

**Town of Plymouth**  
**80 Main Street**  
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**Plymouth Town Council**  
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**Minutes**

**February 7, 2012**

**Call to Order:** Mayor Vincent Festa, Jr., called the scheduled February 7, 2012, Town of Plymouth Town Council Regular Meeting to order at 6:17 p.m., in the Community Room, Town Hall.

**Roll Call:** Present were Town Councilman Remie Ferreira, Sr., Mayor Vincent Festa, Jr., Town Councilman Richard Foote, Town Councilwoman Susan Murawski, and Town Councilman Tom Zagurski.

Mayor Festa noted that Town Councilwoman DiAnna Schenkel had an excused absence.

**Acceptance of Minutes of Town Council Public Hearing 1/3/2012; Town Council Regular Meeting 1/3/2012**

Town Councilwoman Murawski made a motion, seconded by Town Councilman Foote, to accept the January 3, 2012, Town Council Public Hearing Minutes as presented. This motion was approved unanimously.

Town Councilman Foote made a motion, seconded by Town Councilman Ferreira, to accept the January 3, 2012, Town Council Regular Minutes as presented. This motion was approved unanimously.

**Council Rules and Procedures**

Mayor Festa requested that the Council add an item on this evening's Agenda as follows: To set a date for a Town Meeting to vote on the Energy Conservation Program.

Town Councilman Foote made a motion, seconded by Town Councilwoman Murawski, to add setting a date for a Town Meeting and vote for the Energy Conservation Program on the February 7, 2012 Agenda. This motion was approved unanimously. (see Agenda Item on Page 24)

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**Public Comments on Non-Agenda Items**

No report

**Motion to recess for fifteen minutes for Awards Recognition/Years of Service; CIRMA Risk Management Achievement; Government Financial Officers Association**

Town Councilwoman Susan Murawski made a motion, seconded by Town Councilman Foote to table Agenda Item #7, until the invited guests arrived. This motion was approved unanimously.

**Mayor's Report**

**Correspondence/Discussion on Various Items: North Main Street Bridge Report; Legal Opinion re. Dual Membership/Town Council; Correspondence to Property Owners re. Burr Road/Harwinton Avenue Wells; Streetscape Project; Waterwheel Project; STEAP Grant Funding; CCRPA Grant Applications; Culture and Tourism Department Workshop; Tax Abatement Incentive Program**

Mayor Festa stated that he had included a letter in the Council packets, dated January 5, 2012, from the State of Connecticut Department of Transportation regarding the North Main Street Bridge Inspection Report, noting the condition of the bridge and the need for the replacement of the bridge.

Mayor Festa stated that this project was being presented in the upcoming proposed Bond Proposal. Mayor Festa stated that the bridge was scheduled for repair and replacement and that it would have to be done one way or another.

Mayor Festa stated that he had received a written legal opinion from Town Attorney Salvatore Vitrano regarding Dual Membership on the Town Council/Plymouth Historic Properties Commission, at the request of the Chairman of the Historic Property Commission. He further noted that the information had been included in the Town Council packets. Mayor Festa stated that the answer was self evident in the legal opinion reply.

Mayor Festa stated that the Burr Road/Harwinton Avenue Well issue was moving forward and that the residents had been notified that surveyors were walking the properties. He further stated that the Water Company was out doing their due diligence and that they would be forwarding letters of acceptance, on behalf of the Town, to go to the property owners to decide if they would be connecting to the water line that would be installed.

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**Mayor's Report Cont'd.**

Mayor Festa stated that the pre-bids had gone out for the Route 6 Streetscape Project and that the projection for the start of the work would be in June (2012) for approximately 600 feet of sidewalk construction.

Mayor Festa stated that the Waterwheel Project continues to move forward, however there would no STEAP Grant monies coming forward this year for the project.

Mayor Festa stated that the State was working the redesign structure of the bridge on both sides of the street in the Waterwheel vicinity.

Mayor Festa stated that there was a CCRPA Grant, which had come forward, and asked the Director of Finance, David Bertnagel, to speak on the issue.

David Bertnagel, Director of Finance, stated that in the 2011-2012 Budget there was a line item of \$80,000.00 that had been approved in Capital Non-Reoccurring for the purchase of four (4) vehicles in the Town Fleet. He further stated that the Town used to pass down the Police Cars, however that practice would be stopped because the cars are/were gas guzzlers and cost a lot of money for repairs, etc.

David Bertnagel stated that the Town would be looking to get hybrid vehicles and that application had already been made for a grant. He further stated that he had discussed procuring grant opportunities with the Mayor, Anthony Lorenzetti and Ted Scheidel, to offset the cost of the whole \$80,000.00.

David Bertnagel stated that out of the current five vehicles (including the Mayor's vehicle), the Town would be replacing four vehicles.

David Bertnagel stated that if the grant were approved, there would be a huge difference in the eight to ten miles per gallon (current averages) verses the anticipated 30 miles per gallon of the hybrids.

David Bertnagel stated that in the future, the Police vehicles would automatically be traded in, which would result in a higher residual value on the trade-in's thus reducing the cost of purchasing new vehicles.

Mayor Festa stated that he had been involved in a program (a few weeks back) hosted by the Connecticut Commission on Culture and Tourism, which centered on new money for old buildings. He further stated that his purpose in attending the program was to assist a few individual in the Community with revamping/revitalizing their properties.

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**Mayor's Report Cont'd.**

Mayor Festa stated that there were monies available, through the Commission on Culture and Tourism's Department of Preservation and Restoration, which would require application on the part of the person in need.

Mayor Festa stated that the Town does provide tax abatement incentives for new businesses coming into Town. He further stated that a couple of businesses had come to him looking for a lease program to move into Town under the ownership of someone else's property. Mayor Festa stated that he had asked David Bertnagel to research other town's programs associated with tax abatements in an attempt to use the information to help some of Plymouth's businesses to get reestablished in a forward movement and assist with some of the Town's blighted properties through this process. Mayor Festa stated that he had spoken to the Town's Assessor, as well.

Mayor Festa stated that he would keep the Town Council updated as further information was received.

When questioned by Town Councilman Zagurski, Mayor Festa stated that the Economic Development Commission had decided to only work on one side of the road at a time (the Eagle's Nest side) for the Route 6 Streetscape Project, from approximately Maple Street to Lee Hardware.

When questioned by Town Councilman Zagurski, Anthony Lorenzetti stated that it was approximately 600 feet of work being done at this time. He further stated that he had the plans if any of the Town Council members were interested in seeing them.

Mayor Festa stated that depending on how the bids came in, it could be more footage.

When questioned by Town Councilman Zagurski, Anthony Lorenzetti stated that there had only been minor changes (i.e. pole relocation, etc.) made to the plans since the last Public Streetscape walk.

**To refund the following property taxes: Annette and Thomas Akers, \$140.00; 2000 Simonetti Trust \$31.24; Lawrence Bald \$7.79; Eugene D. Smart \$40.95**

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Murawski, to approve and refund property taxes to the following: Annette and Thomas Akers in the amount of \$140.00, 2000 Simonetti Trust in the amount of \$31.24; Lawrence Bald in the amount of \$7.79 and Eugene D. Smart in the amount of \$40.95. This motion was approved unanimously.

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**Appointments and Resignations**

**To remove from table to appoint Allyson Raboin to the Beautification Committee; to re-appoint Michael Maffia to the Police Commission-Term to Expire 1/14/2015; to appoint Emma Jensen to the Planning and Zoning Commission-Term to Expire 2/19/2015, to re-appoint Lawrence Deschaine to the Planning and Zoning Commission-Term to Expire 2/19/2015; to accept the Resignation of Richard Foote from the Historic Property Commission-effective immediately**

Mayor Festa noted that the Town Ordinance does not indicate that the members of the Beautification have to be registered voters in Town, however there is a section in the Town Charter that states all appointed members of Town Boards and Commissions must be qualified electors in Town. Mayor Festa further stated that based on the issues, the Town would still allow Allyson Raboin to volunteer her time and her effort.

Town Councilman Zagurski made a motion, seconded by Town Councilman Foote, to reappoint Michael Maffia to the Police Commission, term to expire 1/14/2015. This motion was approved unanimously.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Zagurski, to appoint Emma Jensen to the Planning and Zoning Commission, term to expire 2/19/2015. This motion was approved unanimously.

Town Councilman Zagurski stated that Emma Jensen's resume was very impressive and that she would be an asset to the Town.

Mayor Festa stated that he had included Emma Jensen's application in the Town Council packets. He further stated that Emma Jensen was a Planner with a PHD and taught Planning in one of the local University's, as well as being a Town resident and was very glad to have her on board.

Town Councilman Zagurski made a motion, seconded by Town Councilman Foote, to reappoint Lawrence Deschaine to the Planning and Zoning Commission, term to expire 2/19/2015. This motion was approved unanimously.

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Murawski, to accept the resignation of Richard Foote from the Historic Property Commission, with regret. This motion was approved unanimously.

Town Councilman Zagurski stated that the legal opinion seemed to state that Richard Foote could remain on the Commission if he so chose to stay.

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**Appointments and Resignations Cont'd.**

Town Councilman Foote stated that after reading the report from the Town Attorney he was in agreement with Town Councilman Zagurski that the option to stay on existed, however the appearance of conflict of interest, i.e. voting on Town Expenditures at Commission meetings, etc., also existed and therefore he wanted to stay with his letter of resignation.

**To set a date for Town Meeting/Referendum Vote on Bond Proposals**

Rodney Houle, 17 Frankie Lane, Terryville, Chairman Municipal Facilities Committee/Capital Improvements Committee, stated this proposal had been ongoing and that the Committees had gone before the Board of Finance, the Town Council and the Planning and Zoning Commission and that all the groups had unanimously approved the Proposal. Noting that the original Bond Proposal had failed, Rodney Houle stated the Bond Proposal had been scaled back and that he was now coming back before the Town Council in the hopes that a date could be set for a Town Meeting and Referendum vote on the new \$9.8 million dollar Bond Proposal. Rodney Houle stated that the Committees wanted to begin the work (roads, waterways, bridges) in the spring and were hoping to get the ball rolling immediately. Rodney Houle stated that the Committees only wanted to hold one Public Hearing this time.

When questioned by Town Councilman Zagurski, Mayor Festa stated that the Town Council would set a date to hold a Public Hearing for the Bond Proposal prior to the Referendum, and would set a date at the Public Hearing for a Referendum.

When questioned by Town Councilwoman Murawski, Mayor Festa stated that the date for the Curbside Trash Collection could be set at the same Public Hearing for the Bond Proposal if so desired by the Town Council.

Town Councilman Zagurski stated that made sense to him.

When questioned by Town Councilwoman Murawski, Rodney Houle stated that his Committees, as well as the Town Engineer, Board of Finance Liaison, and the Director of Finance, were prepared to present the necessary information at the Public Hearing for the Bond Proposal. He further stated that they were prepared to answer any questions, as they had been for the past five years.

When questioned by Town Councilman Zagurski, Mayor Festa stated that establishment of the "want" for a Referendum would come prior to preparing the questions for Bond Counsel.

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**To set a date for Town Meeting/Referendum Vote on Bond Proposals Cont'd.**

David Bertnagel stated that the Town would need to form a motion to authorize the Mayor to have a Bonding Resolution drafted for a Public Hearing for both the Bond Proposal and the Curbside Trash Collection in order to get the ball rolling.

Town Councilman Ferreira questioned holding two separate Referendums (for the vote itself) for the two issues at hand, noting that two at once might be too much information to digest and that both issues were important to the Town.

Town Councilman Zagurski stated that he favored one Referendum because of the costs involved in holding a Referendum at approximately \$5,000.00.

Town Councilwoman Murawski recommended separate Public Hearing nights; a brief discussion followed concerning possible dates.

Town Councilman Zagurski made a motion, seconded by Town Councilman Ferreira, to set the date of February 27, 2012, 7:00 p.m., to hold a Public Hearing for the \$9.8 million dollar Bond Proposal.

Discussion:

Pattie DeHuff, 20 Lynn Avenue, Terryville, distributed copies (see attached) of pages from the Town Charter, and stated that she wanted to go on record as noting this evenings meeting was an illegal meeting because the Regular Town Council Meeting normally starts at 7:00 p.m.

Pattie DeHuff stated that she wanted to review the handout she had distributed and read from page one noting that the wording was similar to the U.S. Constitution with the words "we the people".

Pattie DeHuff described the content of the information on pages 40, 41, 50, and read the highlighted section on page 50 into the record.

Pattie DeHuff stated that there was a problem with what was being sold to the Public as a concept of Level Debt Service.

Pattie DeHuff stated that page 40 was a proposed Charter change from the 2009 Charter Revision Commission (of which she was a member) and read the underlined section into the record. She further stated that this proposal was presented by the Commission to the Council, however the Council never put the proposal on the ballot.

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**To set a date for Town Meeting/Referendum Vote on Bond Proposals Cont'd.**

Pattie DeHuff stated that the next page of her distribution was the Minutes from the July 20, 2009, Special Town Council Meeting, noting this page contained the four ballot questions that actually appeared on the ballot for the people to vote on. She further stated that only Question Two (2) passed and read the excerpt into the record, noting that the wording change for this section had been changed on the Town's online Charter, as previously requested, and thanked the Council for the changes. Pattie DeHuff stated that the Line (d) Mayor's Administrative Assistant salary determined by Board of Finance, still needed to be corrected on the Town's online Charter. Pattie DeHuff stated that the highlighted wording on this page was "new" and that she felt the Town Attorney should review the new wording for a legal opinion. Pattie DeHuff stated that the 2008, six-page Financial Policy Statement, following the attached Board of Finance January 21, 2010 Minutes, was created and brought to the Board of Finance by the Director of Finance, stating she was unsure of the author of the document. She further stated that she had highlighted Page One, Section 2.5, noting that the Policy was a Level Debt Service Policy even though it was labeled as a Financial Policy Statement and that it was called Fund Balance Policy in the minutes. Pattie DeHuff read Page Two, Section 1.1 into the record, noting that whatever was put for a Referendum before the people would not hold because the Capital Improvements Committee, a non-elected body, would be updating it annually. Pattie DeHuff read selections from Section 2.1, and Page 4, Section 3.4 into the record, as well. Pattie DeHuff stated when "the bucket" was talked about as being full at 9 percent Debt Service; it could actually expand to twelve percent, noting that was her take on the wording, but she could be wrong. Pattie DeHuff read Page 4, Section 3.8 into the record, noting that when the people voted in June 2011 on the \$19.8 million dollar soup-to-nuts Referendum, it stopped because of the Charter saying you cannot proceed unless we have the authority from the Electors and qualified Taxpayers. Pattie DeHuff stated that on Page 5 she highlighted Section 1.1 and read the wording into the record, noting that the problem with the Policy was that no one had ever told her that a Policy would supersede the Town's Charter. She further stated that whether the Policy was created based on Subsection c. that they tried to say passed or they didn't know passed or whether it was generated as a result of it never getting on the ballot she really didn't know, but that it was only a policy. Pattie DeHuff stated that she knows that policies do not supersede the Town's Charter and what the Public was being told, in regard to the Referendum, is that they were linking it to the Referendum; they were saying that Level Debt Service was how to do our roads. Pattie DeHuff stated that she was in favor of doing the Town roads, however it was a question of how do we pay for them, and that there are solutions out there. Pattie DeHuff stated that she wanted to strongly urge the Council, prior to setting a date for a Public Hearing for the Referendum, or the actual date for a Referendum, to review the Policy, not to accept her word for it, but be real sure that a policy can supersede our Charter.



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**To set a date for Town Meeting/Referendum Vote on Bond Proposals Cont'd.**

Pattie DeHuff stated that she believed this Policy was a direct violation of the Town's Charter and that it takes away the right of "we the people" to vote on individual projects.

Town Councilman Zagurski stated that he was unsure of how Level Debt Service was playing into this issue and that he was confused. He further stated when Pattie DeHuff talked about the five-year Capital Improvement Study, he thought it was something that goes on every year and that it doesn't mean that if we vote on improving the roads (however this was put together) it doesn't mean that we won't do the roads because the Capital Plan was going to change. He further stated that it meant that these are the next programs that we feel are most important for our Town and we need to update those periodically because our plans could change. Town Councilman Zagurski stated that if we vote on the Referendum to do our roads he believed the roads would get done and they wouldn't use the money for other purposes.

Pattie DeHuff stated that part of the \$9.8 million dollar Referendum, approximately \$4.8 million dollars would be going to potholes, milling, grinding, etc., so that was a large number, not attached to any streets in regard to the wording of the Referendum and the Waterbury's Republican American had shown a map depicting certain streets with certain treatments and that was not what was in the Referendum; the Referendum was a dollar amount of \$4.8 million. She further stated that with this vote, the Capital Improvements Committee could say they didn't get to pay for certain streets because of Level Debt Service so they could pick different roads to do instead.

Town Councilman Zagurski stated that he believed the wording had not been formulated for the Referendum as yet, but he understood that Pattie DeHuff would like to have each of the streets spelled out, but was unsure if that would be possible or how to resolve her question on this issue.

Rodney Houle stated that the Town was taking mature bonding, which the Town had been using, and that when a Town project was completed every year, it was reused for these types of projects, to continue using the bonding available so it doesn't go to Bridgeport or somewhere else, it stays in the Town where we need road construction, bridge repair, waterways, etc. Rodney Houle stated that the \$4.8 was shown in detail of all different types of fixtures to different roads, and that there was a bridge that if the Town did not repair the road it would become a dead-end street.

Rodney Houle stated that there was two 10 percent Engineering Studies for Bemis Street, as that the bonding would address the Beach Street flooding issue. He further stated that after every rainstorm a waterway problem on Beach Street severely affects the rear portion of every business on Main Street and crosses the street.

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**To set a date for Town Meeting/Referendum Vote on Bond Proposals Cont'd.**

Rodney Houle stated that the \$9.8 million was specific of what would be done, noting that in today's economic market, the Town would be getting the most for their money and that anyone in construction would confirm that statement, noting everyone was looking for work. He further stated that the Committees were hoping to get more work done with the money, and that no favoritism would be shown, the Town would follow the recommendations within the \$30,000.00 Road Study, which the Town had paid for. Rodney Houle stated that the Town had \$20 million dollars worth of road problems in Town and that we would be starting with \$9.8 million dollars in Phase I and that some of the roads were almost impassable. He further stated that it was specific and mature bonding, which would not raise the taxes one dollar, but that the Committees would continue what they were doing to make the roads safer and the Town a better place to live.

Ralph Zovich, 4 Knight Lane, Terryville, stated that everything Rodney Houle stated was absolutely correct and for the benefit of the new members of the Council, it would be beneficial to take the time to review the Financial Policy Statement.

Ralph Zovich stated that the Town Auditors (Blum Shapiro) had recommended and encouraged the Town to draft additional Financial Policy Statements because certain provisions within the Charter did not pass the last time around and that in lieu of having explicit Charter provisions, the Auditors recommended that the Board of Finance present the Town Council with policies and procedures. Ralph Zovich stated for the record that no policy or procedure supersedes the Charter, however the current Level Debt Policy had been incorporated into the five-year Capital Improvements Plan, which was drafted by the Capital Improvements Committee, a standing Committee of the Council, appointed by the Council, and that they were fulfilling their charge which the Council had given them.

Ralph Zovich stated that the five-year Capital Improvement Plan had been incorporated into the Financial Plan document because that was the proper vehicle to present to the Council and that further, the prior Council did in fact approve it, noting that a future Council could repeal it. Ralph Zovich stated that all the Policy states is that for whatever bonded debt the Town has, the Board of Finance would work to ensure that the principal and interest payments were leveled off so that they would not spike. Ralph Zovich citing previous bonding examples, i.e., the Firehouse Trucks, the PVAC, the Waterpump Stations, etc., stating that the principal and interest payments would spike resulting in a tax increase, noting that wasn't necessary, and that prudent financial management says we should be able to look out five, ten, fifteen years and know what the principal and interest payments were and that further, there was no reason why they couldn't be kept level.

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**To set a date for Town Meeting/Referendum Vote on Bond Proposals Cont'd.**

Ralph Zovich stated that the debt represented nine percent (\$3.3 million) of the Budget and that if the nine percent were held constant it would be less than the historical average, noting that there had been times where debt service had risen to eleven/twelve percent and that all we were trying to do was roll over old bonds that were maturing and in turn were receiving historically low interest rates. He further stated that he would propose that he and David Bernagel update the graphs with new numbers showing the 10/20 year schedule of interest and principal payments and that the Council could decide for themselves. Ralph Zovich stated that if the Council wanted their taxes to go up that they could rescind the policy, but until the Council told the Board of Finance different, they would continue to budget \$3.3 million and pay off the Town's principal and interest and that it would be done and managed within the Town's Charter and what the Townspeople vote to approve or not approve. He further stated that if the Referendum was defeated the Town would not make any road repairs and the Town would just continue to pay off the interest and principal faster.

Town Councilwoman Murawski stated that she wanted the Town roads repaired, as well. Town Councilwoman Murawski questioned if the Referendum did not pass, what would the amount be that would be placed in next year's budget for Debt Service.

Ralph Zovich stated that the Town did not have any prepayment penalties and that there was approximately \$17/18 million dollars in outstanding debt (with only a few principal payments for the new high school) and had incurred a \$18.5 million dollar bonded indebtedness and paid off Plymouth Center School and the PVAC building. He further stated that the Town was paying off the Water Treatment Plant and that there were a few other bonded issues, but the school was the biggest with at least another 15 years to go. Ralph Zovich stated that David Bernagel had just refinanced the Town's old bonds at ridiculously lower interest rates and compared it to almost like getting free money. He further stated that as long as the Federal Reserve holds the discount rate at zero, the Town would get five-year Municipal Bonds that were at one percent and would be crazy to turn that money down.

Ralph Zovich noted that Auditors had stated that the Town should be putting \$2 million dollars per year back into the infrastructure just to maintain the Town's depreciation. Ralph Zovich stated that the Town doesn't do that; it only gives Public Works approximately \$600,000.00 per year in Capital Outlays and the Town continues to fall behind. He further stated that the \$9.8 million was a recommendation based upon the \$30,000.00 Engineering Consultant Study, which the Town paid for, noting that many times studies sit on a shelf and collect dust, but this one would be used. Ralph Zovich stated that the road list would not change and that when the voters go in and vote yes/no on the road bonding they would know exactly which roads were going to be fixed.

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**To set a date for Town Meeting/Referendum Vote on Bond Proposals Cont'd.**

When questioned by Town Councilwoman Murawski about the budget \$3.3 million dollars, Ralph Zovich stated that the Budget could be defeated at Referendum and if it was defeated twice, per Charter, the Budget would go to Town Council and the Council could adjust the Budget three percent by Line Item, except debt service because the Town was legally obligated to pay the principal and interest on the bonds. Ralph Zovich stated that there was no reason for the Debt Service to rise and trigger a tax increase because David Bertnagel, the Director of Finance, was very clever in how he issues the bonds and how the timing of the bonds come due. Ralph Zovich stated that it was just like when someone borrows money for your own household and you have \$500.00 per month to pay your debt and you know how to stretch it out. He further stated that in keeping the \$3.3 million, the Town could take on new debt and that David Bertnagel would figure out if it would be a five-year/ten-year bond and get the lowest interest rate when he goes out into the Municipal Bond Market and it would be a once-in-a-lifetime opportunity because the interest rates won't stay as low as they were now, forever.

When questioned by Town Councilwoman Murawski, Ralph Zovich stated that at the worst case scenario it would be a twenty-year Bond and that would be stretching it out. He further stated that there had been one exception and that was when a Federal Clean Water Act had allowed the Town to issue a 30-year Bond on the Water Treatment Plant. Ralph Zovich stated that normally, the Town would never go beyond a 20-year Bond because of the risk factor and that the Bondholders would demand a higher interest rate.

Bill DeHuff, 20 Lynn Avenue, Terryville, stated that emotional appeals to fix the roads was getting off the point and that his wife, Pattie, was not saying let's not fix the roads, all she was saying was let's do it in a legal manner and a manner that simply makes sense. He further stated that he understood that the Town was paying about \$800,000.00 per year in interest and that was not his idea of free money. Bill DeHuff stated if Ralph Zovich's main concern was to keep the taxes level and avoid spikes, why not have a policy that keeps a level of black ink instead of a level of red ink and that made more sense than paying \$800,000.00 per year, noting the money could be used to repair roads, instead.

Gerald Bourbonniere, 6 Fairmont Avenue, Terryville, addressing Mr. DeHuff, stated that everyone needs to have credit ratings and that has do with what the Town does with Debt Service. He further stated that if his mortgage company told him that he could get a lower interest rate because of his high credit rating, he would refinance. If the mortgage company told him the rate wouldn't be lower because his credit rating was low and he was a liability he would not refinance, but would try to raise his credit score. Gerald Bourbonniere stated that the \$800,000.00 per year had to do with the Town's credit rating.

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**To set a date for Town Meeting/Referendum Vote on Bond Proposals Cont'd.**

When questioned by Gerald Bourbonniere, David Bertnagel stated that presently, the Town's credit rating was at A3.

Rodney Houle stated that an A3 rating was the same as the City of Bristol and that Plymouth was a little Town with a better credit rating than most small towns of Plymouth's size because of David Bertnagel.

Gerald Bourbonniere stated that he understood that and asked Mr. DeHuff if he understood that.

Bill DeHuff stated that he understood that and that they just....

Town Councilman Ferreira called for Point of Order, stating that only the Council should be addressed to avoid arguments.

Gerald Bourbonniere stated that he understood Town Councilman Ferreira's point and agreed with him and then questioned if the Council understood the significance of the Town of Plymouth having the same credit rating as the City of Bristol. He further stated that every Town needed to keep a certain level of Debt Service in order to get good credit ratings. Gerald Bourbonniere stated that the Town would not save money by not spending the \$800,000.00 in interest payments; it would just make the Town fall further behind the eight ball and that the Town would pay debt forever, but the question was which kind of a debt; a reoccurring debt where things in Town get fixed at appropriate times at fair market value or do we wait until a project that should cost the Town \$100,000.00 rise up and cost us \$500,000.00. He further stated that Mr. Houle was right, this was the best time to go out and try to fix things because Contractors were looking for work and maybe some local people would get some of the work and that he was sure local people would be hired.

Victoria Carey, 665 Greystone Road, Plymouth, Vice Chairman Board of Finance, referencing the Comprehensive Annual Report, Page 36, stated that the notes and the bond principals due this year would be a total of \$560,000.00 not \$800,000.00, as previously stated.

Vicky Carey stated that at the bottom of the page, see 2013/2015, shows that if we go at the present rate with our Level Debt Service, at 2016 we would be paying almost \$400,000.00 of interest. She further stated that the total Town assets were also listed in the Report and that the Auditors had said that the Town's assets were depreciating at a great rate and that pretty soon the Town would have nothing to show for it.

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**To set a date for Town Meeting/Referendum Vote on Bond Proposals Cont'd.**

Rodney Houle stated that currently, the Town of Thomaston has an infrastructure program in place for \$10 million dollars, the Town of Wolcott (also in progress) for \$10.5 million dollars, and the City of Bristol, also in progress, a program for a much higher amount. Noting that the Town of Plymouth was surrounded by other Towns bonding their infrastructure, Rodney Houle stated that we should be moving forward as well.

Bill DeHuff stated that he and his wife were reading a book by Dave Ramsey entitled "The Total Money Makeover" and that a high credit rating tells the banks that "I love debt, I love debt" and that he couldn't believe people were raving about the fact that we only pay half a million dollars a year in interest and that's such a wonderful thing. Bill DeHuff stated that he thought we could do more and fix more roads if the Town had that extra half million dollars every year. He further stated that it appeared as if everyone had been totally brainwashed by the lenders. Bill DeHuff stated that the Bible says that "the Borrower is the Servant to the Lender" and they were making the Town think that it got such a fantastic deal because the Town was only paying half a million dollars a year and again stated that the money should be put into the roads.

Pattie DeHuff stated that she had kept notes on the things she cared about and that back in September 2010, that the Director of Finance had said that Town's rating had been upgraded from A2 to A3 and noted that the Rating Agencies look to see if the Town has its financial house in order. She further stated that the OPM has stated that Plymouth was a distressed Community and to think about that whether it was \$799,000.00 or \$500,000.00 of interest payments in this year's Budget; it was all money that was not spent directly on Town roads. Pattie DeHuff requested that again, the Council review the Financial Policy Statement prior to setting a date for a Public Hearing.

Town Councilwoman Murawski stated that she saw this as two separate, but related issues, noting that we have a proposal for bonding in front of the Council, which goes by the Charter, that could be put forward for a vote by the people. She further stated that she wanted to review the Financial Policy Statement and urged the other Council members to also review what Pattie DeHuff had handed out, noting that some ideas could be brought forth at the next Council meeting.

Town Councilman Ferreira stated that at the next Council Meeting, the Council needed to stick to the Council's Rules and Procedures, with Privilege to the Floor, noting that each month the Council gets more off track with the bantering back and forth and that was not the way the Council should be conducting business. He further stated that names should be given at the microphone to identify the people making comments, among other things, and that the Council could not go off on tangents.

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**To set a date for Town Meeting/Referendum Vote on Bond Proposals Cont'd.**

Town Councilman Ferreira stated that Plymouth was a distressed Community, noting that one of reasons for this was the Town's infrastructure/roads and said that anyone could see the disrepair of many of the main roads that the school buses and residents drive on. He further stated that the work should have been done 10 years ago, but the point was that the Town needs to do something fast because the roads just continue to deteriorate.

Town Councilman Ferreira stated that if someone needs to fix their driveway they don't keep putting it off year after year because before they know it they would have to get a paving company to come out and install a new driveway. He further stated that a lot of good points had been made and that was one of the reasons to bring this issue up at a Public Hearing for Public comment, prior to the Referendum and then set a date for a Referendum after the hearing.

Vote: Motion passed unanimously. (see Motion on Page Seven)

Town Councilman Zagurski made a motion, seconded by Town Councilman Foote, to hold a Public Hearing on February 28, 2012, at 7:00 p.m., for the purpose of Curbside Trash Pickup. This motion was approved unanimously.

Town Councilman Zagurski made a motion, seconded by Town Councilman Foote, to authorize the Mayor to create wording for the \$9.8 million dollar Bonding Package.

Discussion:

Town Councilman Zagurski stated that he wanted to see the motion worded in four separate questions; one for Seymour Road, one for the repair of the roads, one for the studies and one for the bridge. He further stated that he was trying to give a guideline and that when and if the question goes to Referendum for a vote, the people would have the option of voting on four separate questions for the \$9.8 million dollars.

Town Councilwoman Murawski stated that she thought that Town Councilman Zagurski's was a good idea, noting that we had been hearing how at the Hearing people couldn't pick out projects and that would be putting it right on the ballot and it was good.

Town Councilman Ferreira stated that with the four separate questions, each question could pass or fail on it's own merit, and that the \$9.8 million could go down to \$4.1 million if only, for example, Seymour Road passed.

Vote: Motion passed unanimously. (see Motion Page Fifteen)

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**To discuss 8-24 Town Owned Right of Way on Scott Road/Washington Road Acceptance**

Mayor Festa stated that he had included a notice in the Council packets from the Planning and Zoning Commission on this Agenda item.

Town Attorney Salvatore Vitrano, 135 West Street, Bristol, stated that the issue had gone before the Public Works Director, the Planning and Zoning Commission and related to a parcel of property located on a Town right of way, better known as the old Washington Road, which was located off of Scott Road.

Attorney Vitrano stated that what he and the Town was calling the right of way had never been accepted as a Town road and that there was a parcel of property located there (Lot 37) that was basically land-locked with no access to the lot other than along the right of way off of Scott Road. He further stated that numerous other parcels on the right of way were not land-locked and had access to other major roadways.

Attorney Vitrano stated that the Town had been approached by the present property owner who has a contract for the sale of the lot with someone that wanted to build a single-family home. He further stated that the concern he/the Town had originally was that they didn't want to create a situation that could be construed as creating or accepting the Washington Road right of way as a Town road. Noting that if it were a Town road, Attorney Vitrano stated that the Town would have the responsibility for maintaining it, improving it, and all the necessary services that a Town road required. He further stated that the Town also wanted to try to accommodate the owner of the property in his effort to sell the lot because it was landlocked and for a number of reasons it would be in the Town's best interest to have that particular parcel developed into a family-single lot. Attorney Vitrano stated that one of the reasons would be because there was a fair amount of back taxes that were due on the lot, which would be freed up and paid to the Town, if access to the lot could be provided.

Sal Vitrano stated that he and the Public Works Director had worked it out so that the Town would be able to grant a right of way from Scott Road to Lot 37, which would basically give access to the lot from Scott Road, but would not create a Town road. He further stated that the landowner, who was in the process of the selling the lot, felt that it would be an acceptable arrangement.

Attorney Vitrano stated that a letter from him to the landowner's Attorney had been included in the Town Council packets and that basically it said that the Town was willing to grant the right of way provided you do everything that you're supposed to do and pay everything that you're supposed to pay for and the Town.



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**To discuss 8-24 Town Owned Right of Way on Scott Road/Washington Road  
Acceptance Cont'd.**

Attorney Vitrano stated that in order for the Town to grant the right away, approval and permission was needed from the Planning and Zoning Commission. He further stated that Anthony Lorenzetti had gone before the Commission and they had approved the issue and had stated that it was consistent with the Town's Plan of Development.

Attorney Vitrano stated that because the Town was now granting a right of way, the legislative body, the Town Council, must approve/or not approve this request.

Town Councilwoman Murawski questioned if this would be a future road, as if we needed more roads, and would we want to make it a road in the future.

Attorney Vitrano stated that the Town did not need any more roads and that Public Works did not want to create a situation whereby this would be a public road requiring public services, public maintenance and all of the costs associated for just one lot, and that it would not be a road.

Attorney Vitrano stated that he and Anthony Lorenzetti would have the opportunity to approve the right of way from Scott Road directly into Lot 37 and that the right of way would not go beyond it or provide any access to the landowner beyond the lot. He further stated that it would be a non-exclusive right of way, which means that if in the future the Town decided to make it a road or to provide someone else access over that right of way, the Town could do that, but the right of way would not go the full length of Washington Road, only into Lot 37.

Town Councilwoman Murawski questioned if the Town would be responsible now or in the future for any improvements that the owner of Lot 37 might do, and further if the Town decided to build a road would we would owe the owner anything.

Attorney Vitrano stated that he envisioned the right of way as being used exclusively by Lot 37 and that the owner would have full responsibility for installation, maintenance, etc., and that if in fact in the future there were others that would use this access, the Town would put together a mutual right of way agreement that would provide others to be responsible. He further stated that there really weren't any others because all the other owners have access to other roads.

When questioned by Town Councilman Zagurski if the old bridge in the area would be affected by the right of way, Attorney Vitrano stated that it would not and noted that the right of way did not go down as far as the bridge.

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**To discuss 8-24 Town Owned Right of Way on Scott Road/Washington Road  
Acceptance Cont'd.**

When questioned by Town Councilman Ferreira, it was noted that the property was comprised of over 5.5 acres and was one lot that was land-locked in an R-40 zone and that they were only interested in putting one residence on the property.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Foote, to approve the granting of the easement along Washington Road consistent with the 8-24 approval. This motion was approved unanimously.

Town Councilman Foote made a motion, seconded by Town Councilman Ferreira, to remove from table Agenda Item 7, Motion to recess for fifteen minutes for Awards Recognition/Years of Service; CIRMA Risk Management Achievement; Government Financial Officers Association. This motion was approved unanimously.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Ferreira, to recess for fifteen minutes for the Awards Recognition/Years of Service; CIRMA Risk Management Achievement; Government Financial Officers Association. This motion was approved unanimously.

Mayor Festa called the Plymouth Town Council back into the Regular session at 8:11 p.m.

**To discuss Tax Abatement on Assessment Error**

Mayor Festa stated that correspondence had been included in the Council packets from Theodore Scheidel, Administrative Assistant, regarding the Abatement of Taxes to Lucy Zbuska and David Post of 12 Barry Road, Plymouth. He further stated that the correspondence was addressed to him and requested the consideration of the Council to abate \$7,103.90 for the above referenced property. Mayor Festa read the correspondence (see attachment) into the record.

Town Councilman Zagurski questioned why the property was valued at such a small amount and climbed to \$50,260.00 after the assessment was done. He further questioned if it was due to the wetlands on the property.

Mayor Festa stated that it was due to the wetlands on the property making the land unusable and that the septic system was in the area, as well.

Noting that the correspondence was from Ted Scheidel, Town Councilman Zagurski questioned if the Tax Collector's Office was in agreement with it.

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**To discuss Tax Abatement on Assessment Error Cont'd.**

Mayor Festa stated that the Tax Collector's Office was fully aware of it, as was the Assessor.

When questioned by Town Councilman Ferreira, Mayor Festa stated this issue was an abatement that would be taken off the tax rolls.

When questioned by Town Councilman Zagurski, Mayor Festa stated that the Town was not paying the monies back to the property owners; they just would not have to pay it.

Town Councilman Foote made a motion, seconded by Town Councilwoman Murawski, to make the abatement of taxes in the amount of \$7,103.90 for the Zbuska property and put the assessment back to the assessment of \$3,500.00 for 12 Barry Road, Plymouth. This motion was approved unanimously.

**To take action on Ordinance to establish Retired Employee Health Care Trust Fund**

David Bertnagel, Director of Finance, stated that a copy of the Town of Plymouth's Retiree Health Care Trust Proposal had been included in the Council packet, and gave a brief history on GASB (Government Accounting Standards Board) Statement No. 43 and No. 45 that passed and noted that it required the Town to create and start reporting future retirees health benefits. He further stated that prior to this requirement, the Town only reported the claim pension to the government, however they now wanted all the future liabilities (all the promised future health benefits for all employees) reported. David Bertnagel stated that currently, the Town pays for that in the Operating Budget (Line Item Retirees Health Insurances) however now they wanted the Town to create a fund for the pension retirees and that over an accumulation of time it would develop into a larger asset base. Noting that after two evaluations had taken place, David Bertnagel stated that approximately two million dollars had been saved due to the negotiation strategies that had taken place in the two-year window and that was a significant amount for Plymouth.

David Bertnagel stated that this action would give the authority to the current Pension and Oversight Board to manage the funding and that the Ordinance would be in accordance with Connecticut General Statutes and the Government Accounting Standards Board. He further stated that he was recommending that this action be taken prior to the end of this fiscal year (June 30, 2012) so that it could be reported in the financial reports in a forward movement.

David Bertnagel stated that the Council should review the document at their convenience and noted that it had been written by Bruce Barth, Consultant for the Pension and Oversight Board.

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**To take action on Ordinance to establish Retired Employee Health Care Trust Fund  
Cont'd.**

David Bertnagel read the Resolution into the record and requested that a Public Hearing date be set.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Foote, to accept the Ordinance to establish the Retired Employee Health Care trust Fund.

Discussion:

When questioned by Town Councilman Zagurski, David Bertnagel stated that by accepting the Resolution, the issue would still be going to a Public Hearing.

Vote: Motion passed unanimously. (see Motion Page Twenty)

When questioned by Mayor Festa, David Bertnagel stated that the Public Hearing should be held some time in May 2012, so that it could be accepted by June 30, 2012.

**To discuss Pro-forma General Fund Update/December 31, 2011**

David Bertnagel stated that the Pro-forma General Fund Update (December 31, 2011) had been included in the Council packets (see attachment). He further stated that the four-page document included revenue and expenditure detail and had been passed out at the Board of Finance's last meeting.

David Bertnagel stated that this document was his quarterly update for the Council noting that it showed where the Town stood with its budgets. Noting that as of December 31, 2011, David Bertnagel stated that the Town had a \$10,859,000.00 variance in the current collections reflected in July and January, noting that the next update would be shown in the next quarter. David Bertnagel outlined the revenue sources item by item and detailed the amounts. David Bertnagel stated that the Taxes and Prior Levies for the FY2011-2012 Approved Budget was \$26,252,975 and that the Actual Revenues to-date was \$14,829,005. David Bertnagel stated that under the Charges for Services the FY2011-2012 Approved Budget was \$525,150 and that the Actual Revenues to-date was \$211,429. David Bertnagel stated that the Investment Earnings for the FY2011-2012 Approved Budget was \$60,000 and that the Actual Revenues to-date was \$19,984. David Bertnagel stated that Other/Misc. Revenue for the FY2011-2012 Approved Budget was \$57,750 and that the Actual Revenues to-date was \$57,941. David Bertnagel stated that the Total State and Federal Grants the total under the FY2011-12 Approved Budget was \$10,867,430 and that the Actual Revenues to-date was \$2,615.710.

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**To discuss Pro-forma General Fund Update/December 31, 2011 Cont'd.**

David Bertnagel stated that most of this was the Educational Cost-Sharing Grant (ECS) and that the grant comes in quarterly installments, and noted that the January amount was \$2,400,000.00 so the number was double, now, and that the remaining piece would come in at the end of April 2012. David Bertnagel stated that under Other Financing Sources the total for the FY2011-12 Approved Budget was \$860,000 and that one of the key things to remember was that the Town uses part of its Fund Balance to balance this budget out, and that some people refer to it as a “rainy day fund” and was now entitled Unassigned Fund Balance and that in essence if the Town were to be exact on the budget to the penny, the Town would spend \$250,000 now. He further stated that we would never see an “actual” in there because it closes at the end of the year; there were no cash transactions.

On the expenditure side, David Bertnagel stated that for the most part, everything seemed to be flowing well this year and that he did not see many areas of concern.

David Bertnagel stated that the General Government FY2011-12 Approved Budget was \$4,410,105 and that the Actual Expenditures to-date was \$2,559,489 and that the figure includes all of the Employee benefits and everything above the figure (shown). David Bertnagel stated that the Public Safety FY2011-12 Approved Budget total was \$2,439,250 and that the Actual Expenditures to-date was \$1,443,298, the Police Department being the largest component at 1,715,860. David Bertnagel stated that the Town was right on target with the present figures shown. David Bertnagel stated that the Public Works FY2011-12 Approved Budget total was \$3,266,065 and that the Actual Expenditures to-date was \$1,441,714. David Bertnagel stated that the budget was being very well managed by Anthony Lorenzetti and his staff, and noted that Snow Removal was at an all time low. David Bertnagel stated that the Health and Social Services FY2011-12 Approved Budget was \$195,225 and that the Actual Expenditures to-date was \$123,550, noting that it was prepaid and that Torrington Health District (Public Health-Other) fee was approximately \$65,000.00. David Bertnagel stated that the Libraries FY 2011-12 Approved Budget total was \$471,925 and that the Actual Expenditures to-date was \$257,080 and that the Plymouth Library component was fully expended at the beginning of the year and that the other pieces were expended on an “as needed” basis through the encumbrance of the regular expenditure process at the Terryville Library. David Bertnagel stated that the Parks and Recreation FY2011-12 Approved Budget was \$188,565 and that the Actual Expenditures to-date was \$93,799. David Bertnagel stated that Debt Service (principal and interest) FY2011-12 Approved Budget was \$3,300,000 and that the Actual Expenditures to-date was \$2,243,543 and right on target with the Town taking advantage of the low interest rates to pay off Debt Service. David Bertnagel stated that Land Use FY2011-12 Approved Budget was \$201,255 and that the Actual Expenditure to-date was \$109,588.

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**To discuss Pro-forma General Fund Update/December 31, 2011 Cont'd.**

David Bertnagel stated that Miscellaneous (the Cemeteries) FY2011-12 Approved Budget was \$6,800 and that the Actual Expenditures to-date was \$7,020. He further stated that he had requested a \$220 transfer from the Board of Finance for an expense for St. Matthews Cemetery that was beyond the Town's control. David Bertnagel stated that the Capital Outlay FY 2011-12 Approved Budget was \$650,000 and noted that we would not see an Actual Expenditure to-date as yet and that it was part of the General Fund Budget and that the Town expends \$650,000 in cash per year and that the money just went out at the end of this week. David Bertnagel stated that Utilities FY 2011-12 Approved Budget was \$498,000 and that the Actual Expenditures to-date was \$220,214. He further stated that noting that \$1,050.00 is the cost per Town fire hydrant and that it was a huge burden on Town taxes and was part of the \$408,000, which goes directly to Connecticut Water.

David Bertnagel stated that the Town Government FY2011-12 Approved Budget was \$15,627,190

David Bertnagel stated that the largest portion of the Budget was the Board of Education with a FY2011-12 Approved Budget of \$22,996,115 and Actual Expenditures to-date of \$8,393,811. He further stated that most of the expenditures occur right after the first of the year (school is out) and that they start up in September, which provides a four-month window. David Bertnagel stated that the Board of Education was right on target and that they had provided a very good detailed explanation at their Board Meeting. He further stated that they were experiencing significant utility cost savings, which immensely helps their budget. David Bertnagel stated that the Town gives a lot of credit to the Board of Education for coming up with many innovative ways to find savings in this area. He further stated that last year the Board of Education had turned back approximately \$198,000 to the Town from their Operating Budget

David Bertnagel stated that he was hoping that the current trends continue and that taxes continue to be paid.

**To discuss Capital Projects overview/December 31, 2011**

David Bertnagel stated that he would be sending out a handout, for next month's Council Meeting, to the Council members showing the Capital Projects and that it would be an Agenda Item. He further stated that the Town had some significant projects that had been completed, one being the School Building Project. David Bertnagel stated that he was happy to report that the project ended with a positive balance of approximately \$10,180.00 out of \$47 million and that it was a savings all in all.

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**To discuss Capital Projects overview/December 31, 2011 Cont'd.**

David Bertnagel stated that there had been concern at the beginning of the project because of the sidewalks, the track and various Change Orders that had taken place, but that it had come in under budget.

David Bertnagel stated that the Fall Mountain Water Project was pretty much complete and that the Town was now entering the Allentown Road Phase with a little less than \$450,000.00 worth of work to be done and that it was a Federal earmark. He further stated that the project was right on budget.

David Bertnagel stated that all of the Local Capital Improvements Program (LOCIP) projects had been balanced out completely with the assistance of Vicky Carey (Vice Chairman Board of Finance) and everyone else and that now (mostly) the monies were only used for roads, which could be seen in the General Operating Budget.

David Bertnagel stated that both Firehouse roofs had been completed and had come in under budget.

David Bertnagel stated that the Landfill had come in under budget by approximately plus/minus \$100,000.00.

Town Councilman Zagurski thanked David Bertnagel for his reports, noting that he appreciated the information, which he had been looking for.

**To enter into Executive Session re. Contract Negotiations-Public Works; Heart/Hypertension Claim Notification**

Town Councilwoman Murawski made a motion, seconded by Town Councilman Ferreira, to enter into Executive Session at 8:36 p.m., for Contract Negotiations-Public Works and a Heart/Hypertension Claim. This motion was approved unanimously.

Present for the Executive Session were William Bellotti, Town Councilman Ferreira, Mayor Festa, Town Councilman Foote, Town Councilwoman Murawski, Town Attorney Vitrano, and Town Councilman Zagurski.

Mayor Festa called the Plymouth Town Council Meeting back into the Regular Session at 9:12 p.m.

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**Executive Session re Contract Negotiations-PW; Heart/Hypertension Claim Cont'd.**

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

Town Councilman Foote made a motion, seconded by Town Councilman Ferreira, to take action, as may be necessary, from the Executive Session. This motion was approved unanimously.

**To authorize Mayor to pay Heart/Hypertension Claim, \$31,824.00**

Town Councilman Foote made a motion, seconded by Town Councilman Zagurski, to authorize the Mayor to pay out the Heart and Hypertension in the amount of \$31,824.00. This motion was approved unanimously.

(Motion from Council's Rules and Procedures from Page 1)

Town Councilman Ferreira made a motion, seconded by Town Councilman Foote, to set March 6, 2012, 6:00 p.m., as the date for the Town Meeting for the Energy Conservation Program.

Discussion:

Mayor Festa stated that the Town Meeting could precede the Regular Town Council Meeting on March 6, 2012, as the Council had done for the Public Hearing, this evening. It was unanimously agreed by the Council members present, that this time and date would be acceptable.

Pattie DeHuff recommended that the Council not set the time for the Town Meeting at 6:00 p.m. because the Regular Town Council Meetings begins at 7:00 p.m. and that the Public anticipates 7:00 p.m. and that when the meeting begins earlier and the Agenda items are half finished, it makes the Council look bad. Pattie DeHuff stated that she would like to see the Town Meeting begin at 6:30 p.m. or 6:45 p.m. and then the Council Meeting could begin at 7:00 p.m.

Mayor Festa stated that the issue at hand was that Council had no way of knowing of knowing how long the meeting would go and then the Council Meeting would begin immediately after the Town Meeting.

Town Councilman Ferreira stated that in fairness to those in the Public that were expecting the Regular Town Council Meeting to begin at the regular time, the Council could adjourn should the Town Meeting end early, and then begin its meeting at 7:00 p.m.



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**Town Meeting/Regular Town Council Meeting Date Discussion Cont'd.**

Mayor Festa stated that he understood what Councilman Ferreira was stating, however the counter point to his statement would be that the Council could go over by an hour and if the Agenda was posted for 7:00 p.m., the question would be would the Council abruptly stop the Town Meeting and go into the Regular Town Council Meeting. He further stated that he had looked into the problem (at an earlier date/meeting) with the Freedom of Information Hartford Office and was advised that as long as the Council was posting its agenda with the statement that the Council meeting would immediately follow the adjournment of the previous Hearing/Meeting, the Council would be in order and would be following the Agenda. Mayor Festa stated that it would be impossible to make everything fit everyone's glove to a "T" and that at some point in time there has to be some "give" along the way.

Pattie DeHuff recommended calling the Town Council Meeting "Special Town Council Meeting" instead of "Regular Town Council Meeting".

Mayor Festa stated that it would not be a Special Meeting of the Council; it would be a Regular Meeting following the Town Meeting.

Town Councilman Ferreira stated that he had missed the wording "immediately following Public Hearing" and that if it was posted that way, he could understand it.

Mayor Festa stated that we couldn't spoon feed people all the time and that was the reason for posting the Agenda; to be in compliance with the law and to help people understand what was going on.

When questioned by Pattie DeHuff, Mayor Festa stated that Town Agendas were posted in the Town Clerk's Office, on the counter at the Town Clerk's Office, outside the Town Hall on the Public Board and on the Town's internet website. He further questioned if we should start calling people to tell them and what was fair was what was fair, and that the issue at hand was that the Town just couldn't accommodate every single thing and every single body, but we try to do the best we can with it. Mayor Festa stated that there had to be a happy medium somewhere. Mayor Festa stated that it was at the pleasure of the Council and if they wanted to, they could hold the Town Meeting to one hour in duration. Mayor Festa stated that setting the Regular Town Council Meeting for 7:00 p.m. had the potential for shutting people down and taking away their right to speak, and that the possibility existed to limiting people to speak for only one minute if there were 15 people that wanted to speak.

Town Councilman Ferreira stated that the Mayor's explanation was fine with him, at that the wording "immediately following the Town Meeting" covered it.

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**Town Meeting/Regular Town Council Meeting Date Discussion Cont'd.**

Vote: Motion passed unanimously. (see Motion Page Twenty-Four)

**Liaison Reports**

Town Councilman Zagurski stated that the Economic Development Commission Meeting had been cancelled this month.

Town Councilman Zagurski stated that the Housing Board of Appeals had no meeting scheduled.

Town Councilman Zagurski stated that he had attended a Library Board Meeting and that they had reviewed their 2012/2013 Budget. He further stated that due to the hard economic times, there were more people utilizing the Library's services and that the Library was a valuable asset to the Community.

Town Councilman Ferreira stated that he had attended the Board of Education Meeting and that Mrs. Worhunsky and the Elementary classes had put on an incredible Reading Program and had put together a book similar to Green Eggs and Ham.

Town Councilman Ferreira stated that there was vote to rescind the bus routes and that there had been a huge turnout (over 60 people) a record for the Board of Education Meeting. He further stated that the issue with the bus routes proposed change for the Magnet Schools had been overturned and the Townspeople requesting the change were happy with the vote.

Town Councilman Ferreira stated that he had a meeting (today) with Public Works and that he toured all of the Town Facilities, including the new Town Garage, noting that it was quite a building. He further stated that the Town has eleven large plows and 15 vehicles that plow during snowstorms.

Town Councilman Ferreira stated that the status of the snow removal budget had also been discussed at the meeting, noting that it was doing great due to the lack of storms.

Town Councilman Ferreira stated that Highway Superintendent had given him a listing of some of the month of January Public Works jobs and noted that it covered limbs/trees (along with Harwinton Tree Service) that still needed removing from past storms, cleanup and organization of the Highway Department yard, installation of drainage and catch basins at Harwinton Avenue and the new Highway Garage, brush cutting at various Town-owned siltation ponds/other Town areas, curbside Christmas Tree pickup, and damaged curbing pickup.

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**Liaison Reports Cont'd.**

Town Councilwoman Murawski stated that the State of Connecticut was requiring all cities and towns to form Aquifer Protection Area Commissions and that the Conservation Inland/Wetlands Commission was reviewing the 300 page manual and that more copies were ordered.

Town Councilwoman Murawski stated that the State was recommending that an existing Commission take this requirement on, noting that it could be Planning and Zoning or Inland/Wetlands, but that they must have separate agendas, meetings and minutes. Town Councilwoman Murawski listed their duties and noted that there would be a registration and permitting process, along with accompanying fees. She further stated that they would need to formulate a budget, which would cover advertising, Secretarial pay, and possibly, education for Town citizens. Town Councilwoman Murawski stated that the manual included templates and that they could decide what they wanted to use and adopt.

Town Councilwoman Murawski stated that the Conservation Inland/Wetlands Commission was planning an Arbor Day Tree Planting Event in late April.

Town Councilwoman Murawski stated that the Planning and Zoning Commission had asked about the plans for Main Street School and that Anthony Lorenzetti had provided her with a copy of the Feasibility Study.

Mayor Festa stated that the plan was to put both vacated buildings (Main Street and Prospect Street Schools) on the market and that there had been offers on both buildings; one being an offer and one being a sale agreement that had been coordinated with the Prospect Street School. He further stated that the Prospect Street developer had backed out due to the economic situation of the time.

Mayor Festa stated that the potential client offer for Main Street School had been unacceptable because the Town was unwilling to give up the ball field behind Main Street. He further stated that Main Street would stay with the Town until such time the Town decided whether or not the ball field could be replaced with another field somewhere else or the Town decided they could work something out with someone to do something with the building. Mayor Festa stated that the Studies noted that the buildings would be very costly to renovate and it would be to the Town's advantage to get sell them verses renovation because of their condition.

When questioned by Mayor Festa, Anthony Lorenzetti stated that he could make copies of the Prospect Street School Study for anyone interested.

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**Liaison Reports Cont'd.**

Mayor Festa stated that the last offer received was \$350,000.00 on the Main Street School and that it was turned down, again, because of the loss of the ball field.

When questioned by Town Councilwoman Murawski, Mayor Festa stated that the Town was still open to offers, but had not received any that showed that we could move forward.

Town Councilwoman Murawski stated that she would pass this information onto the Commission.

Town Councilwoman Murawski stated that the PVAC had nothing to report.

Town Councilwoman Murawski stated that the WPCA Meeting had been cancelled.

Town Councilman Foote stated that he had attended the Capital Improvements Committee Meeting and that the Committee had appeared before the Council (earlier this evening), to discuss holding a Public Meeting for the Bonding Proposal.

Town Councilman Foote stated that he had attended the Fire Commission Meeting and that Chief Sekorski had stated it had been a quiet month.

Town Councilman Foote stated that there had been one Life Star Drill.

Town Councilman Foote stated that Greg Cote had resigned as Training Officer and was now the Assistant Chief and that Scott Poulton had been appointed for the Training Officer position.

Town Councilman Foote stated that the Fire Commission's Treasurer Report showed a deficit in the Radio Repair Fund and that suggestions had been made to transfer approximately \$900.00 from the Purchasing Budget and that Ray Kovaleski had ordered all radio repairs stopped. He further stated that there had been a big hit for batteries this year (noting there were approximately eight years old) and that they only yield about three hours on a recharge.

Town Councilman Foote stated that the Fire Marshal was in the process of updating the list of Manufacturer's hazardous materials. He further stated that the Fire Marshal had completed one fire investigation two re-investigations and 15 follow-ups.

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**Liaison Reports Cont'd.**

Town Councilman Foote stated that under the Radio Report, the new system installed at the Fall Mountain Fire House had been turned off due to problems with getting coverage in the Plymouth area, noting that it worked okay to the south (Greystone area, etc.)

Town Councilman Foote stated that the under the Truck Report it had been noted that there had been a \$1,300.00 cost for a primer pump for Engine 2.

Town Councilman Foote stated that the Fire Commission had adjourned for an Executive Session.

Town Councilman Foote stated that the Historic Properties Commission had approved a temporary fence, which had been previously approved by the Planning and Zoning Commission, the Town D.O.T. and noted that the Town D.O.T. would be in to see where or where not, the fence-line would be outside the State's taking line. He further stated that the Bristol Press had published an article noting that the State D.O.T. must approve the temporary fence before work could continue. Town Councilman Foote stated that he was disregarding that statement by the newspaper noting that they had no jurisdiction in the matter because any temporary fence that would be erected would be outside their taking-line limits.

**Public Comments**

No report

**Council Comments**

Town Councilman Foote stated that he had received a large ledger book from Board of Education Member Pat Perugino and that it contained the handwritten Board of Education minutes from years past (1912 through 1944). He further stated that he would wade through it for anything interesting and that he planned on compiling a report on it.

Mayor Festa stated that he had attended a meeting in Hartford (yesterday) with Robert Lee, Town Manager, Plainville, and Art Ward, Mayor, Bristol, concerning Regional Programs to handle flooding along the Pequabuck River, which the Towns have had to deal with over the last several storms. He further stated that they had met with the Department of Energy and Environmental Protection (DEEP) Commissioner Estees, and that Commissioner Estees had been amiable to their concerns. Mayor Festa stated that as a result of the meeting it looked as if there was some help coming down the road, but that currently, there were no monies on the State or Federal level except for a few grants.

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**Liaison Reports Cont'd.**

Mayor Festa stated that they were looking for the Army Corps of Engineers to provide some assistance, along with looking at the Regionalization efforts, which the Governor seemed to want to do.

Mayor Festa stated that the three towns were looking at purchasing Regionalized equipment and in particular, a Pot Hole Repairer, describing it as an enormous machine that takes care of the entire process of repairing a pot hole.

Mayor Festa stated that the three towns were also looking to put in for grant requests at the State level and that it looked as if some might be forthcoming and would be sharing the costs if in fact they did occur.

Mayor Festa stated that he was waiting to hear back from the State regarding their yearlong study on the Dispatching issues, noting that Regionalization might be coming forward on this issue, as well.

**Adjournment**

There being no further business of the Plymouth Town Council, Town Councilman Foote made a motion, seconded by Town Councilwoman Murawski, to adjourn at 9:35 p.m. This motion was approved unanimously.

Respectfully Submitted,

Acting Recording Secretary

Attachments (on file in Town Clerks Office)