

**Town of Plymouth**  
**80 Main Street**  
**Terryville, CT 06786**  
**www.plymouthct.us**

**Plymouth Town Council**  
**Telephone: (860) 585-4001**  
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**Minutes**

**September 11, 2012**

**Call to Order:** Mayor Vincent Festa, Jr., called the September 11, 2012, Plymouth Town Council Meeting to order at 7:00 p.m., in the Community Room, Town Hall.

**Roll Call:** Present were Town Councilman Remie Ferreira, Mayor Vincent Festa, Jr., Town Councilman Richard Foote, Town Councilwoman Susan Murawski, Town Councilwoman DiAnna Schenkel, and Town Councilman Tom Zagurski. Also in attendance were David Bertnagel, Director of Finance and Salvatore Vitrano, Town Attorney.

#### **Fire Exits Notification**

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

#### **Pledge of Allegiance**

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

Mayor Festa requested a Moment of Silence in remembrance of those who lost their lives in the 911 Attack.

#### **Acceptance of Minutes of Special Town Council Meeting/Public Hearing July 23, 2012, Regular Town Council Meeting, August 7, 2012**

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Foote, to accept the July 23, 2012 Special Town Council Meeting/Public Hearing Minutes as presented. Vote: Town Councilman Ferreira/yes, Town Councilman Foote/yes, Town Councilwoman Murawski/yes, Town Councilwoman Schenkel/yes, Town Councilman Zagurski/abstained. Motion passed.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Ferreira, to accept the Town Council August 7, 2012, Regular Minutes as presented. This motion was approved unanimously.

#### **Council Rules and Procedures**

No Report.

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**Public Comment on Non-Agenda Items**

Mayor Festa reminded everyone present who came to the microphone to keep his or her words to the topic at hand that was being discussed and not to demoralize dehumanize or defame anyone.

Mayor Festa stated that anyone not adhering to this request would be asked to immediately stop speaking, if the person continued to ignore the request, he or she would be asked to take a seat and if the person (again) continued to ignore the request, the person would have to leave the room.

Diane Reed, 5 Chidsey Terrace, Terryville, stated that she wanted to voice some concerns. Diane Reed questioned why Mr. Grzymkowski was not on the Blight list, noting that the Zoning Enforcement Officer (ZEO) Dave Elder, had told her that he wasn't on the list because it wasn't a blighted property.

Diane Reed questioned why Mr. Scheidel was personally bringing Mr. Grzymkowski for errands, drives him to do bottle and can returns, and drove him to court for a criminal case.

Diane Reed stated that Mr. Scheidel had prepared a statement that was to be read (and was read in court) in the criminal case whereby Mr. Grzymkowski threatened her and stated that he was representing the Town of Plymouth and she found that to be a conflict of interest. Diane Reed questioned why he would do that, who gave him the authority to do that, whether it was personal time, or work time, that was a big conflict of interest due to the fact that the Town has issue with him to vacate his property, as well as the back taxes that he owes.

Diane Reed stated that she was questioning the cats. She further stated that she had spoken to the Animal Control Officer (ACO) on June 18, 2012, who removed five adults and four kittens. Diane Reed stated that the five adult cats had their rabies shots and that was the only law concerning cats, that they had their rabies shots, noting that the five adult cats were returned to Mr. Grzymkowski. Diane Reed stated that she called the ACO and was told by him that he had gone on vacation for two weeks and during that that Mr. Ted Scheidel went and took the four kittens out of the pound and returned them to Mr. Grzymkowski. Diane Reed stated that she was curious as to why the Mayor's Administrative Assistant had the authority to go and do that when we pay the ACO and he was the one who originally removed the cats from the property and that the ACO agreed with her that it should have been himself who did that and Mr. Scheidel should not have taken it upon himself to go and get the cats and return them.

Diane Reed stated that she also wanted to know how many dumpsters have been used to date for the cleaning of the property at 4 Chidsey Terrace, what was the cost for each dumpster and why were the taxpayers of the Town of Plymouth paying for the dumpster at 4 Chidsey when Mr. Grzymkowski owed the Town \$3,890.85 in back sewer taxes and \$17,290.08 in property taxes for the years 2007 to present. Diane Reed stated that she wanted to know how long before the Town would do something on the delinquent taxes owed by the resident at 4 Chidsey Terrace.

Diane Reed stated that she also wanted to know when the Acting Fire Marshal would be coming to 4 Chidsey Terrace to re-inspect the property, noting that it was due to be re-inspect by a Fire Marshal on August 31, 2012. She further wanted to know why the Town wasn't complying with its own guidelines.

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**Public Comment on Non-Agenda Items Cont'd.**

Diane Reed stated that the Order to Vacate was put up (she believed) on August 3, 2012, and he was supposed to be back to re-inspect in 30 days, but he hasn't and now we have to wait for another Fire Marshal to be put in place.

Diane Reed stated that the Marshal had also stated in the order to Vacate that the Police would patrol the area and wondered why they hadn't done that yet, especially since the resident at 4 Chidsey Terrace alleged that he had his property broken into three times.

Diane Reed stated that she wanted to extend an invitation to the Mayor and the Town Council members to view 4 Chidsey Terrace, noting that was her understanding they had never been there and it would be very helpful to them in order to get a better understanding. She further stated that if they did to check out the property they might have to have a hazmat suit to go inside like the Building Inspector wore the last time he was on the property.

Diane Reed stated that she had requested a job description of the Administration Assistance and was told by Mr. Bellotti (last week) that he had never seen it and had been looking for it for seven days. She further stated that Mr. Bellotti told her that the Mayor would probably have a copy of that since Mr. Scheidel works for him, but she still doesn't have a copy. Diane Reed stated that she was curious of his job duties since he has been a personal liaison to Mr. Grzymkowski and she wanted to know if all the other taxpayers in Town would be afforded that same luxury. She further stated that she did not know of any other Assistant/Secretary to the Mayor that would take a resident that they had issue with to return soda cans and bottles, trim hedges back, drive him to court for a criminal matter with herself because he threatened her. Diane Reed stated that Mr. Scheidel should never have been allowed to say any of that in her opinion whether it was on his personal or business time, that he works for the Town of Plymouth.

Diane Reed stated that she had been told she would receive answers to questions in writing and she did not receive all the information. Reading from the responses received, Diane Reed read the answers into the record. She further stated that the Mayor never answered her question as to where Mr. Grzymkowski was going to the bathroom when he was at his home at 4 Chidsey Terrace.

Diane Reed stated that she had asked for some paperwork from the Town and that she was informed that the property was in Probate and noted that Mr. Grzymkowski was not on the foreclosure list that she had received and questioned how that worked.

Diane Reed questioned if the inspections by the Building Inspector and Fire Marshal were taking place and had requested logs, but did not receive that answer.

Diane Reed questioned why the electricity was left on for Mr. Grzymkowski at 4 Chidsey Terrace, noting that Mr. Grzymkowski was only allowed to be there during daylight hours and he could pull up the shades to be able to see.

Diane Reed stated that she also wanted to know about the permit that the Town had given to Mr. Grzymkowski to use the Transfer Station and questioned if he had unlimited access, noting that she had not received that answer.

**Public Comment on Non-Agenda Items Cont'd.**

Diane Reed stated that she wanted to know why the Town was so vested in helping Mr. Grzymkowski when he owed the Town approx. \$21,000 in taxes and that his property was blighted.

Diane Reed stated that she had asked Mr. Elder for the blight properties in Town and that he had told her there wasn't a list and provide her with the three properties in town, noting that 4 Chidsey Terrace was not considered to be a blighted property and in her opinion it was definitely a blighted property.

Diane Reed, reading from the Torrington Area Health District Order to Correct for Mr. Grzymkowski, stated that the home could not be occupied from 8:00 p.m. until 7:00 a.m., noting that Mr. Grzymkowski was placed in a hotel for 45 days with three meals a day that the taxpayers are paying for, had returned home on July 10, 2012 and that she had notified the, the Police Department, the Building Official, the Health Official and the Fire Marshal, and was told that Mr. Scheidel would be taking care of that and the Fire Marshal told her he could only take of the matter if he was found on the property after 8:00 p.m. and that she should call the Police Department.

Diane Reed stated that she had telephoned the Police Department and that the middle gate of Mr. Grzymkowski fences had a padlock and she saw that the Police were pulling on the door, and that she watched Mr. Grzymkowski putting on the padlock. Diane Reed stated that she found it funny that nothing was done because the Fire Marshal's Office, on August 3, 2012, had told him that he was not to put padlocks on the doors and he still does and the Town tells her that they have to check with Mr. Scheidel and that she was wondering why Mr. Scheidel was in charge of the Tax Department and that when you have questions, the Police Department and when you want them to do something that was in the orders, he was told he would be arrested if he was found there after 8:00 p.m. they really don't do anything if Ted Scheidel doesn't approve of it.

Diane Reed distributed photos to the Town Council noting that the original order to vacate was put up by the Fire Marshal on August 3, 2012 and that on August 24, 2012, the Order to Vacate was on the ground and the resident was told not to remove it or he would be arrested, he argued and said that it was destroying his property and they should not put the sign up and stated he would not leave it there. Diane Reed stated that she called the Fire Marshal on the 24th to tell him the sign was down (see pictures) and on that there was no sign on August 27, August 29 and that on September 10<sup>th</sup> the sign was still on the ground.

Diane Reed stated that on September 10<sup>th</sup>, the picture shows the padlock.

Diane Reed stated that on September 10<sup>th</sup> the picture also shows Mr. Scheidel leaning into his car and loading it and that the bag to the left in the picture contains bottles and cans and that Mr. Scheidel filled his car with the bottles and cans and then he brought Mr. Grzymkowski to return his bottles.

Diane Reed stated that later that day (see picture) Mr. Scheidel brought Mr. Grzymkowski home and he went back to work at the Town Hall at 2:45 p.m.

Diane Reed stated that on August 30<sup>th</sup> you could see in the pictures Mr. Scheidel's car parked at 4 Chidsey Terrace and you can see Mr. Scheidel trimming all of the hedges and all the overgrowth.

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**Public Comment on Non-Agenda Items Cont'd.**

Diane Reed stated that on September 7<sup>th</sup> you could see Mr. Scheidel carrying three bags to his car again taking Mr. Grzymkowski to return soda cans and that this morning at 8:30 Mr. Scheidel was there again to help Mr. Grzymkowski take soda cans and returnable's.

Diane Reed stated that she wanted to know why Mr. Scheidel was doing that sort of thing with this resident because he works for the Town and in her opinion no Town employee should be doing this with the resident with the issues the Town has with him.

Diane Reed stated that she was hoping for real answers, in writing, to her questions, not roundabout answers, she wanted direct answers.

Mayor Festa stated that if Mrs. Reed wanted to come to his office, to please make an appointment.

Mayor Festa stated that that he wanted to make a correction, noting that some of Mrs. Reed's responses to his letter, which she had read into record, were misleading and that he had indicated to her that search and seizure was unlawful unless there was a bona fide warrant issued to search and seize someone's property.

Mayor Festa stated that when Mrs. Reed asked what was in the bags and had assumed it was defecation material because there was tissue hanging out of the bags that was something, there was nothing that he could do.

Mayor Festa stated that he could not force the power company to cut the resident's electricity off and that he could not dictate whether the man should live in squalor or a luxurious palace.

Mayor Festa requested that Mrs. Reed provide him with the names of the individuals that she spoke to that had directly told her that they had to go to Mr. Scheidel no matter what department it was, in the Town Hall.

Mayor Festa stated that what Mr. Scheidel does on his own time was his personal business.

Mayor Festa stated that Mr. Scheidel was a part time employee, not a full time employee, no matter what she or her neighbors thought.

Mayor Festa told Mrs. Reed that just as a side of caution that stalking could be considered in this case, in terms of looking at the issues, and cautioned her to be very careful about the pictures she takes and who she takes them of.

Diane Reed stated that she was not a stalker, that she was on her property taking photos of what she sees and that was not stalking.

Mayor Festa stated that he was not debating the issue right now.

Diane Reed stated that she wasn't debating either.

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**Public Comment on Non-Agenda Items Cont'd.**

Diane Reed stated that she didn't say he had garbage bags with toilet paper hanging out, what she said was that the one of the photographs that the Health Department and the Building Department had taken on June 18 showed a large green garbage in a shopping cart and inside it was a roll of toilet paper and she questioned if that was where he was going to the bathroom.

Town Councilwoman Schenkel called for a Point of Order, noting that this was not a discussion time, it was Public Comment and that there might be other people in the audience that might want to say something and she requested that the meeting move forward.

Mayor Festa again invited Mrs. Reed to come to his office to discuss this matter.

Mrs. Reed stated that she had called the Mayor's Office and that sometimes she doesn't get return calls for over a month, sometimes she gets them returned, she had sent correspondence, letters and doesn't hear anything back. She said that she has been sitting with her neighbors that called to speak to Mayor Festa and they don't get calls returned, she was unsure if she called she would be able to get to see him in a timely fashion and once there, she would receive answers such as he had provided in his correspondence to her being roundabout, evasive, and that she just wants direct answers.

Diane Reed stated that what the Mayor said was untrue; that Mr. Scheidel could not do that on his own time, when you work for the Town, and you have issue with the person from the Town, you ask your Attorney of the town, he should not, in her opinion, have anything to do with MR. G. on his personal time or his work time.

Mayor Festa stated that he had returned calls to her and to her neighbor and that he had not received correspondence from her in a month or so that would say he hadn't responded to her so please stick to the actual truth of the matter.

Diane Reed stated that when she makes the appointment with Mayor Festa she would bring the correspondence with her and show everybody at the next meeting as well, she was not lying, and she knew that had been called not credible by Mr. Scheidel.

Mayor Festa stated that he wasn't talking about Mr. Scheidel he was talking about her claim that she called him and he didn't respond.

Pattie DeHuff, 20 Lynn Avenue, Terryville, stated that last month she had read Robert Plourde's resignation letter (recapping the letter) a former worker of the Public Works Department and noted that he had made some very serious allegations about the Public Works Department. She further stated that she had asked the Council to look into the allegations. Pattie DeHuff stated that the people had the right to know if the charges were true, if tax dollars were being spent wisely or not, and if streets were in danger of caving in because of improper installation of pipes. She further questioned if the Council had called for an investigation, or taken it upon themselves to call for one and were they looking into the charges made by Robert Plourde. Pattie DeHuff stated that she wanted to know what the answers to the statement/questions were that were read into the record last month and again read them into the record.

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**Public Comment on Non-Agenda Items Cont'd.**

Town Councilman Ferreira called for a Point of Order, noting that the remarks read into the record last month (and currently) were “here say” and that this wasn’t the forum for this discussion. He further stated the issue should be held was a Union environment and that many of the points should have been discussed according to the Union contract in a proper procedure as outlined in the union contract. Town Councilman Ferreira stated that he believed this employee did not sit for an Exit Interview, did not attempt to follow the chain of command, and did not seek anything from his Union Representative regarding this issue. He further stated that if the statements were true it would be a serious issue, but to put it forth in a Public Meeting with a camera, noting that it was the right for everyone to see this issue, was a serious thing, especially when it was “here say”. Town Councilman Ferreira stated that the letter wasn’t addressed to the Union Representative first, it was sent to “select” people and that the Town Council received it the night of the Town Council Meeting and didn’t have much time to ruminate/chew on it. He further stated that after looking exactly what it said, after going over it and the comments that were made, and bringing them up again tonight, he felt all of that, coupled with the dealings he has had with the Unions, he believed a procedure was not followed and if there were all of these issues why weren’t there grievances followed, why wasn’t his Union approached on this, or why weren’t things taken care of before him leaving his place of employment. He further questioned why weren’t some of these issues addressed to his Supervisor or his Supervisor’s Supervisor. Town Councilman Ferreira stated, again, that this was not the time, the place or the forum for this discussion when it was all “hear say” and being put into the record.

Pattie DeHuff stated that she was asking the Council to find out what was true and what was not true, noting that in June the voters had approved a \$9.8 million dollar Infrastructure Referendum and \$4.8 million dollars of that was going to Road Repairs, which would cover approximately 20 miles of Town Roads. She further stated that information was taken from the December 15, 2011, Board of Finance Minutes, and that the Public Works Department would be doing most of the roads in house, with the potential that pipes were not being installed correctly.

Town Councilman Ferreira called for a Point of Order, again, noting that he wanted to suggest that the Speaker please be addressed about not to bring up some of of the hear say comments unless he was just going to be ignored with his Point of Order.

Mayor Festa stated that the Speaker should summarize her particular issue without belaboring the accusations that the former employee raised because until such time as the charges were substantiated, there wasn’t much that could be done.

Pattie DeHuff stated that she was assuming that Town Councilman Ferreira received the same letter she received last month and that she had requested the Council address it at that time, noting that it had been over a month for the Council to start questioning what was going on and having it put on the Agenda and start finding out if this stuff was true or not. She further stated that she wanted to know if anything had been done on this.

Melanie Church, 328 Main Street, Terryville, stated that there were some concerns on some roads and she wanted to name them; Driftwood, in front of the dam there was a sinkhole that was done by Public Works approximately six years ago. She also stated that if you go behind IGA on Oak Street, go up to the end of the road and take a look, it is sinking and eventually somebody is going to be hurt.

**Public Comment on Non-Agenda Items Cont'd.**

Melanie Church stated that she also understands that Richmond Drive was just paved and they had a pond out there last Tuesday, because she doesn't know if there was any engineering being done, but because it wasn't needing a storm drain it was making a pond, those are factual those are concerns that's number one, number two, read the Charter they're not a Construction Company. She further stated that she also understands Wilton Road was due to be done by Joe's Sanitation and that did not go out to bid, we just gave it to somebody, has there been any engineering done before you rip up a whole road, those are real concerns, it doesn't affect her, she lives on Main Street and she finds she has competent people taking care of her roads, they are not sinking, the minute there is a problem it's torn apart and fixed, but she couldn't say that for the Town of Plymouth. She further stated that she has been complaining for over a year before all these issues on those streets on Oak Street she has asked people to go and take a look and she watched them do that two years ago. Melanie Church stated that this has nothing to do with the man's letter it has to do with the facts and that not going out to bid was a major problem; the Charter clearly states anything over \$10,000.00 should go out to bid. She further stated that the \$9.4 million dollars was an Ad Hoc Committee and before any money was spent it was supposed to be brought forward to the Council and it was said at the Public Hearing and they are an Ad Hoc Committee and they shouldn't be spending money and the Council should be voting on the Contractors and that way there we know it's fair and equitable and couldn't be thought of as any corruption.

Melanie Church stated she still hadn't received the check register from the Director of Finance after she rewrote her letter and hasn't heard another word. She said she wasn't sure if the Town wanted her to go the Freedom of Information next week and file a complaint and it's making her more curious because she didn't know what was hidden in it. She wrote the same letter to the Board of Education and she had theirs and that was open and honest government. She said she was asking again with exactly what she asked for so she can know where her taxes were going and that she has a right to know that as an elector and a taxpayer.

Lynn MacBroom, 3 Chidsey Terrace, Terryville, stated that she had the same questions and concerns that Diane Reed had.

Lynn MacBroom stated that her main concern was with Mr. Grzymkowski's cats, noting that she had called Animal Control because there was one of his cats cat lying in her yard unable to move, covered in flies, but still alive and that Animal Control took it away. She further stated that she had called Animal Control a second time on one of his cats because it was bleeding and it couldn't walk, it was limping and Animal Control took it away. Lynn MacBroom stated that her main concern was why was he receiving the cats back when he couldn't take care of them, noting that it was not fair to the cats or for them to see that.

Lynn MacBroom stated that according to Mr. Grzymkowski one of his cats was found dead in the street and he made such a fuss at 3:00 a.m. that the cops came and banged down their doors and kicked their doors down until they answered them and thought someone was being assaulted on her property because of the noise he was making. She further stated that nothing else came of that and they said they felt bad because one of his cats was dead. Lynn MacBroom stated that his cats were dropping dead in the street and dying on her property and she's not sure why he keeps getting them back.

**MAYOR'S REPORT**

**STREETSCAPE WORK TO CONTINUE; WATERWHEEL PROJECT-WORK TO BEGIN, GENERATOR ISSUE; PUBLIC WORKS "THANK YOU" LETTERS; FRIENDS OF THE LIBRARY-WILCOX HOUSE; MEETING WITH HIGHWAY CREW EMPLOYEES; MEETINGS SCHEDULED FOR REGIONAL/LOCAL PLANNING STRATEGIES GRANT RECEIVED FOR NEW VEHICLES/CCRPA; BEAUTIFICATION COMMITTEE FALL AND WINTER HOLIDAY ACTIVITIES; CANINE OFFICER/PARTNER HAVE BEGUN INTRODUCTION AND TRAINING; SUPERINTENDANT'S RETIREMENT; FOLLOW-UP ON WPCA FLIER; DISTRESSED COMMUNITY DESIGNATION**

Mayor Festa stated that the Streetscape work was continuing, noting that the Council had received information from the Public Works Department relative to the Streetscape issues. He further stated that the work would be moving across the street, as well as at the corner of Maple Street and Route 6 due to monies saved with the Contractor.

Mayor Festa stated that there was also an application being filed for additional Small Town Economic Assistance Program (STEAP) money and that hopefully, there would be enough money to do the sidewalk on the opposite side of the street, as well.

Mayor Festa stated that the Waterwheel Project work was ready to begin and that the State of Connecticut was currently working on the rails on the corner of Benedict Street and Route 6. He further stated that the project would be moving forward with the Contractor.

Mayor Festa stated that the generator issue and the Waterwheel renovation was being taken care of through the State because it was never in the original grant to renovate the generator and the Waterwheel would never turn again.

Mayor Festa stated that he had received several thank you letters for the Public Works Department from residents on North Street and Scott Road. He further stated that a third thank you was being sent because of work on a sinkhole that had been called in and had been corrected immediately.

Mayor Festa stated that the Friends of the Library had moved into the Wilcox house and would be holding a Grand Opening for their used bookstore. He further stated that they were occupying the first floor under a Town lease agreement. Mayor Festa stated that the Friends of the Library had been working diligently and that the Council wished them well. He further encouraged everyone that was available for their open house to stop in and see the bookstore.

Mayor Festa stated that he had a meeting with the Highway Crew employees, as well as with the Union President, relative to some issues that had been brought forward and that he would be sharing the information under Executive Session this evening. He further stated that the content of the material he would be sharing was required to be held in an Executive Session.

Mayor Festa stated that there had been meetings scheduled for local and regional planning strategies and that a Grant had been received for the new vehicles. Mayor Festa stated that the Town was grateful to Central Connecticut Regional Planning Agency for putting the application out for the Town of Plymouth and following it through to fruition.

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

Mayor Festa stated that Governor Malloy had made an announcement, as well, and that the Town was one of six communities that had received money toward the purchase of new Police vehicles. He further stated that the Town would be getting rid of the old gas-guzzlers.

Mayor Festa stated that the Beautification Committee would be holding a Fall and Winter Holiday activity and that they were moving forward with the Pumpkin Patch Walk, which would be held at the Plymouth Center Green at the Plymouth Proper. He further stated that the Plymouth Congregational Church would be holding a Soup and Sandwich Event to coincide with the Pumpkin Festival and then they would be setting up the tree for a holiday lighting ceremony on the Plymouth Green.

Mayor Festa stated that the Canine Partner Officer had begun and that an introduction had taken place. He further stated that there would be a formal process for the Canine being part of the Police Department at the high school. He further stated that a group of students had formed a club that would be involved with some of the activities with the acceptance of the Canine as part of the Department.

Mayor Festa stated that a Retirement Dinner was being held for Anthony Distasio, Superintendent, Board of Education, on October 12<sup>th</sup>. He further stated that anyone interest in attend and/or speaking at the dinner should call Maryann at the Board of Education.

Mayor Festa stated that the WPCA Denitrification Flier would be going out and that his office had done a follow up to it after double checking some things, and that the flier had to be sponsored by the Municipality.

Mayor Festa stated that the State of Connecticut had notified the Town of Plymouth that the Town was no longer a Distressed Community and that the designation had changed due to the information from the Census, which had been taken. He further stated that the Town had a five-year window and that the Town could use the designation up until 2017. Mayor Festa stated that the Director of Finance, David Bernagel, would speak later this evening on the item.

**TO REFUND THE FOLLOWING PROPERTY TAXES: SHAHLA ALIHAGH, \$12.95; KENNETH A. KARL, \$19.19; AUSTIN MELIA, JR. \$174.50; JASON KONICKI, \$25.90; KENNETH J. MARSHALL, \$13.58; SCOTT/AMY GRAY, \$126.62; JOSEPH M. BUCKLEY, \$27.19; WILLIAM D. MARTIN, \$242.52; RACHEL R. HUTNIK, \$232.78; EUGENE T. SZALAPSKI, \$62.23; JENNIFER E. HANSON, \$116.29; DENISE M. REILEY, \$65.93; NANCY OR FERNAND CHAMPAGNE, \$44.36; MICHEL CHAREST, \$52.91; DAVID R. DOWNES, JR., \$93.69; JEFFERIE S. LAFERRIERE, \$1,294.37; XU JIA JIE, \$488.88**

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Zagurski, to approve the following Tax Refunds: Kenneth J. Marshall \$13.58; Scott/Amy Gray \$126.62; Joseph M. Buckley \$27.19; William D. Martin \$242.52; Rachel R. Hutnik \$232.78; Eugene T. Szalapski \$62.23; Jennifer E. Hanson \$116.29; Denise M. Reiley \$65.93; Nancy or Fernand Champagne \$44.36; Michel Charest \$52.91; David R. Downes, Jr. \$93.69; Jefferie S. Laferrier \$1,294.37 and Xu Jia Jie \$488.88. This motion was approved unanimously.

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

**APPOINTMENTS/RESIGNATIONS**

**TO RE-APPOINT THE FOLLOWING: ELZINA ZAKLASKI, HUMAN SERVICES COMM., TERM TO EXPIRE 10/1/2014; HEIDI CARON, HUMAN SERVICES COMM. TO EXPIRE 10/1/2015**

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Ferreira, to re-appoint Elzina Zaklaski to the Human Services Commission with a term to expire on October 1, 2014. This motion was approved unanimously.

Town Councilwoman Murawski made a motion, seconded by Town Councilwoman Schenkel, to re-appoint Heidi Caron to the Human Services with a term to expire on October 1, 2015. This motion was approved unanimously.

**JAMES DEUTSCH, INLAND/WETLANDS/CONS. COMM., TERM TO EXPIRE 9/1/2015; SEAN DORAN, INLAND/WETLAND/CONS., TERM TO EXPIRE 9/1/2015; STEPHEN SZPUNAR ALTERNATE POSITION; INLAND/WETLAND/ CONS COMM., TERM TO EXPIRE 9/1/2015, JANINE THOMAS ALTERNATE POSITION, INLAND/WETLANDS CONS. COMM. TO EXPIRE 9/1/2015**

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Ferreira, to re-appoint James Deutsch to the Inland/Wetlands Commission with a term to expire on September 1, 2015. This motion was approved unanimously.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Foote, to re-appoint Sean Doran to the Inland/Wetlands Commission with a term to expire on September 1, 2015. This motion was approved unanimously.

Town Councilman Foote made a motion, seconded by Town Councilwoman Schenkel, to appoint Stephen Szpunar as an Alternate Member to the Inland/Wetlands Commission with a term to expire on September 1, 2015. This motion was approved unanimously.

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Schenkel, to appoint Janine Thomas as an Alternate Member to the Inland/Wetlands Commission with a term to expire on September 1, 2015. This motion was approved unanimously.

**RESIGNATIONS:**

**TO ACCEPT THE RESIGNATION OF JEANNINE JANDREAU FROM THE PLANNING & ZONING COMM. EFFECTIVE 9/3/12; TO ACCEPT THE RESIGNATION OF JOSEPH BACHAND FROM THE PLYMOUTH BOARD OF FIRE COMMISSIONERS, EFFECTIVE 7/30/12**

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Foote, to accept, with regret, the resignation of Jeannine Jandreau from the Planning and Zoning Commission, effective September 3, 2012. This motion was approved unanimously.

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**Appointments and Resignations Cont'd.**

Town Councilman Foote made a motion, seconded by Town Councilwoman Murawski, to accept the resignation of Joseph Bachand from the Plymouth Board of Fire Commissioners, effective July 30, 2012. This motion was approved unanimously.

**APPOINTMENTS:**

**TO APPOINT PHILLIP FOWLER, FIRE COMMISSION, TERM TO EXPIRE 11/4/2014  
TO APPOINT ARLENE WOOD TO THE PLYMOUTH HOUSING AUTHORITY  
(VACANCY), TERM TO EXPIRE 8/31/13**

Town Councilwoman Murawski made a motion, seconded by Town Councilman Ferreira, to appoint Phillip Fowler to the Plymouth Fire Commission with a term to expire on November 4, 2014. This motion was approved unanimously.

Town Councilman Foote made a motion, seconded by Town Councilman Ferreira, to appoint Arlene Wood to the Plymouth Housing Authority with a term to expire on August 31, 2013. This motion was approved unanimously.

**TO DISCUSS AND TAKE ACTION ON THE REQUEST FROM JERRY MILNE FOR THE  
PRINTING OF 1,000 WALKING TOUR OF PLYMOUTH CENTER BROCHURES IN THE  
AMOUNT OF \$750.00**

Mayor Festa stated that he had included copies and information for the Walking Tour of Plymouth Center Brochures in the Council Packets for review, noting that Jerry Milne had requested \$750.00 from the Town Council for the next printing of additional brochures.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Ferreira, to fund the amount of \$750.00 for 1,000 pieces of the Walking Tour of Plymouth Center Brochures.

**Discussion:**

Town Councilwoman Schenkel stated that the brochures were beautiful and that anyone would be proud to have the Town displayed in the brochures. She further stated that Jerry Milne should be commended for the wonderful idea and for taking action on the item.

Mayor Festa stated that Jerry Milne does a wonderful job with the Walk Tours, as well.

Vote: Motion passed unanimously. (See Motion on Page Twelve)

**DISCUSS AND TAKE ACTION ON BIDDER LIST FOR HARWINTON AVENUE/BURR  
ROAD WATER MAIN**

Mayor Festa stated that Anthony Lorenzetti, Director of Public Works/Town Engineer, would be discussing the packets that were distributed earlier this evening relative to the Bidder list for the Harwinton Avenue/Burr Road Water Main Project.

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**Bidder List for Harwinton Avenue/Burr Road Water Main Cont'd.**

Anthony Lorenzetti stated the project had been advertised and that the bids had been received on August 30, 2012. He further stated that the low bidder was John J. Brennan Construction Company, Shelton, CT, \$770,131.50, which included the fire hydrant installation that Connecticut Water would be responsible for, total est. project cost utilizing the credit from the Connecticut Water Company for the hydrants would be \$760,156.50.

Anthony Lorenzetti stated that the second lowest bidder was Pete and Steve Contractors and Engineers at \$841,928.50 and the third lowest Bidder was VMS Construction at \$851,806.00.

When questioned by Town Councilman Zagurski, Anthony Lorenzetti stated that a Non-collusive Statement meant that the bidder did not get together and work with anyone else when they put their bid together.

When questioned by Town Councilman Zagurski, Anthony Lorenzetti stated that if the residents were willing to abandon their wells the water service would not run into their homes and if they were not abandoning their wells the service would only be run to curbside. He further stated that it was included in the cost that way.

Anthony Lorenzetti stated that quite a few of the residents had already signed off on agreements with the Town.

When questioned by Town Councilman Ferreira, Anthony Lorenzetti stated that it was a unit price contract so if work wasn't done it was essentially not paid for. He further stated that if something wasn't done as part of the project there would be a potential credit to the Town.

When questioned by Town Councilman Zagurski, Anthony Lorenzetti stated that it was based on prevailing wages.

When questioned by Town Councilwoman Schenkel, Anthony Lorenzetti stated that the project would be completed at the end of this year or into the middle of next year.

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Schenkel, to accept the low cost Bidder, John J. Brennan Construction Company, based on the letter dated September 10, 2012, from the Connecticut Water Company. This motion was approved unanimously.

**DISCUSS AND TAKE ACTION ON BIDDER LIST FOR PHASE I OF THE WATERWHEEL PARK**

Anthony Lorenzetti stated that the Town Council had received the Bid Package and noted that there was a base bid with three add alternates to the bid. He further stated that the low Bidder was Clover Construction from Bristol, CT with a base bid of \$105,135.00. Anthony Lorenzetti stated that there were three add alternates, noting the sheet distributed showed a breakdown of the bids.

Anthony Lorenzetti stated that the Historic Property Commission had recommended going with the low Bidder, Clover Construction.

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**Bidder List for Phase I of the Waterwheel Park Cont'd.**

When questioned by Town Councilwoman Schenkel, Anthony Lorenzetti stated that the project was starting late in the year so it was hard to say, noting that granite curbing was around 30 days, so this years or next year.

When questioned by Town Councilman Ferreira, Anthony Lorenzetti stated that there had been concerns about funding and that the project had a base bid with alternates and that was what was done in this case. He further stated that the base Bid would allow for some of the work on the eastern side of the project and that the alternates allowed for work on the Benedict Side, along the Waterwheel and accent lighting at the Waterwheel.

When questioned by Town Councilman Zagurksi, David Bernagel, Director of Finance, stated that this project was part of the \$150,000.00 STEAP Grant (Waterwheel component) and that he was comfortable with the add alternate as well for now or in the future.

When questioned by Town Councilman Ferreira, Anthony Lorenzetti stated that they were hoping for additional Grant monies to do the \$63,000.00 piece or for the generator issue to get resolved.

Mayor Festa stated that the \$350,000.00 Grant was what was in question and noted that the generator issue was still hanging over the Town's head, but once it was freed up and squared, the Town would get the monies.

When questioned by Town Councilwoman Schenkel, Anthony Lorenzetti stated that it was Add Alternate No. 2 Bid for \$21,995.00.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Zagurski, to accept the Base Bid of \$105,135.00 from Clover Construction with Add Alternate No. 2 to be added to the price of the Waterwheel Project. This motion was approved unanimously.

**RECOMMENDATION/APPROVAL OF ADDITIONAL PROJECT WORK FOR THE ROUTE 6 STREETScape**

Anthony Lorenzetti stated that there were some Change Orders to the Project, (Change Order No. 5 and Change Order No. 6). He further stated that Change Order No. 5, in the amount of \$101,558.23, would allow for work to do be done on the opposite of the street from where the work had been taking place and that Change Order No. 6, in the amount of \$3,969.00, would allow for sealing the concrete blocks to help protect them.

When questioned by Town Councilman Zagurski, Anthony Lorenzetti stated that the Town had at least one individual who had come forward, that highly recommended that the sealing be done, noting that it was something that could be prolonged.

When questioned by Town Councilman Zagurski, Anthony Lorenzetti stated that hopefully with the design detail grass would not come up between the pavers, noting that concrete had been poured and sand underneath that, as well as sand between the bricks.

**Recommendation/Approval of Additional Project Work for the Route 6 Streetscape Cont'd.**

When questioned by Town Councilman Zagurski, David Bernagel stated that there were adequate funds left, with the whole project initially being \$300,000.00 STEAP Grant and that the Town had received a Phase II component of another \$150,000.00 and \$42,000.00 carried over from the Booster Station in the Industrial Park, with a total of \$492,000.00 total appropriation. He further stated that the Town had awarded \$297,000.00 under the first contract and costs of approximately \$48,000.00 for Construction Engineer for Engineering Design work, which frees up approximately \$160,000.00 towards the project, leaving adequate funds for both Change Orders at this time with additional funds left over for contingencies if needed.

Town Councilman Zagurski questioned if the Economic Development Commission recommended sealing on Maple Street. Anthony Lorenzetti stated that the Commission would be meeting this week and that he thought it was something that Khara Dodds had reviewed. When questioned by Town Councilman Zagurski, Anthony Lorenzetti stated that he was referring to the property on the East side (multi family white building) and the house on the left hand side when you are facing Maple Street, not the multi-store front located in that area.

When questioned by Town Councilwoman Schenkel, Anthony Lorenzetti stated that he hoped the lampposts on the finished side would be installed soon, possibly this week.

Town Councilman Zagurski stated that the work that had already been done looked excellent and really improved the look of the Town and that he really appreciated it.

Town Councilman Zagurski made a motion, seconded by Town Councilman Ferreira, for the Council to approve Change Order No. 5 and Change Order No. 6, from Trademark Construction, pending the Economic Development Commission's approval at their next meeting. This motion was approved unanimously.

**TO DISCUSS AND TAKE ACTION ON THE APPLICATION BY RESOLUTION TO THE MAIN STREET INVESTMENT FUND AND TO ENDORSE THE DOWNTOWN COMMERCIAL CENTER PLAN**

Mayor Festa stated that the Council had received a letter from Khara Dodds (see attachment) regarding this Agenda item. Mayor Festa read part of the letter into the record, noting that in order for the Town to move forward and be a part of the application process in the Development Investment Fund Program, a Resolution would be needed to authorize the Mayor to apply for the funding program.

Mayor Festa stated that neither Khara Dodds nor Craig Stevenson, the Town's Economic Development Consultant, were able to be in attendance this evening.

When questioned by Town Councilman Zagurski, Mayor Festa stated that this funding would help to develop a plan for the entire area from the Terryville Trust to the corner at the Austin House.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Foote, for the Council to take action on the Application, by Resolution, to the Main Street Investment Fund and to endorse the Downtown Commercial Center Plan which would allow the Mayor to sign on behalf of the Town. This motion was approved unanimously.

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**TO DISCUSS AND TAKE ACTION ON THE TAX INCENTIVE COMMITTEE'S RECOMMENDATION RE. 163 MAIN STREET/EAGLE'S NEST FOR LOT IMPROVEMENT FUNDING (50% MATCH GRANT FOR UP TO \$5,000 CONTINGENT UPON RECEIPT OF THREE CONTRACTOR QUOTES)**

Town Councilwoman Schenkel made a motion, seconded by Town Councilwoman Murawksi, to discuss and take action on the Tax Incentive Committee's recommendation regarding 163 Main Street/Eagle's Nest for Lot Improvement Funding (50% Match Grant for up to \$5,000 contingent upon receipt of three Contractor quotes)

Discussion:

When questioned by Town Councilman Zagurski, Mayor Festa stated that there was an economic development opportunity for people to come into Town Hall and request Tax Relief. He further stated that this particular business had the sidewalk up to a certain boundary line and from that point to the establishment was a lot of crumbling in the sidewalk that had not been part of the project and had requested some financial relief. Mayor Festa stated that he had brought the request to the Economic Development Commission and that the Commission had accepted and approved the item to move forward for any of the businesses on Main Street. He further stated that the Tax Improvement Committee (TIC) had met and approved the recommendation to provide the assistance in a match grant up to \$5,000.00. Mayor Festa stated that the business had provided three quotes and that the business would be going with the lowest Contractor quote.

Mayor Festa stated that the Economic Development Commission felt that any other business that might come forward should also have the opportunity afforded this business and that the Council was being asked to approve the recommendation from the Economic Development Commission to the TIC.

Vote: Motion passed unanimously. (See Motion on Page Sixteen)

**TO DISCUSS AND TAKE ACTION ON THE TAX INCENTIVE COMMITTEE'S RECOMMENDATION TO PROVIDE FINANCIAL ASSISTANCE TO PM SALES FOR THE DEVELOPMENT OF LOT 12, LASSY COURT (100% OFF THE INCREASED ASSESSMENT FOR A PERIOD OF TWO YEARS/RELOCATION GRANT IN THE AMOUNT OF \$50,440.00)**

Mayor Festa stated that basically this item was the same issue, but on a much larger scale. He further stated that the TIC had given their approval to the recommendation to provide financial assistance to PM Sales, Lot 12-Lassy Court.

Mayor Festa stated that PM Sales was a new business moving into the Industrial Park and that it would be 100% off of the increased assessment for a period of two years and a Relocation Grant in the amount of \$50,440.00.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Foote, to provide financial assistance to PM Sales for Lassy Court.

**Tax Incentive Committee's Recommendation-PM Sales Cont'd.**

Discussion:

Town Councilwoman Schenkel stated that she had attended the Economic Development Commission's meeting and that had specifically addressed this particular incentive and were very excited about this business coming into the Park noting. She further stated that PM Sales wanted to have their building finished in six months time.

Town councilman Ferreira questioned if the \$50,440.00 would be taken care of in a tax abatement.

Mayor Festa stated that this was actually Grant money that comes forward through a fund that was set up through the Economic Development and DECD in Hartford.

Pattie DeHuff questioned if PM Sales was a currently company outside of Plymouth.

Town Councilwoman Schenkel stated that it was a company that was not located in Plymouth.

Vote: Motion passed unanimously. (See Motion on Page Sixteen)

**TO AUTHORIZE BY RESOLUTION MAYOR VINCENT FESTA TO EXECUTE AND DELIVER IN THE NAME AND BEHALF OF THIS MUNICIPALITY A CONTRACT WITH THE CT STATE LIBRARY FOR A HISTORIC DOCUMENTS PRESERVATION GRANT**

Mayor Festa stated that this Agenda item was a yearly item that should be done and that the Town had missed out on the money for a couple of years. He further stated that it was free money that came to every municipality in the State of CT and the only thing that needed to be done was to have the Mayor or the Mayor's designee to sign off on the paperwork (not more than two pages) and then the Town would receive anywhere in the area of \$3,000.00 to \$10,000.00 depending on how much money was in the "kitty" at the State level.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Ferreira, to authorize the Mayor, or his designee, to execute and deliver in the name and behalf of this Town a Contract with the Connecticut State Library for a Historic Documents Preservation Grant. This motion was approved unanimously.

**TO DISCUSS AND TAKE ACTION AS NECESSARY FOR THE COUNCIL TO ESTABLISH A CHARTER REVISION COMMISSION**

Mayor Festa stated that he put this item on the Agenda this evening for the purpose of giving the Council food for thought, but did not anticipate that the Council would be taking action this evening.

Mayor Festa stated that there were many areas in the Charter, even though they had been revised, that needed to be taken care of and needed to be looked at closely such as the VNA issue, the Health Department issue, the conflict with the Parks and Recreation and the Public Works Department relative to the authorization aspect on who was authorized to do what in terms of the particular department.

**To discuss and take action to Establish a Charter Revision Commission Cont'd.**

Mayor Festa stated that some Charter changes had been made and sent to a company in Florida and that it had been returned with additional items that did not belong in the Charter. He further stated that the Town would probably be looking at a different firm to handle the aspect of coding the Charter once a Committee was established and that he had talked to the Town Clerk about getting it out.

When questioned by Town Councilwoman Murawski, Mayor Festa stated that that the last Charter Committee was held in 2009.

**TO DISCUSS AND TAKE ACTION ON THE RECOMMENDATION FROM THE MAYOR'S OFFICE TO CHANGE THE BUSINESS HOURS AT TOWN HALL**

Mayor Festa stated that he was looking at the Council's consideration in establishing a lunch period from 12:00 p.m. to 12:30 for the Town Hall employees and that the Town Hall would remain open. He further stated that the Mayor's Office would handle anyone coming in, but the windows would be closed for the half hour for the purpose of allowing people to take their lunch break without having to send people that come into Town Hall to do their business to four to five different offices. Mayor Festa stated that when this happens the people coming in find postings stating that if they need a permit they need to go down to the Tax office because the person is at lunch time and then they go to the Tax Office and that office is having lunch, etc. He further stated that it had become somewhat of a nuisance so the Town was looking at establishing a direct business at Town Hall rather than a social club during the lunch hour. Mayor Festa stated that if employees wanted to socialize they would have the half hour period to do so behind closed doors. Mayor Festa stated that was no lunch/break room, but employees would have their lunch in their own offices during this period of time and it would establish some kind of standard procedure and operation that wouldn't send people all over Town Hall looking for a person to have a permit signed off or looking for a permit for the dump. Mayor Festa stated that sometimes there was a conflict of vacation time and that created another problem, as well, so he was looking to establish this half hour period of time, which everyone was required to have by State law. He further stated that at 12:00 p.m. the windows would be closed and then reopened at 12:30 and that there would be no interruptions with people being down at the other end of the hallway having lunch with two or three people who were having lunch with people from other departments. Mayor Festa stated that he was looking at productivity and professional responsibility. He further stated that these are some of the issues brought to his office by people coming into Town Hall trying to get their work done.

Town Councilwoman Schenkel questioned how the flow of traffic from the Public was during this period of time.

Mayor Festa stated that the only time they had noticed a lot of people was during the Tax season (October and July) but that issue had been taken care of. He further stated that there wasn't that much traffic during the other months and those that did come in could be handled.

Town Councilman Ferreira stated that he thought it was a great idea and that the Public would know that from 12:00 p.m. to 12:30 p.m. was lunchtime and they could plan accordingly rather than stop in and having the place they were going would be closed down at that time.

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**To discuss and take action on the recommendation from the Mayor's Office to change the business hours at Town Hall Cont'd.**

Town Councilman Zagurski stated that he was concerned about people coming in during their lunch hour, noting that they would have to adjust their schedule appropriately.

Mayor Festa stated that he had considered this thought as well, but that was not necessarily the case and he had asked a number of people if they were on their lunch hour noting they were not, sometimes they said they were picking up a permit because their spouse couldn't. He further stated that if there were permits readied for people to pick up in that half hour period of time there was no reason why he couldn't walk down to the offices take the permit off the counter and give it to the person. Mayor Festa stated that the only concern to raise was to be certain that Union work wasn't being done because the Town would be slapped with a grievance and the question would be if the work was not Union work at that level and it was very rare that Union work would be done.

When questioned by Town Councilman Zagurski, Mayor Festa stated that it would only affect the upstairs Town Hall departments, not the Police, the WPCA, the BOE or Public Works.

Pattie DeHuff stated that she was one of the people that if she was going to use the offices of the Town Hall it would be during her lunch hour, noting that she had gone to the Town Clerk's Office for documents and this would affect her because she takes her lunch hour from 12:00 to 1:00 and felt it would affect other people, but not Attorneys looking up deeds, etc., but would affect the average citizen that works, but wants to be involved in their government so she would be opposed to this.

Melanie Church stated that she did not believe Bristol does, but she knew that sometimes people work 8:00 a.m. to 4:30 p.m. and the only time they can come in is on their lunchtime and you would be hindering them from coming in, not everyone works 7 to 3 and that's a hindrance to them whether it be to pay their tax bill and that's why you have these elected people in the Tax Collector's Office or the Town Clerk's Office and she was sure there were things that the Town Clerk does that you can't do so that would hinder and one of them would be to give a Marriage License, something that comes off the top of her head so she thought you are hindering and she knows she's heard people complain about the Brush Dump and that's it's only open on Saturdays and she thinks its just another way of cutting services.

Town Councilwoman Schenkel stated that as a small Town sometimes we have to think outside the box and we can't always do what other larger communities can do and that this wasn't Burger King so you can't always have it your way.

Town Councilwoman Schenkel stated that she would be in favor of this change because it creates more order for the Town Hall. She further stated that the citizens would know when Town Hall would and would not be available and if the Mayor's Office was willing to step up and fill the gap for those few people that would come in she did not foresee any type of hindrance for the Public.

Town Councilwoman Murawski stated that there were Town Offices in the Town Hall that were only staffed with one person in the office and that they needed a lunch break and if there's something that can only be done by them it has to wait anyway.

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**To discuss and take action on the recommendation from the Mayor's Office to change the business hours at Town Hall Cont'd.**

Mayor Festa stated that in the last couple of years when the Town Hall lost a person to a position and the position was not filled because of the economic conditions at the time the Town was left short staffed to begin with, noting that the Town needed to address that issue. He further stated that the easy part of that issue in keeping town Hall open would be to turn around and start hiring Floaters again and that would create a whole other issue of itself and the only other alternative would be to allow people an opportunity to be serviced when they come in rather than floating the hallway in three to four different directions to find postings to see so and so and they get down to that office and when they get down to that office so and so isn't there. Mayor Festa stated that the Town had wrangled with the whole idea of setting up a lunch and break schedule and that no matter how hard, they have tried to be consistent with it and then the employee negates it by changing their lunch period from one day to the next. He further stated that it could be a grievable matter, which you contend if in fact you are not careful on how you address the issue with the employee.

Melanie Church stated that she could be wrong but it seemed that she heard at the Board of Finance that the Town Hall had a Floater and that the girl in the Finance Office was a Floater, she believed that was what was said.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Foote, for the Mayor to change the hours of the Town Hall as he sees fit and if in the future he sees its not working out he should change it back to the way it was.

Discussion:

Town Councilman Zagurski stated that he did not agree with the motion because it seemed very vague that the Mayor could change hours as he wished.

Town Councilwoman Schenkel withdrew her motion and Town Councilman Foote withdrew his second to the motion.

Mayor Festa stated that the Charter indicates that it is the Town Council that may change the hours and so the motion should address the Council.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Foote, that the Town Council would define the hours of operation for lunchtime to be between 12:00 p.m. and 12:30 p.m. during weekdays at Town Hall.

Discussion:

Mayor Festa stated that the Town would use the whole month of September and into the first part of October to address this change with the Public and to present material and information that the Town Hall would be going to this particular schedule so that there would be quite a bit of latitude in getting the word out.

Vote: Motion passed unanimously. (See Motion on Page Twenty)

**EXECUTIVE SESSION: TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF PENDING AND/OR THREATENED LITIGATION; CONTRACT NEGOTIATIONS**

Mayor Festa stated that there would be several sessions during the Executive Session and that he would be inviting Chief Krasicky, Assistant Chief Fran Dabbo, Chief Stevens, Town Attorney Salvatore Vitrano and David Bertnagel, Director of Finance, into the Executive Session.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Ferreira, to move into Executive Session at 8:42 p.m. for the purpose of pending and/or Threatened Litigation and Contract Negotiations.

Mayor Festa called the Town Council back into its Regular Meeting at 9:53 p.m.

**TO TAKE ACTION, AS MAY BE NECESSARY, FROM EXECUTIVE SESSION**

Town Councilwoman Schenkel made a motion, seconded by Town Councilwoman Murawski, to authorize the Mayor to enter into Agreement in the matter of Hourihan verses the Town of Plymouth for the withdrawal of a lawsuit by the Plaintiff and the removal of a drain pipe through the Seymour Road Construction Contract. This motion was approved unanimously.

**DIRECTOR OF FINANCE-OVERVIEW OF TOWN'S FINANCIAL CONDITION**

David Bertnagel stated that there was some information compiled in the past couple of months in regards to what had been done as far as the foreclosure rates, delinquent taxes and sales of properties, which had taken place over the course of the last couple of years.

David Bertnagel stated that Ana LeGassey and Ted Scheidel, through the Mayor's Office, had taken a very strong approach to delinquent taxes, some of which went back 15 years, including slivers of land that people owned, but couldn't access. He further stated that those were some of the people who ignored their tax bills; some being properties whereby the owner was deceased and the Town was getting them back on the tax roll.

David Bertnagel stated that one of the key concerns was that there was over \$600,000 in taxes owed on those types of properties, which had occurred over the 15 years, and that the \$600,000.00 was still booked as an asset that the Town would never collect and would be written off.

Citing a recent example of a property that had sold on Carter Road for \$726.10 with back taxes owed in the amount of \$9,243.00 David Bertnagel noted that the price received was nowhere near what the legal fees were. He further stated that through the efforts of Ana LeGassey and Ted Scheidel, they had brought \$600,000.00 of factious assets and wiped them off the books and that as a result these properties were now generating \$40,000 to \$50,000.00 in income per year that the Town was now collecting and that was significant.

David Bertnagel stated that the expenses were covered through the sale of the properties and that some of the sales paid for other people's expenses that the Town didn't have. David Bertnagel stated that the Town had a Sheriff (or a legal person) serve the paperwork, go to court for a quit claim, etc.

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**Director of Finance-Overview of Town's Financial Condition**

David Bertnagel stated that the \$40,000.00 was five hundredths of a mill collected in guaranteed taxes and that because of those properties the Town never had a credible Grand List, noting that had been a concern of the Town.

David Bertnagel stated that there had been a huge gap in tax collections (three to five years ago) and that last year it had been brought down from \$800,000 to \$400,000 and that part of the problem were these dead properties. David Bertnagel stated that without Ted and Ana's efforts the Town wouldn't be where it is now.

David Bertnagel stated that the Town had the financial fund statements for the end of the year June 30, 2012, that he had finished his work on the Audit and that it was in the hands of the Auditors. He further stated that between the Board of Education and the Town, the Auditors had tested almost every record the Town had.

David Bertnagel stated that the Town had 40 Funds of the Town of Plymouth, and that basically we only hear about only one, the General Fund. David Bertnagel stated that the General Fund (the main Operating fund of the Town) was comprised of the Town side and the Board of Education's side.

David Bertnagel stated that the Board of Education handled Expenditures only; they wrote the Account Payable checks and the Payroll checks. And it is the Town's responsibility for balancing all of the Board of Education's cash except for its special activities and grants accounts. He further added that all the expenses and revenues of the Town and every other fund of the Town were his office's responsibility to balance.

David Bertnagel stated that he was pleased to announce that the General Fund ended in a significant surplus of approximately \$102,000 for the fiscal year to June 30, 2012. He further stated that a couple factors had occurred that generated the surplus; number one being that the Board of Education turned back \$200,000 from their Operating Budget.

David Bertnagel noted this was the Board of Education's their third year in a row in which they had turned back money to the General Fund of the Town. Through the efforts of the Mayor, Board of Education, Comptroller's office and Business office and the Board of Finance, there is a great relationship and as a result, the Town had a return of funds. This year, the Board of Finance, through the efforts of the Business Office and Comptroller's office recommended establishing a Capital Sinking fund per Connecticut General Statutes. The statute provides for a maximum of one percent of the budget to be placed into a fund at any given time for Board of Education Capital needs should they return a surplus.

David Bertnagel stated that of the \$200,000, the Board of Finance opted to transfer \$117,000+ into the fund and would return \$100,000 back to the Town. A total contribution of \$226,000 could be made based on one percent of whatever the budget is at the BOE in the fiscal year. The fund is a multi-year fund that can only be tapped into for Capital needs. David Bertnagel stated that the reason for the fund was because the Town was being proactive to future capital needs and emergency situations. A formal policy is expected to be approved between the Board of Education and Board of Finance in the next few months.

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**Director of Finance-Overview of Town's Financial Condition**

David Bertnagel stated that obviously the Board of Education's equipment was very expensive, i.e., boilers, etc., and that if something happened they wouldn't have the funds and/or the flexibility to come up with \$60,000 to \$70,000 to replace a boiler. He further stated that the fund would be only used for building upgrades and capital non-recurring costs as approved by the Board of Education and with approval of the Board of Finance.

David Bertnagel stated that the Sewer Operating Fund was being operated very well and that he believed they had a small surplus at the end of the year.

David Bertnagel stated reviewed the Town's Funds and stated that the funds would be available to any Council member if they wanted to review them. He went over some balance sheet information at the end of the fiscal year and stated that this information would be included in the final audit report.

David Bertnagel stated that he reconciles all the Town's Funds, noting that all of the information that was in the Town's system and that was a far cry from when he first started. He further stated that when he first became the Director of Finance there was only 18 funds in the system and that currently every fund in the Town was accounted for in the Financial System and mentioned in a audit recommendation for many years, but never implemented.

David Bertnagel stated that there were other funds, which he would be happy to share, but that the General Fund (the main Operating Fund) came in \$400,000 under expenditures which had been approved by the voters. He further stated that the budget did not require any additional appropriations and that it was done by internal transfers within the budget itself approved by the Board of Finance.

David Bertnagel stated that the Town through the Mayor's Office and the Director of Finance was aggressively examining salaries related to extra workflow and stated that the Public Works Department had saved approximately \$115,000 in their budget because of the mild winter last year.

David Bertnagel stated that the Capital Non-recurring Fund ended with a small surplus last year.

David Bertnagel stated that the Town had \$230 million dollars of Town assets (fire trucks, roads, bridges, etc.) noting that the equipment assets were in good shape and due to the infrastructure bond passing, assets such as roads and bridges would be improved and add a value to the Town.

David Bertnagel stated that the current bidding environment was very competitive, i.e. the Waterline Project, which was approved and awarded this evening by the Town Council proved that contractors were competitive and the advantage would be to the Town.

David Bertnagel stated that this was the time to do projects, noting that the Town had an appropriation of \$1.2 million dollars (approved last year by the voters) for the Waterline Project and that it came in at \$770,000 or \$500,000 less than what had been approved by the voters and once the project was closed out the Town would be in even better financial condition.

David Bertnagel stated that the Bond Rating was reaffirmed at an Aa3 category, the Town was currently in a strong financial condition, the Town's financial outlook was very positive, and that all of this was huge.

**Director of Finance-Overview of Town's Financial Condition**

He further stated that they Moody's looked at the Town's economic development activities, noting that the Town had done a lot to bring business into the Town. David Bertnagel stated this also alluded to 1.85 percent interest rate on a long-term bond, which was the lowest in the State during the month of issue.. He further noted that he anticipated a three percent interest rate on the long-term debt and that his action had saved the Town approximately \$751,000. David Bertnagel stated that this was huge in the long-term scope of things and that he was also able to cut down the term of the bond so that it would be paid off in 12 years. He further stated that the Town had the ability to recall the bond in seven and if there were enough advantages at that time, it could be refinanced at that or could be paid off entirely.

David Bertnagel stated that the Town did have other long-term liabilities i.e. pension obligations/pension plan (BOE and Town side) and that over the next 30 years the Town would be contributing roughly \$500,000 to it every year. He further stated that the Board of Finance will be presented with a recommendation to accelerate that by adding \$100,000 to the amount and the Town would pay off the entire obligation in seven and a half years. David Bertnagel noted that at that time the Town would be completely free of any future pension burdens.

David Bertnagel stated that the Town had a Trust Fund with liabilities totaling roughly 14 million dollars and that he had planned to pay that off in 12.5 years with approval of a plan, noting at that time the Town would be down to zero liabilities and would be fully funded.

David Bertnagel stated that we efforts between the Mayor's office, Finance Office and the Board of Finance are to not only looking out for today, but for the future and that was the key thing to do. He further stated that the Town did not want to burden itself down the road, but wanted to get things done through planning. David Bertnagel stated that things needed to be corrected, i.e. the Town's infrastructure, and if the Town didn't invest in that it would only cost more down the road.

David Bertnagel stated that coming off the Distressed Municipalities was good and bad, noting that the good part meant the Town's conditions were improving based on the last Census. He further stated that the Census had reevaluated a variety of different factors, i.e., per capita income, Town demographics, unemployment rate, job trends, type of industries people were working in, what the Municipality had such as debt burdens, etc. David Bertnagel stated that the Town had improved itself significantly over the past 10 years.

David Bertnagel stated that the downfall of no longer being a distressed community was that the Town would lose the potential for some grants, i.e. the Board of Education would be looking at some areas where they might want to cut back on programs.

David Bertnagel noted that the State of Connecticut had reevaluated the Town against 169 communities to determine that the Town was no longer on the list. David Bertnagel stated that the Town would still have this designation as distressed for five years and that served as a planning tool before coming off.

David Bertnagel stated that everything was in order with the current 2012-2013 Budget and that there were still spending freezes.

**Director of Finance-Overview of Town's Financial Condition**

David Bertnagel stated that the Town had done some saving efforts with office supplies. David Bertnagel stated that he saw every \$1,000.00 expenditure saved as a property tax bill revenue source saved when not spent.

When questioned by Town Councilman Zagurski about what the Dog Fund was, David Bertnagel stated that the Town Clerk's Office collects fees through licensing dogs, impound fees on dogs and that the money goes into the Dog Fund. He further stated that the Town has to pay a fee to the State of Connecticut receives 70% (\$21,000.00) from the General Fund. He further stated that \$11,500.00 goes to the City of Bristol and the remaining monies go for upkeep of the dogs (advertising, part-time Animal Control Officer, etc.). David Bertnagel stated that once the expenses were netted any surplus had to remain in the fund and that over a time period it had developed a balance of approximately \$116,900. He further stated that the key focus was licensing the dogs and that the Animal Control Officer was aggressively working with the Town Clerk to license all dogs. David Bertnagel noted that people were getting lax and that the Town had lost \$5,000.00 in dog licenses in one year due to the Town not having anyone in the dog warden's position.

When questioned by Town Councilman Zagurski David Bertnagel stated that the fund had to be used for Animal Control, dog related activities. He further stated that the money could be used to build a Town Pound, as well.

When questioned by Town Councilman Zagurski, David Bertnagel stated that the he would have details of transactions available and would go over them at a later date when the audit report was completed.

**LIAISON REPORTS**

Town Councilwoman Schenkel stated that she had attended a Economic Development Commission Special Meeting for PM Sales, noting that the Economic Development Commission had approved their lot sale in the Industrial Park.

Town Councilman Ferreira stated that the Public Works Department had the Streetscape improvements under construction and some inspections had been done.

Town Councilman Ferreira stated that the Burr Road/Harwinton Avenue Water Project mandatory pre bids had been held on August 23<sup>rd</sup> and that the bids were opened on August 30<sup>th</sup>. He further stated that the Waterwheel Project bids were opened on August 17<sup>th</sup>.

Town Councilman Ferreira stated that Anthony Lorenzetti had attended many Commission meetings and had met with the Vendors on proposed different projects, prepared bids for different specifications for the Highway Garage additions on Phase I and that those bids would be opened up this month,. He further stated that Public Works had prepared bids for Light Tower and Generator and had a meeting with FEMA for the final Storm Alfred submissions.

Town Councilman Ferreira stated that three demolition material permits had been issued, 15 tires, 69 other miscellaneous permits, i.e. appliances, recycling pails, etc., and that metal reimbursement had brought in \$1,722.20 for the month of July.

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**Liaison Reports Cont'd.**

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

Town Councilwoman Murawski stated that the North Street Reservoir Ad Hoc Committee had their Site Walk and two meetings.

Town Councilwoman Murawski stated that the Ad Hoc Committee had established five Subcommittees (History, Grants and Funding Sources, Activities, Natural Resources and Site Improvements/Structures).

Town Councilwoman Murawski stated that the Department of Energy and Environmental Protection (DEEP) would be visiting the reservoir to determine what kind of fish were in the lake and how healthy they were.

Town Councilwoman Murawski stated that the Ad Hoc Committee was also starting to get their reports together on topography, wildlife, forestry, learning about all the species of trees and if they were overcrowded or not, that the Committee had a lot of energy and were going crazy, and it was inspiring.

Town Councilman Foote stated that he had attended the Fire Board Meeting and that the Commission had acted on Commissioner Joe Bachand's resignation.

Town Councilman Foote stated that he had attended a Waterwheel Meeting and that they had approved the bid for Clover Construction.

**PUBLIC COMMENT**

Melanie Church stated that looking at this year's budget there was a compressor for Public Works and the amount the Town funded was zero and yet it seems we have another one.

Melanie Church stated that there were rumblings that the Town would get another Colorado and that she hoped not and that we were living within and not buying other things, she had some pictures sent to her of a pay loader and a bulldozer and she didn't see them anywhere in there. She said that there was a Parks and Rec dump truck and Parks and Rec were told a few years back it wasn't worth fixing and it needed to go to the graveyard and it seems Public Works has it and put in about \$7,000.00 into it and the doors just fell off and it's at Cipriano's now, the guy opened up the door and it fell off because it was all rusted and to her that was wasting money and we have to start watching this stuff, it looks like we have more equipment than what we really need and we are replacing equipment and it has to stop somewhere because we are actually ending up with double and triple because when we are replacing equipment and trucks we should be getting rid of the old trucks. Just a piece of information she did call Waterbury and they have two ten-wheelers and we have seven and she thinks we need to look at the smaller vehicles and start saving taxpayers money.

**COUNCIL COMMENTS**

Town Councilman Foote stated that he had no comments at this time.

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**Council Comments Cont'd.**

Town Councilwoman Murawski stated that she had no comments at this time.

Town Councilman Ferreira stated that he had no comments at this time.

Town Councilwoman Schenkel stated that she had no comments at this time.

Town Councilman Zagurski stated that he had no comments at this time.

**ADJOURNMENT**

There being no further business of the Plymouth Town Council, Town Councilwoman Schenkel made a motion, seconded by Town Councilman Ferreira, to adjourn at 10:29 p.m. This motion was approved unanimously.

Respectfully Submitted,

Recording Secretary