert stated that they were trying to get some compensation for the personnel handling the Fire Watch and to recover some of the cost of the apparatus utilized.

When questioned by Town Councilman Sandshaw, John Schubert stated that he believed the collected monies would be returned to the General Fund.

Town Councilman Sandshaw stated that he would like to see a provision that would put the collected fees back into the Fire Department's budget. He further stated that their budget was always bare bones every year, even when they come in at zero or below zero.

Town Councilwoman Schenkel stated that she was in agreement with Town Councilman Sandshaw's recommendation and noted that it would have to go to the Board of Finance for them to designate a line item in their account.

When questioned by Town Councilwoman Schenkel, Jack Schubert stated that people do receive refresher courses for being a Fire Watch person.

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To remove from table to discuss and take action on Fee Schedule as presented by Plymouth Fire Marshal's Office Cont'd.

When questioned by Town Councilwoman Schenkel, Jack Schubert stated that a private owner most likely has to apply for a Demolition Permit (and their duty to do so) and that this makes the Building Official aware, as well.

Town Councilman Zagurski stated that he did not remember all the fees listed as being "old" from his earlier years on the Town Council and questioned if the dollar amounts were the same.

John Schubert stated the fee structures had not changed and were the same from when Town Councilman Zagurski first sat on the Council. John Schubert stated that this fee schedule was fairly common in many towns and that he had not received any complaints to date.

John Schubert stated that the fee schedule only applied to commercial buildings, not residences, noting that they had no jurisdiction over one and two family homes.

When questioned by Town Councilwoman Schenkel, John Schubert stated this fee schedule was already mandatory for all businesses within the Town's Industrial Park.

When questioned by Town Councilman Wunsch, John Schubert stated that his office could probably handle the billing for the Fire Watch, noting that his office had software in place that could provide a journal and calculate the monies.

Town Councilman Sekorski stated that he would like to see the Fire Commission send a written document to the Town Council stating that they support the new Fee Schedule as amended.

Town Councilman Sandshaw stated that he wanted to see the collected fees returned to the Fire Department as part of the approval by the Fire Commission and the Town Council.

Town Councilman Sekorski made a motion, seconded by Town Councilwoman Schenkel, that the Town Council receive, in writing, from the Fire Commission, their recommendations for the new Fee Schedule including the Fire Watch charge represented as the presently hourly rate of the Fire Marshal at time and one half and should include that they would like to designate the fees charged for the fire apparatus to a line item specific to be refunded back to the Fire Department's budget. This motion was approved unanimously.

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To remove from table to discuss and take action on Fee Schedule as presented by Plymouth Fire Marshal's Office Cont'd.

At the request of Town Councilman Zagurski, John Schubert stated that he would provide him with a clearer definition of a Fire Watch.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Zagurski, to move to Agenda Item No. 14, in anticipation of David Bertnagel's attendance later in the meeting when he would be addressing Agenda Item No. 13. This motion was approved unanimously.

To enter into Executive Session to discuss the following: Real Estate Transactions

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Zagurski, to enter into Executive Session at 8:20 p.m., to discuss the following: Real Estate Transactions. 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, Town Councilman Zagurski and Town Attorney Salvatore Vitrano. Mayor Festa called the Town Council back into the regular session at 9:02 p.m.

Town Councilman Sekorski made a motion, seconded by Town Councilwoman Schenkel, to take a five-minute recess. This motion was approved unanimously.

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

Mayor Festa stated that there was no action to be taken as a result of the Executive Session.

To approve Resolution entitled "Resolution appropriating \$19,500,000 for various Capital Improvement Projects (Phase I) and authorizing the issuance of \$19,500,000 Bonds of the Town to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose"

Town Councilman Sekorski made a motion, seconded by Town Councilwoman Schenkel, to amend Agenda Item No. 16 to read to consider and set a date for a Town Meeting Public Hearing on the proposed Resolution entitled Resolution appropriating \$19,500,000 for various Capital Improvement Projects (Phase I) and authorizing the issuance of \$19,500,000 Bonds of the Town to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose". This motion was approved unanimously.

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To approve Resolution Cont'd.

After a brief discussion, Attorney Vitrano recommended that one of the Town Councilman introduce the Resolution to read as follows: Resolution appropriating \$19,500,000 for various Capital Improvement Projects (Phase I) and authorizing the issuance of \$19,500,000 bonds of the Town to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose.

Attorney Vitrano stated that one of the Town Councilman would also need to make a motion to set a specific day for the Public Hearing on April 12, 2011 and the posting/publishing of the notice; a brief discussion followed.

Town Councilman Wunsch introduced Resolution appropriating \$19,500,000 for various Capital Improvement Projects (Phase I) and authorizing the issuance of \$19,500,000 bonds of the Town to meet said appropriation and pending the issuance thereof the making of temporary borrowings for such purpose. This motion was approved unanimously.

Town Councilman Sekorski made a motion, seconded by Town Councilman Zagurski, that the Town conduct a Town Meeting Public Hearing on the proposal introduced by Town Councilman Wunsch in the Community Room, at the Plymouth Town Hall at 7:00 p.m., on April 12, 2011, and that the Mayor be authorized and directed to cause notice of said hearing to be posted on the Town sign post and to be published as an advertisement in the Bristol Press not later than April 4, 2011. This motion was approved unanimously.

When questioned by Town Councilman Zagurski, Mayor Festa stated that the Town would hold two Public Hearings, one on March 29, 2011, and one on April 12, 2011.

Town Councilman Sandshaw made a motion, seconded by Town Councilwoman Schenkel, to send the Resolution to the Board of Finance for its recommendation. This motion was approved unanimously.

To approve the submittal of the State Library Grant for Records Preservation Program/Town Clerks Office

Town Councilman Sekorski made a motion, seconded by Town Councilwoman Schenkel, be it resolved that Vincent Festa, Jr., Mayor, Town of Plymouth, is empowered to execute and deliver in the name and on behalf of this municipality a contract with the Connecticut State Library for an Historic Documents Preservation Grant. This motion was approved unanimously.

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To approve the submittal of the State Library Grant for Records Preservation Program/Town Clerks Office Cont'd.

Barbara Rockwell, Town Clerk, stated that this grant was for \$3,500.00 and noted that documents filed daily with her office generate a \$1.00 fee for the Town Clerk's Office. She further stated that these collected monies (\$12,000.00) and part of the \$3,500.00, would be utilized for shelving for her documents in the vault (next to the Police Department) where all of the Town Hall documents were stored.

Liaison Reports

Town Councilman Zagurski stated that the Board of Education had come in with a zero percent increase to their budget.

Town Councilman Zagurski stated that the Library Board budget had increased by 2.17%

Town Councilman Zagurski stated that the Planning and Zoning Commission had held a number of Public Hearings and they were very active.

Town Councilman Sekorski stated that the Water Pollution Control Authority (WPCA) was working on amendments to maps and also on their Plan of Development, noting that the plan had been submitted to the Town Council a while back. Town Councilman Sekorski state that they were working on the amendments as part of their exhibits which they would need to present to the State and to the Town Council.

Town Councilman Sekorski stated that the WPCA had been working on improvements to their garage and was also working on different grants and different opportunities for their equipment through their own means and the State DEP. He further stated that they were working well within their budgets.

Town Councilman Sekorski stated that the WPCA's next meeting would be held in March.

Town Councilwoman Schenkel stated that the Board of Finance was very busy and had just held a Special Meeting with the Town Council, noting that the Town Auditor's, BlumShapiro, had present their Auditor's Report. She further stated that she had interpreted the report to mean that the Town was in good shape, financially speaking. Town Councilwoman Schenkel stated that the Town had made a lot of financial progress.

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Liaison Reports Cont'd.

Town Councilwoman Schenkel stated that BlumShapiro had provided constructive feedback for improvement.

Town Councilwoman Schenkel stated that the Auditors had agreed to provide the completed Auditor's Report before the 2011 election to give voters time to review the report.

Town Councilwoman Schenkel stated that the Board of Finance had met with the Public Works Department because they had recently approved a \$30,000.00 grant to have the Town mapped and to have a comprehensive survey detailing the condition of the Town roads. She further stated that the company made recommendations to Public Works on how to approach and prioritize the roads and that the Board of Finance had asked the Public Works Department to follow these reasonable recommendations.

Town Councilwoman Schenkel stated that it was budget season and that department heads should make their cases to the Board of Finance if they felt they were running lean.

Town Councilwoman Schenkel stated that the Board of Finance had done a phenomenal job the last three years, noting that this has been one of the worst winters ever, with repairs, etc., and she was unsure if the Board would be able to present a zero percent increase, but that she knew that they were going to do their very best.

Town Councilwoman Schenkel stated that Human Services Commission had cancelled their because of inclement weather, and then forgot to tell her and the Chairman that they were holding another meeting.

Town Councilwoman Schenkel stated that she was unable to attend the Police Commission Meeting due to the scheduled Special Town Council Meeting, which was held on the same evening.

Town Councilman Wunsch stated that Joe Bachand had resigned from the Board of Fire Commissioners and questioned if the notice had been forwarded to the Mayor.

Mayor Festa stated that it was his understanding the Joe Bachand had rescinded his resignation. He further stated that it was read into the record; however no action had been taken.

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Liaison Reports Cont'd.

Town Councilman Wunsch stated that he missed the Early Childhood Council meeting due to the Special Town Council Meeting which he had attended.

Town Councilman Wunsch stated that he met with Public Works and that budget-wise, manpower was over, and that the materials budget was very close. He further stated that the contingency which they had for the school snow removal was over budget, but that all things considered with the winter; it wasn't as bad as it could have been.

Town Councilman Wunsch stated that Public Works had questioned the status regarding the overtime on Saturdays for the Brush and Leaf Facility, noting that the Council had recommended that it still be reinstated. He further stated that Anthony Lorenzetti was uncertain if it was ever officially approved by the Board of Finance.

The Acting Recording Secretary for the Town Council stated that she had recorded the Board of Finance Meeting minutes when this issue had come up and that the Board of Finance had stated that the people had voted and spoken to keep to the budget that was approved and that they (the Board of Finance) would not waiver. They further stated that the Town Council needed to follow through, no matter how hard, with what the people had spoken and voted on. She further noted that the Board of Finance had put the question to a vote, again, and the final vote was unanimously in favor of not changing their original vote which was for no overtime hours for the Leaf and Brush Facility.

The Acting Recording Secretary stated that she would present the Board of Finance's minutes showing second vote at the next regular meeting of the Town Council.

Town Councilman Wunsch stated that a Household Hazardous Waste Collection Day had been scheduled for April 16, 2011.

Town Councilman Wunsch stated that he was in possession of Anthony Lorenzetti's report on various Public Work issues, noting that a meeting had been held with the Department of Transportation (DOT) on the Streetscape on North Main Street and Maple Street.

Town Councilman Wunsch requested that Mayor Festa explain the Town Hall copula repairs.

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Liaison Reports Cont'd.

Mayor Festa stated that the Town Hall roof leaks and he did not believe that it was the copula that was causing the problem because the rainwater comes in from all directions. He further noted that the Fire Department had performed some work on the roof (last year) relative to spraying water into that particular area and tried to install Plexiglas around the copula to prevent the rainwater from entering. Mayor Festa stated that this idea was abandoned because the copula needed air to circulate through in order for the roof to breathe. He further stated that he was told by the former Supervisor of Maintenance that the roof has ridges to assist it and that there was no need for air to pass through the copula.

Mayor Festa stated that he was told that a study would be done in order to find out what the engineering aspects would be and that it had been decided that something would be done with the copula. Mayor Festa stated that he was asked if the copula should remain as is or be removed, and questioned if it were removed, would major roof repair have to follow in order to close the hole and if that was the case, why not just put a new roof on the building and forget about pinpointing the problem to the copula when the roof is leaking everywhere.

Mayor Festa stated that ceiling tiles had collapsed in December in the Town Clerk's Office, noting that the copula was not near that particular area. Mayor Festa pointed out that water had been coming through the window on the opposite end of the building because of the way the caulking was misplaced.

Mayor Festa stated that he was not an Engineer or a design person, nor was he into construction, but he knows that the roof leaks in front of the door in his office, as well as in front of the office door leading into the outer Mayor's Office and in the foyer by the Tax Collector's Office, noting there was a problem with the roof.

Mayor Festa stated that if he left to make a decision then he would say that the building needs a new roof and that he will provide a decision to the Town Council members at the next Town Council meeting.

Town Councilman Sandshaw stated that the Economic Development Commission had held a Special Meeting and discussed how to market the Business Park through publications and updating the web site.

Town Councilman Sandshaw stated that old utility issues in the Business Park had come up again for discussion and noted that there were still ongoing electrical problems.

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Liaison Reports Cont'd.

Town Councilman Sandshaw stated that discussion took place concerning the utility company working on changing the switching and underground lines, and that some members of the Economic Development Commission did not feel that the utility company was acting on this problem quick enough.

Town Councilman Sandshaw stated that one member of the Economic Development Commission would be resigning because she was moving out of Town. He further stated that another member was having health issues and problems with hearing the conservations taking place at the meeting and was considering resigning, as well.

Town Councilman Sandshaw stated that the Parks and Recreation Commission meeting had been cancelled for due to the lack of a quorum.

Town Councilman Sandshaw stated that the first Skate Park Ad Hoc Committee meeting had been held on February 2, 2011, noting that he had been elected Chairman. He further stated that the Ad Hoc Committee wanted to add two more people to their membership; Paul Giancesini and Jolene Dutkiewicz. Town Councilman Sandshaw stated that the Committee had set the fourth Wednesday of each month as their regular meeting date.

Town Councilman Sandshaw stated that he had not attended the Zoning Board of Appeals Meeting.

Town Councilman Sandshaw stated that he was unable to attend the Conservation Inland-Wetlands meeting because of the rescheduled Special Town Council Meeting.

Town Councilman Sandshaw stated that at the last Conservation Inland-Wetlands meeting that he had been able to attend, the Commission had approved the application for the Waterwheel Project.

Mayor Festa requested that the Chairman for the Skate Park Ad Hoc Committee forward the names of the two additional people who wanted to join the Committee to the Mayor's Office for presentation at the next Town Council meeting.

When questioned by Town Councilman Sandshaw, Mayor Festa stated that the two additional members could attend the next meeting of the Skate Park Ad Hoc Committee as members of the public.

Liaison Reports Cont'd.

When questioned by Mayor Festa, Town Councilman Sandshaw stated that the amplifier, which had been purchased to heighten the voice level at the Economic Development Commission meetings, did not assist the member that was experiencing the sound issues. Mayor Festa stated that the Town was awaiting a reimbursement check for the streetlights in the Business Park and that the amount was uncertain at this point in time. He further stated that the streetlight outages dated back to August 2009. Mayor Festa stated that Roger Plourde (CL&P Representative) was working with CL&P executives to come up with a final figure for the check. Mayor Festa stated that the Town was also waiting for a decision from the Board of Directors as to how much money they would be spending on the realignment of the wiring at the Business Park, noting that he was told it would be several million dollars worth of work.

Town Councilman Sandshaw made a motion, seconded by Town Councilman Zagurski, to move back to Agenda Item No. 13. This motion was approved unanimously.

To remove from table to discuss and take action in ING Specimen Adoption Agreement for 475(B) Deferred Comp. Plan

David Bertnagel, Director of Finance, stated that the Town of Plymouth offers employees a 475(B) Deferred Compensation, noting that in the beginning when the plan was first introduced, the plan was under Aetna and that ING had bought them out. He further stated that every so many years the plan sponsors are required to rewrite their specifications based on updates to IRS and government regulations. David Bertnagel stated that the Town continues to offer the Plan (from ING) to employees and that the individual can contribute up to \$15,500 per year into the plan and 50 years or older the individual could contribute more depending on their age and catchup provisions. and if the individual were within the last three years of retirement, he could contribute \$33,000. He further stated that the amended documents put the legal language into the plan and briefly explained the past history of the plan. David Bertnagel stated that the Town needs the Town Council's formal approval to continue offering the plan to its employees and that it is no cost to the Town.

Town Councilman Wunsch made a motion, seconded by Town Councilwoman Schenkel, to approve the ING Specimen Adoption Agreement, with the amendments as so noted by the Director of Finance, David Bertnagel. This motion was approved unanimously.

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Public Comments

No report.

Liaison Reports Cont'd.

Council Comments

Town Councilman Zagurski stated that he had been approached and questioned by several people regarding driveway specifications, noting that the Town only had a 16-foot driveway width and that as a Town Councilman; he would like to see this width expanded, if possible. He requested that the Town Council request Public Works present the driveway specifications.

Town Councilman Wunsch stated that Anthony Lorenzetti had informed him that this issue was under review to increase the size.

Town Councilman Zagurski stated that he would like to see the issue expedited as it had been under review for many years.

Mayor Festa stated that he would bring the issue forward, noting that it had been under review and that it was time to move on with it because of the problems it was creating within the Town.

Town Councilman Zagurski stated that there was LEO Club Pasta Supper on March 26, 2011, followed by a play at the high school following the supper.

Town Councilman Zagurski stated that there was Boy Scout Ziti Dinner on March 12, 2011, and they were hoping people would support it.

Town Councilman Zagurski noted that the Early Childhood Council had requested volunteers for their Study Group when they had come previously come before the Town Council.

Town Councilman Wunsch stated that the Early Childhood Council was looking for all of the Town Council members to partake in the Study, noting that it could be handled prior to a meeting with a survey that would only take 15 minutes.

Town Councilman Zagurski stated that he wanted to acknowledge their request and that he was willing to volunteer for the brief study.

Mayor Festa stated that he had already taken the survey.

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Council Comments Cont'd.

Town Councilman Sekorski and Town Councilwoman Schenkel stated that they were all interested in partaking in the survey and requested that someone contact them to set a place and time.

Town Councilman Wunsch stated that he would handle the survey requests.

Mayor Festa stated that the Early Childhood Council was also looking to the Town Council to become a Focus Group.

Mayor Festa stated that he did not have specific dates to share, however he wanted everyone to be aware that there were upcoming events celebrating the 100th Anniversary of the Terryville Fire Department.

Mayor Festa stated that the Jr. Corps was holding a supper in March. Mayor Festa stated that an hors d'oeuvres and cocktails event would be held on April 29, 2011, at the Terryville Headquarters

Town Councilman Wunsch stated that there would be a Ball in May.

Town Councilman Wunsch stated that the Town Council would be receiving invitations.

Town Councilman Wunsch stated that he handled and paid \$200.00 for a full-page ad, on behalf of the Town Council, that read "Congratulations."

Town Councilman Wunsch stated that plans had been made by the Fire Department to hold a Town picnic at the Fairgrounds in June or July.

Mayor Festa stated that the Tax Incentive Committee had met and discussed potential incentives for two companies. He further noted that one company was interested in coming into Town under a lease agreement. Mayor Festa stated that the other company was trying to stay within Town, but was having space issues. He further stated that this company had been very upset with the way they were dealt with in the past by the Town.

Mayor Festa stated that this issue went hand-in-hand with what had been previously discussed about the Town being user friendly. Mayor Festa stated that the Town had been working very diligently for the past four and one half days to rectify both situations.

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Council Comments Cont'd.

Mayor Festa cautioned the Town Council Members about being very specific when sending electronic mail to the complete Town Council membership because the emails can become subject to Freedom of Information and can also constitute a Council meeting.

Adjournment

There being no further business of the Plymouth Town Council, Town Councilwoman Schenkel made a motion, seconded by Town Councilman Sekorski, to adjourn at 10:46 p.m. This motion was approved unanimously.

Respectfully submitted,
Acting Recording Secretary