

Town of Plymouth
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Plymouth Town Council
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Minutes

January 8, 2013

Call to Order: Mayor Vincent Festa, Jr., called the scheduled January 8, 2013, Plymouth Town Council Regular Meeting to order at 7:00 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 DiAnna Schenkel, and Town Councilman Tom Zagurski. Also in attendance was Town Attorney Salvatore Vitrano.

Fire Exits Notification

Mayor Festa noted the Fire Exits for the record.

Pledge of Allegiance

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

Acceptance of Minutes of Special Council Meetings, September 26, 2012/November 28, 2012; Regular Council Meeting, December 4, 2012; Special Council Meeting, December 17, 2012

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Foote, to accept the September 26, 2012, Plymouth Town Council Minutes as presented. This motion was approved unanimously.

Town Councilman Foote made a motion, seconded by Town Councilman Zagurski, to accept the November 28, 2012, Plymouth Town Council Minutes as presented. This motion was approved unanimously.

Town Councilman Ferreira made a motion, seconded by Town Councilman Foote, to accept the December 4, 2012, Plymouth Town Council Minutes as presented. This motion was approved unanimously.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Two of Twenty-Three Pages**

Acceptance of Minutes Cont'd.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Foote, to accept the December 17, 2012, Plymouth Town Council Minutes as presented.

Discussion: Town Councilman Zagurski noted that the Recording Secretary had done an excellent job on all of the minutes presented.

Vote: This motion was approved unanimously. (See Motion on Page Two)

Council Rules and Procedures

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Ferreira, to amend the January 8, 2013, Plymouth Town Council Agenda, Item #9 Appointments/Resignations, as follows. This motion was approved unanimously.

Capital Improvements Committee: Reappointment Rodney Houle/Term to expire on 2-7-14, Reappointment Matthew Tellier/Term to expire on 2-7-15, Reappointment George Castle/Term to expire on 2-7-14, Reappointment Joe Green/Term to expire on 2-7-16

Conservation Inland/Wetlands Commission: Reappointment Stephen Szpuner/Term to expire on 9-1-15, Reappointment Sean Doran/Term to expire on 9-1-15, Reappointment Jim Deutsch/Term to expire on 9-1-15

Board of Fire Commissioners: Reappointment Vernon Wagner/Term to expire on 11-4-14, Reappointment Daniel Wollenberg/Term to expire on 11-4-14, Reappointment Gerald Wunsch/Term to expire 11-4-15, Reappointment David Merchant/Term to expire 11-4-14

Police Commission: Reappointment Ann Tuleja/Term to expire 1-14-16, Reappointment Constance Kapralos/Term to expire 1-14-16

Central Regional Planning Agency: Reappointment Carl Johnson/Term to expire on 3-1-14, Reappointment Stephen Mindera/Term to expire on 3-1-14

Public Comments on Non-Agenda Items

Diane Reed, 5 Chidsey Terrace, Terryville, CT, stating that when the Council begin, the Public is asked not to demoralize, dehumanize or defame.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Three of Twenty-Three Pages**

Public Comments on Non-Agenda Items Cont'd.

Diane Reed stated that the Council should be held to the same standards. Diane Reed stated that the Council members do not have to like what they were hearing, they may be bored with what they were hearing, but they should show respect to the person speaking. She further stated that they shouldn't fold their hands and put them on their stomach, look up at the ceiling or interrupt the person that was speaking or be rude. Diane Reed stated that the Council members chose to run for their positions; they were here to serve and if they found their positions boring then maybe they should consider not running again. She further stated that when this type of behavior was exhibited, shame on the other Council members for not correcting this behavior.

Diane Reed stated that she was making a formal complaint this evening regarding an incident that took place on December 27, 2012, at 9:35 a.m., in the Office of the Mayor. She further stated that there was a refusal to accept a correspondence that needed to be time-stamped and that an employee in the Mayor's Office refused to time-stamp it in. Diane Reed stated that upon entering the Town Hall there was not a Receptionist at the desk in the Mayor's Office so she went to the Town Clerk's Office to inquire if the Receptionist/Secretary was in and the reply was that they hadn't seen the Receptionist yet, that day and that they would check with the Administrative Assistant. She further stated that she had noted she needed a letter time-stamped by the Mayor's Office and that in the past she was told that if it had to do with the Mayor's Office it had to be time-stamped in and received by the Mayor's Office. Diane Reed stated that she was then escorted by Chrissy, from the Town Clerk's Office, to the Mayor's Office and Chrissy inquired with the Administrative Assistant and asked if the Receptionist/Secretary was in. She further stated that the Administrative Assistant answered in a rude, loud tone that she would not be coming in today. Diane Reed stated that Chrissy told the Administrative Assistant that Diane was in the office and needed a letter time-stamped in and the Administrative Assistant had said no, he would not do that and Chrissy asked him where his stamp was and that she would do it herself. She further stated that the Administrative Assistant told Chrissy to go to her office and do it and that he would not do it. Diane Reed stated that she and Chrissy went back to the Town Clerk's Office and that on the way the Administrative Assistant yelled to Chrissy to bring a copy of the letter when she was done.

Diane Reed stated that neither the Mayor or his Receptionist/Secretary were both out that day and from what she witnessed the Administrative Assistant was in charge of Town Hall business on that day.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Four of Twenty-Three Pages**

Public Comments on Non-Agenda Items Cont'd.

Diane Reed stated at the March 5, 2012, the Board of Finance Meeting, under the Central Office topic, it had been agreed that there would be a floater position between the Comptroller's Office and the Town Hall. She further stated that this was to be a part-time position, entitled Payroll/Clerk.

Diane Reed questioned why someone wasn't sitting in the Receptionist/Secretary chair.

Diane Reed questioned how it was allowed for the Administrative Assistant to refuse work, why was this behavior acceptable to the Mayor and why was this considered to be professional behavior.

Diane Reed questioned how the Mayor would handle the incident. Diane Reed stated that it was the Mayor's responsibility to make sure his employees put forth principles before personality and act in a professional manner.

Diane Reed stated that she expected that when taxpayers and electors enter the Town Hall that they all be treated with common courtesy and respect.

Diane Reed stated that she was requesting the above three questions be answered and sent to her by the Mayor and questioned if the Mayor would do this for her.

Mayor Festa stated that Diane Reed should put her questions in writing and that he would take care of it in that fashion.

Diane Reed questioned if the Mayor could or could not answer her question.

Mayor Festa stated that he just gave her his answer.

Diane Reed thanked Mayor Festa.

Diane Reed stated that she wanted to address the Council with a second complaint about the Human Resource Officer, Bill Bellotti. She further stated that she went to the Town Hall on December 14, 2012 and upon entering the Mayor's Office Tricia was at her desk, the Mayor and Mr. Scheidel were not in at that time. She further stated that she had requested if she could listen to the audio tapes of the minutes from the Board of Finance Meeting of November 29, 2012, and Tricia had said that she did not see why not, but that she would have to check with Bill to make sure it was okay; she didn't want to get in trouble.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Five of Twenty-Three Pages**

Public Comment on Non-Agenda Items Cont'd.

Diane Reed stated that Tricia came out of Bill's office and that Bill had said that she could not listen to the tape; she would have to put her request in writing. She further stated that she said, "okay" to Tricia and then asked to see Mr. Bellotti and that when asked; Mr. Bellotti told Tricia he would not see her. Diane Reed stated that she told Tricia "okay" and then left. She further stated that she did write the FOI request letter to listen to the audio tape from the minutes of the Board of Finance Meeting, dated December 14, 2012 and received a response letter dated December 19, 2012 and read the letter into the record as follows: The Board of Finance Recording Secretary has given the tape to the Mayor's Office, please contact the Mayor's Office." Diane Reed stated that she had spoken to the Recording Secretary prior to going to the Town Hall on December 14th and that the Recording Clerk had turned in the minutes to the Town Hall so she knew that they were in the building. She further stated that on January 2, 2013, she went to the Town Hall and went to get a Town employee to escort her to the Mayor's office and that it was suggested by the Police Department that when she had business in the Mayor's Office she have someone escort her for her own safety. She further stated that she then went to the Mayor's Office and asked Tricia if she could listen to the audio tape of the Board of Finance Minutes from November 29th. Diane Reed stated that Tricia was very pleasant and helpful and said "sure" and told her to go have a seat in the Meeting Room and she would bring it to her. She further stated that she sat in the Meeting Room and that within about a minute Bill Bellotti came into the room and stood no more than a foot away from her and Tricia came in right behind him and stood with the tapes and recorder. Diane Reed stated that Bill Bellotti very aggressively took his eyeglasses off and told her that she could not just come in and expect to listen to this tape and she needed to call first. She further stated that he was not happy, his tone was very hostile and she sternly told him right back that she did exactly what he had suggested. Diane Reed stated that his response was what if he didn't know where the tape was or what if it wasn't there and she said but it was there and he said but if it wasn't you just can't come in here so she told him to call the FOI and they would let him know how the FOI works. She further stated that the audiotapes had been in the office since her first request, which he had denied her on December 14th.

Diane Reed stated that she had spoken to the Recording Secretary and then he then continued on and she just talked right along with him and he finally turned and looked at Tricia and said angrily to just let her listen to it.

Diane Reed stated that it was not the job of the Human Resource Officer to make decisions on who can and cannot listen to audiotapes of the Town Meeting Minutes and that this was Public information and was available to the Public to review.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Six of Twenty-Three Pages**

Public Comments on Non-Agenda Items Cont'd.

Diane Reed stated that the first day she requested to listen to the audio tape Bellotti was in charge of the Town Hall and this was stated by Tricia, which was in direct violation of our Charter and this was unsettling to her; a Human Resource Officer, someone who is in charge of wages, salary, labor arbitration and sexual harassment was in charge of the Town Hall, that this was not in his job description, and this was when the Mayor should ask for a Town Council member to be available to fill in for him. Diane Reed stated that a request such as hers to listen to an audiotape of minutes from a meeting should have been a simple request, but Bill Bellotti chose to make a huge issue out of it and it was totally unnecessary. Diane Reed stated that looking at the Human Resource position, Mr. Bellotti should never had had anything to do with her being in the Town Hall on January 2, 2013. Diane Reed stated that he wasn't in charge of the Town Hall on this particular day, the Mayor and his Secretary were present and she should have only had to deal directly with Tricia. Diane Reed stated that she also would like to know why the Mayor and his Staff treat the Secretary like she does not know her job, noting that the taxpayers pay a great deal of money for her services; and questioned if the Mayor felt she was inadequate. Diane Reed stated that the Secretary to the Mayor has always seemed to know her job and has done it well. Diane Reed stated that she was not an employee of the Town Hall, she was an elector and a taxpayer coming to do business in a Public building and she didn't expect to be treated in this manner. Diane Reed stated that she pays Mr. Bellotti's salary and that maybe he was worried she was going to hear the Board of Finance minutes about his \$8,500.00 in overtime that he accrued from approximately July 1, 2012 to November 2012, in about a four-month period. Diane Reed stated this was discussed by the Board of Finance and that the Board of Finance had talked about Mr. Bellotti being part-time and that the overtime was due to Mr. Bellotti covering for the Mayor when he was not presenting the Town Hall. Diane Reed stated that the Human Resource Officer should not be in charge, a Council member needed to be available and questioned Tricia if when she was in the office was she rude, was she ever rude. Diane Reed stated that she believed this behavior should be addressed by the Mayor tomorrow and she felt a written apology from Mr. Bellotti should be given for his bad conduct.

Diane Reed stated that she had a conversation on January 3, 2012, with Torrington Area Health District (TAHD) and she informed them that the resident of 4 Chidsey Terrace had received a dump truck load of Christmas trees for the third year in a row and the trees were from what did not sell from an individual that sells trees and wreath. She further stated that last year the TAHD told the resident to dispose of two and a half to three dozen trees that he had acquired at the end of last year Christmas season, noting that in the spring they were still on his property, totally brown, dry and were a fire hazard.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Seven of Twenty-Three Pages**

Public Comments on Non-Agenda Items Cont'd.

Diane Reed stated that Torrington Health told the resident he was not to take any more trees in and this year, because of the violation orders for this resident, he has been told repeatedly not to add to his debris or to take it away. Diane Reed stated that she was told the resident does not have a woodstove, the resident cannot see or get to his fireplace, there was no heat in the house, no water in the house since June 2009 and that he has no access to a bathroom. Diane Reed stated that she was asked by the Sanitarian if there was a dumpster on the property, but told him she knew that a couple of weeks ago a huge dumpster had been brought to the property and they had broken the doors and fencing when they brought it in. Diane Reed stated that Gil had told her that the large dumpster was taken away and was full of wet, rotting wood and they were supposed to bring another and he wanted to know if it was there. Diane Reed stated that she then told him that the taxpayers paid to have wet, rotting wood removed from the property. Diane Reed stated that when she called the Fire Marshal's Office and the Building Inspector to let them know that this resident had received three truckloads of wood, he had them delivered before Christmas, not just Christmas trees, and she was told the exact same thing by the Fire Marshal and the Building Official, it was not their concern and not their jurisdiction. Diane Reed stated that Gil had told the resident that he could not have the Christmas trees, he couldn't add to the debris, he had to get rid of it. Diane Reed stated that he doesn't heat his house with the wood, he is hoarding it, it is piled, it is making way all around his property and it is nobody's concern, and questioned who's concern it should be. Diane Reed stated that the Sanitarian told him he would be out to inspect the following day, Thursday, January 3, 2013 and said he told her that hadn't been to the residence before Christmas because the owner was unwilling to meet with him for the inspection. Diane Reed stated that she had called the Sanitarian on January 7th to see the outcome of the visit and she was told that he didn't go to the property on Thursday, he would be go this Thursday and he said he spoken to the homeowner and he would be getting rid of the Christmas trees and that they should be gone he told her, but that she had not seen one thing leave the property and she was looking out her window right now and she could see the it all piled up as they spoke. She further stated that the one's he put back, he put some on the side of his house and she couldn't see them any longer. Diane Reed stated that the Sanitarian then told her that Ukrainian Christmas was January 7th when she had spoken to him, and that the owner had purchased the trees to market them to the Ukrainian Community for the holidays and that gave her a great laugh for the day. Diane Reed stated that this particular resident owes over \$20,000.00 in back taxes, but he claims he bought a load of Christmas trees to market to the Ukrainians and not one tree had moved in two weeks and that as of today, January 8, 2013, they were still piled up.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Eight of Twenty-Three Pages**

Public Comments on Non-Agenda Items Cont'd.

Diane Reed stated that another problem she had was with the Town paying \$2,131.75, out of the General Fund, Check Number 000038616 for the Veterinarian bill for the resident of 4 Chidsey Terrace, for five adult cats to be medically treated and that the taxpayers paid for this and then the cats were returned to the resident to live in the exact same living conditions that the Town took them from. She further stated that they were sickly and malnourished. Diane Reed stated that her question was who gave the okay to pay the Veterinarian bill and then decided to return them to the same living conditions, noting that there was no water at that property and he could not afford cat food. Diane Reed stated that it was set up by someone in the Town to have food donated to him so he could feed his cats and questioned why you give him that after spending \$2,100.00 of taxpayer's money. She further questioned what the Council thought the taxpayers would feel about how their tax dollars were being spent when many residents in Town were struggling to put food on their tables and a roof over their head. Diane Reed questioned who in the Town authorized to pay this Vet bill with taxpayers money and that she wanted to know if there was a new policy in Town she didn't know about, paying for animal care now. She further questioned if she could bring her dog for his yearly visit to the Vets and then submit her bill to the Town and questioned if the Town would pay it for her as well.

Diane Reed stated that she wanted to know why the Town allows a handicap person to live in their home with no heat, no running water since 2009 and no access to his bathroom. She further asked if the Town realized that it would be liable if he was found dead due to freezing to death on his property and that the Town knows and has knowledge of these conditions and still allows him to continue living there.

Melanie Church, 328 Main Street, Terryville, stated that one thing she noticed on the Agenda was that she believed Councilman Zagurski had asked to have the Property Maintenance put on this Agenda and she did not see it from last month's meeting and she would appreciate seeing it next month on there and they have never voted on the list of the ones that were in violation and that was according to the Property Maintenance and that the Council was supposed to approve it. She further stated that people were being fined and never had been approved.

Melanie Church stated that she believed all of a sudden there was abuse with Public Works and that there had been a snowstorm and one person from the Sewer Department, one person from Dispatchers and one person from the Town Hall were doing the plowing. She further stated that on top of that the Public Works Coordinator was plowing which gave an extra person.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Nine of Twenty-Three Pages**

Public Comments on Non-Agenda Items Cont'd.

Melanie Church stated that had friends that live on Hillside Avenue and there was another person driving back and forth right where the Public Works Garage was in a pay loader until 1:30 in the morning and stated that she left there about eight and they were going up and down.

Melanie Church stated that to her we need to save money, utilize people the way it should be and to her recollection, she doesn't care whether it was the former Superintendent or this Superintendent, they always plowed and now since the Superintendent got the new Colorado he no longer plows.

Melanie Church stated that we can't keep adding people; times were hard, we have to live within a budget.

Melanie Church stated that she brought to the Board of Finance Wolcott's budget and they were in our erg and they spend \$1.775 and we were spending over \$3 million dollars for the same department and there were 16,000 people in Wolcott and 12,000 people here and they have five more miles of road to plow than we do. Melanie Church stated that we have to start looking, we need to make an accountability.

Melanie Church questioned if the newly appointed Coordinator was supposed to be an extra person working because that's exactly what it was, did we pay overtime, noting that the Town could not keep adding more and more people and that in the private sector they cut, in other Town's they cut, but not in Plymouth, we keep adding and that it did not logically make sense.

Melanie Church stated that she also observed, when she got her ride home on that Saturday night, there was Tony and Jimmy riding around, two in one truck and questioned how many people it took to drive a truck, that it was just the little Colorado. She further stated that we had Tony Lorenzetti, the Superintendent, the Coordinator and many other people, and questioned how many people we needed plowing, noting that we really need to start looking at these things.

Melanie Church stated that North Street had a section that had been done twice, and that she realized twice was nice, and that she could show the Council a beautiful picture of that same storm drain and the big, big puddle there on December 21st when she drove by and questioned what was the Town going to do, do it three times, noting that was not cost effective and that we were not qualified to be doing these things.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Ten of Twenty-Three Pages**

Public Comments on Non-Agenda Items Cont'd.

Melanie Church stated that up near Highland Road we had a road where Oliver Trucking wiped out into one of the storm drains and we need to stop having Public Works do this and have it done by professionals. Melanie Church stated that the road had never been leveled and was done two times and was three times a strike-out and who was responsible for these things, who was checking, she didn't know, but maybe if one of the Council people could get the answer before someone gets hurt and if the water had turned into ice there would be somebody dead today, maybe.

Melanie Church stated that we can't keep going this way, the Town needs to look at these things, these were concerns and these were our roads. Melanie Church stated that just because the Town got their Referendum through didn't mean you just go through and just throw money away. Melanie Church stated that Wilton Road was put out, but not for bid, just given to somebody and she thought if you dig it up you would find perforated pipe because the wrong pipe was ordered and it was just thrown in there without screening and eventually it would collapse, it was another road to fail. Melanie Church stated that she warned the Council about up in Fall Mountain that the roads were going to fail and they're staring and the Council has to look at these things and acknowledge them and fix the problem.

Mayor's Report: 2013 Town Council Meeting Schedule; Correspondence from CCRPA/UCONN Water Supply Proposal; GFOA Award/D. Bertnagel, Plymouth Early Childhood Council/Revised Community Plan/Parent leadership Training Institute; Financial Update Report; Torrington Area Health District Project; Town Hall Furniture

Mayor Festa stated that the 2013 Town Council's 2013 Meeting Schedule had been placed on the table for the Council Members.

Mayor Festa stated the Council's packets had correspondence from the Central Connecticut Regional Planning Agency (CCRPA) relative to the UCONN request for the Water Supply Proposal that was self-explanatory. Mayor Festa stated that if any was interested in going to the meeting to speak for or against it they should contact the Mayor's Office and he would make arrangements.

Mayor Festa stated that David Bertnagel was not present this evening, however for the second year in a row the Town of Plymouth had received an award from the Professional Organization of Accountants relative to the reporting of budgets. He further stated that this was the highest accolade that could be given to anyone and that it was his understanding that David was up for it again for the third year.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Eleven of Twenty-Three Pages**

Mayor's Report Cont'd.

Mayor Festa stated that he gave David a great deal of credit and applause for this honor.

Mayor Festa stated that he put the Early Childhood Council/Revised Community Plan/Parent Leadership Training Institute information in the Council's packets so that the Council members would have an idea understanding of what was going on at that level. He further stated that this group was a wonderful group that was highly organized and that they had just started their third institute for leadership training on Saturday and would have their graduation in 20 weeks. Mayor Festa stated that he would suggest that if there was an opportunity to attend the graduation, then by all means do so. He further stated that it was a wonderful institution for parents to grow and develop and be advocates for childhood growth and development

Mayor Festa stated that David Bertnagel was not present this evening and that the Council would have to wait for his Financial Update Report.

Mayor Festa stated that the Torrington Area Health District Project was in full swing and that it had been looked at through a survey that had been completed a couple years back. He further stated that it was his understanding that the Federal and State Government was providing funding, through various grants, for the purpose of educating the general populace on childhood obesity, diabetes, heart attacks and cancers. Mayor Festa stated that the Town of Plymouth had been placed on top, out of all the Torrington Area Health District, showing the greatest number of increases in these particular diseases and therefore part of the grant would provide the opportunity to educate the populace about what they could do for the prevention of some of these diseases. He further stated that some Community members would be serving on this project.

Mayor Festa stated that a number of chairs and benches had been sitting upstairs in Town Hall for the past 35 years and were very soiled, stained and ripped. He further stated that the Connecticut Department of Corrections had restored those pieces of furniture to a "like new" condition for a minimal fee. Mayor Festa stated that he wanted to thank Lynn White, a Town Librarian, for recommending looking into the program, noting that it was a wonderful and ideal program for the inmates. He further stated they also do silk screening, engraving, data processing textiles, etc. Mayor Festa stated that if anyone had a non-profit organization they should look into the program for the cheap labor. Mayor Festa recommended that anyone interested should look upstairs at the furniture in Town Hall or go to the Terryville Public Library.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Twelve of Twenty-Three Pages**

To refund the following Property Taxes: Trudy L. Stevens-\$201.47

Town Councilman Foote made a motion, seconded by Town Councilman Ferreira, to refund Property Tax in the amount of \$201.47 to Trudy L. Stevens. This motion was approved unanimously.

Appointments/Resignations

To Reappoint Wayne Norton to the Hillside Cemetery Committee, Term to expire 7/1/15; to Reappoint Francis Langer to the Hillside Cemetery Committee, Term to expire 7/1/15; To appoint William Milish to Vacancy/Hillside Cemetery, Term to expire 7/1/14

To Reappoint the following: Cemetery Committee/West; Michael Conway, Term to expire 6/30/15; Coe Cleveland, Term to expire 6/30/14; St. Michael's, Robert Lyga, Term to expire 6/30/15; St. Mary's, Beverly Hoadley, Term to expire 6/30/15

To Reappoint Rodney Houle to the Capital Improvements Committee, Term to expire on 2-7-14, to Reappoint Matthew Tellier to the Capital Improvements Committee, Term to expire on 2-7-15, To Reappoint George Castle to the Capital Improvements Committee, Term to expire on 2-7-14, To Reappoint Joe Green to the Capital Improvements Committee, Term to expire on 2-7-16

To Reappoint Stephen Szpuner to the Conservation Inland/Wetlands Commission, Term to expire on 9-1-15, To Reappoint Sean Doran to the Conservation Inland/Wetlands Commission, Term to expire on 9-1-15, to Reappoint Jim Deutsch to the Conservation Inland/Wetlands Commission, Term to expire on 9-1-15

To Reappoint Vernon Wagner to the Board of Fire Commissioners, Term to expire on 11-4-14, to Reappoint Daniel Wollenberg to the Board of Fire Commissioners, Term to expire on 11-4-14, To Reappoint Gerald Wunsch to the Board of Fire Commissioners, Term to expire 11-4-15, To Reappoint David Merchant to the Board of Fire Commissioners, Term to expire 11-4-14

To Reappoint Ann Tuleja to the Police Commission, Term to expire on 1-14-16, To Reappoint Constance Kapralos to the Police Commission, Term to expire on 1-14-16

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Thirteen of Twenty-Three Pages**

To Reappoint Carl Johnson to the Central Regional Planning Agency, Term to expire on 3-1-14, To Reappoint Stephen Mindera to the Central Regional Planningerm to expire on 3-1-14

To Reappoint James Deutsch to the WPCA, Term to expire 1/21/16

To accept the Resignation of Victor Gara as Deputy Fire Marshal, Effective December 31, 2012

To review and take action on Human Services Bylaws Proposal

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Schenkel, to accept the Human Services Bylaws Proposal as presented and revised on September 18, 2012. This motion was approved unanimously.

To enter into Executive Session to discuss: Pending Litigation/Termination, Litigation by Iseli Swiss Screw Company

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Ferreira, to move into Executive Session at 7:42 p.m., to discuss Pending Litigation/Termination, Litigation by Iseli Swiss Screw Company. This motion was approved unanimously.

Mayor Festa invited Town Attorney Salvatore Vitrano to attend the Executive Session.

Present for the Executive Session were Town Councilman Ferreira, Mayor Festa, Town Councilman Foote, Town Councilwoman Schenkel, Attorney Salvatore Vitrano and Town Councilman Zagurski.

Mayor Festa called the Plymouth Town Council Meeting back into Regular Session at 8:10 p.m.

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

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Zagurski, to adopt a joint stipulation between the Iseli Swiss Screw Company and the Town of Plymouth for a judgment dated 12/19/12.

Discussion: Pattie DeHuff questioned if the Town Council could let the Public know what the judgment was about.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Fourteen of Twenty-Three Pages**

To review and take action, as may be necessary from Executive Session Cont'd.

Town Attorney Vitrano stated that this was a tax appeal brought by Iseli Swiss Screw Company and that the Town Council had voted on the dollar figure that had been recommended by the Assessor and Board of Assessment Appeals. He further stated that assessment on Greystone Road Extension was the only one of the three assessments being compromised in the amount of \$929,770.00.

Vote: This motion was approved unanimously. (See Motion on Page 13)

Town Councilwoman Schenkel made a motion seconded by Town Councilman Ferreira, to settle the CBC verses Town of Plymouth for \$12,500.00, with the provision that the Town was not acknowledging any responsibility or liability, and that this was simply a financial settlement.

Discussion: Town Attorney Vitrano stated that an action brought by CBC (Corporate Benefit Consultants) against the Town of Plymouth, noting that the company had been hired by Mayor Krampitz in 2006 to provide Consultant Services presumably/allegedly to a contract, which was to run through 2012. He further stated that the Town's position was, and had been all along, that there was no contract and that CBC was not entitled to the large amount they were seeking. Town Attorney Vitrano stated that by settling this case the Town was not acknowledging any responsibility or liability with regards to any contract, it was simply a financial settlement of \$12,500.00.

Vote: This motion was approved unanimously. (See Motion on Page 14)

To review and take action, as may be necessary, on Public Works Advisory Commission Ordinance

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Schenkel, to adopt the Public Works Advisory Commission Ordinance, as presented. This motion was approved unanimously.

When questioned by Mayor Festa, it was acknowledged that Town Councilman Zagurski had called the Public Works Advisory group a "Commission".

Liaison Reports

Town Councilman Zagurski stated that the Housing Board of Appeals was hearing cases on the Property Maintenance Ordinance.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Fifteen of Twenty-Three Pages**

Liaison Reports Cont'd.

Town Councilman Zagurski stated the Zoning Board of Appeals was having some cases come before them and they were handling them.

Town Councilman Zagurski stated that he would bring the Library Board's report to the next Town Council Meeting.

Town Councilman Zagurski stated that Michael Ganem was the new Chairman for the Economic Development Commission.

Town Councilwoman Schenkel stated that she had attended the Police Commission Meeting and the Commission was looking at Job Descriptions for their latest job roles, which they had created.

Town Councilwoman Schenkel stated that she had been unable to attend the Economic Development Commission and the Board of Finance meetings due to an injury.

Town Councilman Ferreira stated that he had met with the Director of Public Works, Anthony Lorenzetti, and reviewed the December monthly report of tasks that had been taken care of in the Public Works Office.

Town Councilman Ferreira stated that during December Anthony Lorenzetti had met with DOT regarding Safe Routes to Schools and the Fall Mountain Road Paving Projects.

Town Councilman Ferreira stated that Anthony Lorenzetti had attended many different Council and other meetings. He further stated that Anthony Lorenzetti had attended a DEEP meeting on Phosphorous Removal Levels that were being discussed.

Town Councilman Ferreira stated that Anthony Lorenzetti had coordinated minor repairs with the Town Hall, Library Annex and the Fire Department Headquarters.

Town Councilman Ferreira stated that Anthony Lorenzetti had issued Press Releases regarding the Christmas Tree Pick-up Collection.

Town Councilman Ferreira stated that Anthony Lorenzetti had ongoing issues with the Burr Road/Harwinton Avenue Projects, the Highway Garage coordination and that the work had begun on the garage and was starting to take form.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Sixteen of Twenty-Three Pages**

Liaison Reports Cont'd.

Town Councilman Ferreira stated that Anthony Lorenzetti had begun his Budget review.

Town Councilman Ferreira stated that Anthony Lorenzetti had met with FEMA on Hurricane Sandy.

Town Councilman Ferreira stated that three Demolition Permits had been taken out for the month of December, six Tire Permits and Metal Reimbursements of \$1,258.00.

Town Councilman Foote stated that he had met with the Fire Commission for their December Meeting, noting that Chief Sekorski had stated that it was a quiet month.

Town Councilman Foote stated that the Fire Commission had completed training on a hybrid car extraction and some defibulator work.

Town Councilman Foote stated that the Treasurer had presented his report and that they were in good shape.

Town Councilman Foote stated that the bills were coming in for truck repairs, contracted services, pump tests, etc.

Town Councilman Foote stated that suggestions for Capital Improvements should be considered for next year's Budget.

Town Councilman Foote stated that the Fire Marshal had several Inspections and one Code Enforcement. He further stated that the Fire Marshal had attended school for Training.

Town Councilman Foote stated that the Fire Commission had met with Anthony Orsini regarding some safety issues.

Town Councilman Foote stated that the Fire Commission had put out a Holiday Safety article.

Town Councilman Foote stated that the Fire Commission was doing the best that they could with their current manpower because of one injury to a volunteer and time constraints for another volunteer.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Seventeen of Twenty-Three Pages**

Liaison Reports Cont'd.

Town Councilman Foote stated that six pagers had arrived, seven old pagers had been sent back and 30 had been replaced last year, noting that they were beginning to fail again.

Town Councilman Foote stated that the portable equipment was in and that the gear had to be individually fitted.

Town Councilman Foote stated that the Commission was trying to do some Cold-weather Training this winter, but due to the holidays, the first session had been put off.

Town Councilman Foote stated that the Truck Committee had announced that specs had been received from East Lyme and that they would be meeting to replace Engine No. 2.

Town Councilman Foote stated that the Ladder Truck was fourteen years old, but the Fire Department has had good luck with it compared to other towns.

Town Councilman Foote stated that a discussion had taken place regarding possible choices for future Fire House expansion.

Town Councilman Foote stated that the Housing Authority Board were sending him minutes of their meetings and that hopefully, there would be some progress for rescheduling their meetings to a Council-friendly time. He further stated that Unit Inspections had been taking place and that an Officer of the organization accompanies the Inspector.

Town Councilman Foote stated that Anthony Orsini had addressed the Board concerning Emergency Management.

Town Councilman Foote stated that he wanted to thank the Housing Board because they were starting to send him information.

Public Comment

Ralph Zovich, 4 Knight Lane, Terryville, stated that he was happy to see that the Council had adopted the Public Works Advisory Commission Ordinance and that he would have spoken in favor of the Ordinance had he been at the meeting earlier than when he had arrived.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Eighteen of Twenty-Three Pages**

Public Comment Cont'd.

Comparing the choice selection of the School Building Committee member choice from years past, Ralph Zovich stated that he would like to see a technical/skills qualification background for members of the Public Works Advisory Commission, noting that the School Building Committee member's Construction Management and Contracting experience backgrounds paid off handsomely for the Town.

Ralph Zovich stated that the Board of Finance had met with an Independent Auditor from Blum Shapiro last month and at their January Meeting they would discuss their specific recommendations for improvements, noting that there no findings of any material error or misappropriations.

Regarding the Financial award, previously referenced by Mayor Festa, Ralph Zovich stated that Blum Shapiro's helped the Town to prepare the more detailed Comprehensive Annual Financial Report that had helped to boost the Town's credit rating. Ralph Zovich stated that the Town would proceed with the recommendations that the Independent Auditor had given the Town in previous years, i.e. have more written policies and procedures, tighten up on the financial controls a little bit.

Ralph Zovich stated that the Board of Finance had requested that David Bertnagel (again) provide them with the six-month Pro Forma, which was a summary of revenues and expenditures by department/by account that showed trends, i.e. budgets using up encumbrances, unspent balances, etc. He further stated that they would provide a member of the report to the Town Council.

Ralph Zovich stated that the Board of Finance was working with the Tax Collector's Office and that the Town had been received a foreclosure order notice from the Superior Court against the Town's largest outstanding tax delinquent (Jasper Associates) noting that it would be held on January 26, 2013, and that possibility existed to make a million dollars on the foreclosure.

Pattie DeHuff, 20 Lynn Avenue, Terryville, stated that she did not disagree with Ralph's comments about giving credence to people with qualifications in Public Works type fields. She further stated that people who didn't have those types of qualifications might be the people to ask questions that needed to be asked as to what was going on in that particular department, i.e. Melanie Church's comments that the Town was spending more monies than the Town of Wolcott.

Citing Ralph's previous comments, Pattie DeHuff questioned if it weren't true that Blum Shapiro did not actually go out and look for fraud.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Nineteen of Twenty-Three Pages**

Public Comment Cont'd.

Ralph Zovich stated that by definition an audit was a sampling so they could only report on those accounts and departments that they had tested; they could not make a broad judgment on all of the Town's accounts, but on the one's they did test they found no material misstatement, no financial misappropriation and they gave the Town their highest level of unqualified opinion. He further stated that there was always room for improvement and that they would have a list of recommendations for the Board this month.

Pattie DeHuff stated that she suspected that the Council should be taking a look at the recommendations because she had been sitting at the Council Meetings for months listening to what had been occurring at 4 Chidsey Terrace and that she was appalled as a taxpayer as to the decisions that were being made with regard to this particular individual. She further stated that something was definitely not right, that she didn't know what that was and that it wasn't her issue and she wasn't following it, but that as a taxpayer she was concerned if the Town was sending dumpsters to the property when it shouldn't be. Pattie DeHuff stated that clearly there was something amiss as to why this individual was allowed to live in that particular home under those particular circumstances. She further stated that she was urging the Council to get involved and question the Mayor what was going on, noting that the Council represents and works for the Public/taxpayers and that she was not happy about some of the things she had heard explained over the past five/six months about 4 Chidsey Terrace. Pattie DeHuff stated that the Council should start asking questions and get control of the Town's finances.

Melanie Church, 328 Main Street, Terryville, noted that the Auditors had stated that they don't look for corruption or fraud and they were clear on that; they only measure what they look at and that was documented in many other documents so to make that statement was sort of false.

Melanie Church stated that she knew they had told David that he could apply again this year for that grant for that award and from what she understood that was how it was done, you apply for it and basically everyone has it. She further stated that she questioned why didn't all these other towns get these awards and that's the way it was, you pay your money and you put in a recommendation and that's how the award was given.

Mayor Festa stated that he wanted to know what Melanie Church meant by paying money for the award.

Melanie Church stated that you send in your money with that application.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Twenty of Twenty-Three Pages**

Public Comment Cont'd.

Mayor Festa questioned who sends in money with that application.

Melanie Church stated for that grant, for that award that David was getting, that's why there were only two towns.....

Mayor Festa questioned if Melanie Church was saying that David sent in his own money for the award.

Melanie Church stated that was what the Auditor had said right on the tape, the Mayor could listen to the tape.

Mayor Festa stated that he believed the Auditor had said that he could make application this year again because of the report that he had submitted to them for review and that there was nothing about money being spent and that if that was the case he would double check that. Mayor Festa stated that but until such time no one told you that and questioned if Melanie Church had heard that from someone.

Melanie Church stated that she did hear that from someone.

Mayor Festa questioned who the someone was that Melanie Church had heard that from.

Melanie Church stated that it was from someone who worked in another Comptroller's Office.

Mayor Festa stated that he could not hear Melanie Church as requested that she come to the microphone.

Melanie Church stated that she had spoken to someone from one of the other towns and they said that you put monies with the application.

Mayor Festa asked if Melanie Church would tell everyone who that someone was.

Melanie Church said no she couldn't because Mayor Festa would attack him again like he did last time when he spoke to us on Charter Revision.

Mayor Festa questioned Melanie Church if he had attacked someone.

Melanie Church stated that yes, Mayor Festa attacked someone.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Twenty-One of Twenty-Three Pages**

Public Comment Cont'd.

Mayor Festa questioned who that person was that he attacked, noting that he had never come to the Charter Revision when they had someone there.

Melanie Church stated they had someone and Mayor Festa gave them a hard time.

Mayor Festa stated that he would beg to differ with Melanie Church and that he would like to know who the person was and if she couldn't tell the Council or him who that was he would suggest that the next time she came to the microphone unless he could give specific examples of who these people were in terms of her resources that she....

Melanie Church stated that he would check with the person...

Town Councilman Ferreira called for a Point of Order stating that he wanted to move on.

Council Comments

Town Councilman Zagurski stated that he wanted to congratulate David on his award, noting that Dave does a great job.

Town Councilman Zagurski stated that he agreed with what Melanie had previously stated about the Property Maintenance Agreement and that the thought they needed to come to the Council with the properties that were on the list. He further stated that he thought the Mayor had said (at the last meeting) that they had to reorganize but that he wasn't expecting them to be on this Agenda.

Mayor Festa stated that they would come to the next meeting and hopefully; they would be reorganized by that time.

Town Councilman Zagurski thanked Mayor Festa.

Town Councilwoman Schenkel stated that she wanted to say "Happy New Year" to everybody.

Town Councilman Ferreira stated that he was concerned about things that had been said at the Council's last few meetings and was also concerned with the things that had been happening on Chidsey Terrace.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Twenty-Two of Twenty-Three Pages**

Council Comments Cont'd.

Town Councilman Ferreira stated that if everyone read the way the meeting was supposed to be run when the Public came to the podium they would know that they were supposed to address the Council, not hold a back and forth. He further stated that this Out of Order happened this evening between Mrs. DeHuff and Mr. Zovich and that many things were being done out of order and that hopefully, within the next few months, it would be taken care of.

Town Councilman Ferreira stated that he was a little concerned with the heresy that had been going on and the falsehoods and the one-sidedness that were being taken for truth, that has been going forth with one sidedness because one person said it. He further stated that he wasn't saying that it was a falsehood or things weren't truth, but wanted the Public to understand that just because they don't see red flags or parades going up and down the street they should be assured that the Council was looking into these things, they should be assured that the Mayor wasn't just sitting there and doing nothing about these things that were happening in Public Comment right here in the open. Town Councilman Ferreira stated that there was nothing being done in secret, and that he was a little offended when his creditability was put on the line and he was sure that the other Council volunteers felt the same way. Town Councilman Ferreira stated that the Council wanted what was best for the Town, their children and their families, just like the Public does, and that the Council wasn't present to try to get his bank account any bigger or to try to hide things. He further stated that he was a little concerned when all of these things that were railed at the Council were believable but anything that was said on the Council's end or the Town-side was looked at askew and perceived as false until proven innocent. Town Councilman Ferreira stated that he would be speaking with Mrs. Reed over the next week or so and that he was sure that things were being looked into. He further stated that the Public shouldn't think that private items and private things put forth at the Town Council weren't being looked at and that there were things that had to be handled in a certain way, that you couldn't just go off on and start railing about things because someone wanted to hear themselves speak. Noting that some people might take him as being out of order, Town Councilman Ferreira stated that he had sat quiet at the last few meetings and heard people ramble on for half of an hour about things that had no place being spoken about at a Town Council Meeting and that there were other places, other Commissions and bigger authorities to go to (other than the Town Council) if these things were really happening. Town Councilman Ferreira stated that it concerned him when he was expected to be the Police, Judge and Jury on many of these things when there were authorities in place to take care of these things that were legal and bound by law to take care of these things that were being put forth as being truth or have happened.

**Plymouth Town Council Regular Meeting
January 8, 2013
Page Twenty-Three of Twenty-Three Pages**

Council Comments Cont'd.

Town Councilman Foote stated that he admired Mrs. Reed's spunk because of the way she gets up to the podium and does what she does, but that he had said to her at church that he, himself, would not make statements like she does without legal counsel, noting that she could be putting herself at great jeopardy because she is doing the legwork that a lawyer might do.

Town Councilman Foote stated that the terrible tragedy in Newtown was not a local issue. He further stated that both the President and Governor Malloy had Committees in place to discuss the issue of gun control and gun violence and that the Vice-President would be meeting with the NRA tomorrow. Town Councilman Foote stated that hopefully, some progress would begin as to what was legal and what was not and what action could be taken, noting that it might fall to the Council at some point and that the Council might have to make some decisions.

Adjournment

There being no further business of the Plymouth Town Council, Town Councilwoman Schenkel made a motion, seconded by Town Councilman Zagurski, to adjourn at 8:45 p.m. This motion was approved unanimously.

Respectfully Submitted,

Recording Secretary