

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

**September 10, 2013**

**Call to Order:** Mayor Vincent Festa, Jr., called the scheduled September 10, 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 were Director of Finance David Bertnagel, Registrar of Voters Cheryl Giansini, Chairman Capital Improvements Committee/Municipal Facilities Committee Rodney Houle, Director of Public Works-Town Engineer Anthony Lorenzetti, Administrative Assistant Theodore Scheidel, 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 Regular Town Council Meeting July 9, 2013, Special Town Council Meeting August 12, 2013**

Town Councilman Foote made a motion, seconded by Town Councilwoman Schenkel, to approve the July 9, 2013, Regular Town Council Minutes as presented.

Discussion:

Town Councilwoman Murawski stated that under Council Rules and Procedures, the minutes really didn't say what the item she had motioned to change was and that it was the third sentence, Section A, under Privilege of the Floor, and requested that be added.

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**Acceptance of Minutes Cont'd.**

Town Councilwoman Murawski stated that on Page 24, under "To Set the Date of the Public Hearing" she had not been the Councilperson who made the motion and that she believed it had been Town Councilwoman Schenkel.

Town Councilwoman Murawski stated that the following sentence should have read that she would not be available.

Vote: This motion was approved unanimously as amended.

Town Councilwoman Schenkel made a motion, seconded by Town Councilwoman Murawski, to accept the Special Town Council Meeting Minutes of August 12, 2013, as presented. This motion was approved unanimously.

**Council Rules and Procedures**

No report.

**Public Comments on Non-Agenda Items**

Diane Reed, 4 Chidsey Terrace, Terryville, stated that she wanted to bring a petition forward (see attachment) to the Council and read the information into the record.

Diane Reed stated that she wanted to refresh the Council's memory on the situation at 4 Chidsey Terrace and quoted a portion of the Town Official's statement, as well as the Town's Official Legal Orders into the record, including all timelines involved.

Diane Reed read a portion of correspondence from Mayor Vincent Festa, Jr., dated November 15, 2012, to the Plymouth Police Department, into the record.

Diane Reed stated that it had been one year and 2.5 months since the latest Legal Order to clean had been imposed, noting that there had been minimum clean up to date on the property.

Diane Reed stated that on January 11, 2012, the Town Sanitarian had sent correspondence to the State of Connecticut Health Department and read a portion of the letter into the record.

Diane Reed stated that she was confused if the resident could or could not be on the property after 8:00 p.m., because of what she believed to be conflicting statements made by the Mayor and Town Officials.

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**Public Comments on Non-Agenda Items**

Diane Reed stated that the Fire Marshal had said, several times over the past year, that he only had jurisdiction over the property at 4 Chidsey Terrace for smoke and carbon monoxide detectors. She further stated that he also noted that his priority was life safety.

Diane Reed stated that on Orders of Violation it was listed to have proper smoke detection in every bedroom, however at the June 13<sup>th</sup> Town Council Meeting the Fire Marshal had stated that he walked the house and there weren't any smoke detectors and he immediately put them up that day. She further stated that during a Code Enforcement Meeting the Fire Marshal had stated that he had never been in the home and the one and only Smoke Detector had been installed over the front door by the Building Inspector, as listed in the October 18<sup>th</sup> Inspection Document.

Diane Reed stated that she was confused again and questioned if the Fire Marshal's statement, made to the Town Council, was factual or the written document statement made at the Code Enforcement factual. She further stated that when she questioned the Fire Marshal if the resident had proper smoke detection in the home he further stated in documents he was satisfied with the smoke detector over the front door and that he felt it would alert the resident if there were a situation and would give him ample time to get out. Diane Reed stated that there were no carbon monoxide detectors in the residence to date. Diane Reed questioned if this was the Fire Marshal's definition of priority for life and safety.

Diane Reed stated that there was wood piled around all four sides of the residence and that some of the wood was new. She further stated that approximately 12 pickup truck loads had been delivered in the past year and that a tree service had brought the remains of an 80 foot tall tree and dumped the trunk of the tree at the property at 4 Chidsey Terrace.

Diane Reed stated that at the June 13<sup>th</sup> Town Council Meeting the Fire Marshal had stated that the firewood at 4 Chidsey Terrace was no different from anyone's in the room which they would have stored on their own property or in their house and that it wouldn't catch fire.

Diane Reed stated that when questioned by Town Councilwoman Schenkel at that meeting, the Fire Marshal said he had concerns about the material that was piled from floor to ceiling catching on fire because of the usage of heating systems, i.e. wood stove, fireplace, noting that she had been told by Town Officials that the resident did not have a wood stove and he couldn't use the fire place because the chimney had not been cleaned out in over a dozen years and that the trash was a fire hazard and that she and her husband had never seen smoke coming from the chimney since 1996.

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**Public Comments on Non-Agenda Items**

Diane Reed stated that Town Officials allow the resident to continue to receive loads of wood and that the Town Sanitarian, at the June 2013 Town Council Meeting, stated that the resident had a fascination with the wood and was hoarding it.

Diane Reed stated that when questioned by Town Councilwoman Schenkel, the Fire Marshal had stated that the resident was complying with Court ordered appearances for his hoarding and that it was an untrue statement, noting that the resident had been going to Court for a criminal matter that had nothing to do with his hoarding. She further stated that the resident's probation ended in August and that he had no further Court ordered appointments.

Diane Reed stated that the Fire Marshal had stated that the resident had limited time, disabilities and funds to clean the property due to the Court ordered appearances. She further stated that the resident's Court order appearances were only for a couple of hours at a time and did not hold the resident back from cleaning the property as the Fire Marshal had implied at the 2013 Council Meeting.

Diane Reed stated that the resident's disability has not kept him from filling and bringing grocery cart after grocery cart full of debris to his residence and that his property was full of debris he brought there himself and that he could also haul it all away.

Diane Reed stated that the Town Sanitarian had written that the resident had a leg injury in July and could not clean, but that had not kept the resident from bringing more junk daily or receiving more truckloads of junk and was all the more reason the resident needed to begin cleaning the inside of the residence out. She further stated that it was extremely unsanitary, especially with no running water to clean.

Diane Reed stated that she provided Town Officials with written documentation from the Court and the resident's Probation Officer, noting that the resident, including the resident himself, admitted he resides at 4 Chidsey Terrace and that the Town Officials provided incorrect information regarding the resident's address to the Council, knowingly. She further stated that the resident had resided at 4 Chidsey Terrace since July 2012 without the approved regulatory authority. Diane Reed stated that the Town was derelict of their duties and that the Town should add 4 Chidsey Terrace to the Blight List.

Diane Reed stated that she was placing the Town Council on notice that they were derelict of their duties and she was very disappointed that they did not even know their own Ordinances. She further stated that the Council had never approved the Code Enforcement List and that the Code Enforcement had levied fines without the list being approved and that they could not do this legally.

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**Public Comments on Non-Agenda Items**

Diane Reed stated that this had been brought to the Council, month after month, and that nothing had been done to rectify the matter. Diane Reed stated that there had been a full dumpster at 4 Chidsey Terrace since June 1<sup>st</sup> and stated the fees that CWPM imposes. She further stated that the Town was up to \$475.00 in fees and that no one had called CWPM to have it removed from the property. Diane Reed stated that it had wet, rotting items and attracted mosquitoes and vermin to the property and that in her opinion this was a health hazard. She further stated that she wanted to know what gave the Mayor the authority over health and safety of the people when the Health and Building Officials go by the State Statutes and what gave the Mayor the right to revoke the legal orders they put in place. Diane Reed stated that she hoped many people would get this information with the 100 signatures she was able to get for her petition.

Diane Reed read a portion of the Code Enforcement Ordinance into the record (see attached) and stated that none of it had been done and distributed photos of the wood on the property at 4 Chidsey Terrace, noting that it was not the average amount of wood on anyone's property as stated by the Fire Marshal at the June 2013 Council Meeting.

Paul Fournier, 8 Seibert Drive, Terryville, stated that he was present this evening because he didn't know where else to go with his problem. He further stated that he had sent emails and correspondence to the Public Works Department and the Mayor's Office. Paul Fournier submitted a written report (see attachment), read the report into the record and described the pictures also included.

Paul Fournier stated that he didn't know what to do and that no one was listening to him and that he had been told for the fourth time he was on a job board and that he was worried about the torrential rain predicted for tomorrow and serious flooding.

When questioned by Mayor Festa, Paul Fournier stated that no one had made contact with him from the Public Works Department since the last letter he sent to them, nor had they telephoned or emailed him.

When questioned by Town Councilman Zagurski if the problem was because of the missing curbing, Mr. Fournier referred to his diagrams/photographs and stated that he had never had the problem until the roadwork was done. He further stated that the roadwork was done approximately 1.5 years ago and that he didn't have a problem when the Town put his driveway apron in, only after they removed the curbing.

Town Councilman Zagurski stated that he suspected the apron was the problem, however the Town could fix the curbing as well.

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**Public Comments on Non-Agenda Items**

Mr. Fournier stated that he stood in ankle deep water on Sunday and that he knew where the water came from and if the Council looked at the pictures they could see what he was talking about and that the pictures did not lie.

Town Councilman Zagurski stated that he had no problems fixing the curbing.

Mr. Fournier stated that his problem was being postponed for months with no response and then he was insulted by the comment that he had to understand that water ran downhill and that his driveway was old.

Town Councilman Zagurski stated that he suspected the driveway that was supplied to Mr. Fournier wasn't tall enough and that the water was still getting in. He further stated that he was certain the Council would be more than willing to get Public Works out to his property to fix his curbing.

When questioned by Town Councilman Zagurski, Mayor Festa stated that Public Works was supposed to have gone out to Mr. Fournier's property this past week and that he would contact Public Works himself and have them contact Mr. Fournier within a reasonable amount of time.

Town Councilman Zagurski stated that he wanted Public Works to go out to Mr. Fournier's property tomorrow and fix the situation, noting that Mr. Fournier had been waiting for over seven months for a resolution.

Mayor Festa stated that he would make sure someone went to Mr. Fournier's property tomorrow.

Melanie Church, 328 Main Street, Terryville, stated that under the Fire Department there was a 1986 pickup truck that was replaced by a grant and they ended up with a brand new and they proceeded to get rid of it. She further stated that from what she understood from the Firemen, Public Works had taken the truck to fix and make into another brand new truck and that if she went up to the Tax Collector she could only be charged \$500.00 in taxes and what she had a problem with was how much were we going to spend on a truck that couldn't even make it to its last fire and broke down going to a fire. Melanie Church stated that we have to stop taking these and adding them to our fleet and we need to get rid of them and to her the \$300.00 or \$500.00 you could get from a junkyard for it should go back to the Fire Department and it was their truck and it would help them buy things that they need and she thought the Board of Finance or anyone else wouldn't disagree that they need to live within their budget.

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**Public Comments on Non-Agenda Items**

Melanie Church stated that she had a problem with us taking old vehicles and trying to fix them and we had one and that the doors fell off after trying to fix it and we probably put \$4,000.00 or \$5,000.00 into it and that we were not in the junkyard business. She further stated that we bought six, eight Police cruisers and questioned what we were doing with all the other vehicles and you talk about making money and saving the taxpayers money so why not sell them and questioned what value they would gain by holding them. Melanie Church stated that nothing is done and you need to stand behind your word and if they didn't have it before why did they need it today. She further stated that they used to have a Capitals and you knew what was being bought now they just go out and buy all the time and then they take it out of Salt and Sand because they want a truck body and this has to stop because you aren't living within a budget.

Melanie Church stated that there was supposed to have been a Purchasing Policy put into place and wanted to know why these things weren't being questioned, noting that the Council members should be questioning this not her.

Melanie Church stated were are not a millionaire town with a tree that grows money unless they want to go out and tell all the constituents that they can afford whatever you want to give them and just pay the bill. She further stated that this was important stuff and not trying to cover it up and saying okay just don't say nothing. She said she blames this on the Mayor and the Council both because you should have an inventory and she's asked for an inventory for how long.

Melanie Church stated that she wanted the Council to look at the Public Works Policy and that she was amazed to learn that we have a major snow storm coming in because in the early mornings they have to take their trucks out and do snow runs and that was a waste of gas money and labor and it was something the Council needed to look at and if they come in so early and have nothing to do why would you have them come in so early and that they could stay an hour later and give a little more productivity. She further stated that she gets so frustrated and it's like the joke of the Town.

Melanie Church stated that there was supposed to be a list of the roads that were going to get done but look at the emergency one at the Board of Finance and the Council had together and you were going to go out and spend millions because it was an emergency and now you have four million dollars and how many of those roads were done, but if it was an emergency and you could take away the will of the people and just go out and spend the money because it was an emergency what's the difference, noting that the difference was there was not a priority list and that the bonding money was nothing more than a blank check.

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**Mayor's Report: Collection of Back Taxes; Auction Hill Road, Public Works/Road Projects; Lake Winfield Dredging; Parks and Recreation Department-Michael Ganem; Public Act No. 13-34 Veteran's Service Contact Person; Department of Housing; Commissioner Klein/Visitation**

**Collection of Back Taxes; Auction Hill Road**

Mayor Festa requested that Ted Scheidel give a breakdown of the collection of taxes and the auction that took place.

Ted Scheidel stated that the Town had come up short \$146,000.00 on last year's budget and that in July and August \$207,000 had been collected in back taxes. He further stated that the big news was that the Town had collected \$851,000 from Jasper Corporation, which was a 120,000 square-foot building in the Industrial Park. Ted Scheidel stated that much of the credit went to Sal (Vitranio) and the Bankruptcy Lawyer. He further stated that the Town foreclosed on the property, got it to auction and the owner declared bankruptcy right before the auction and had kept telling the Town he had a big lawsuit from which he would get millions of dollars and that he didn't want to be pushed into foreclosure, but the Town didn't believe him and did what it had to do. Ted Scheidel stated that the best thing that happened from the bankruptcy was the owner received millions of dollars from the settlement and because he got it after bankruptcy it became part of the Bankruptcy Act so the full tax was paid immediately.

Ted Scheidel stated that the Town auctioned off a house on 490 and 494 Hill Road and 20 acres, noting that it was a very successful auction and the Town received \$152,000.00. He further stated that the back taxes were approximately \$72,000/\$73,000. He further stated that the Town would make the budget this year and still had 220 names on the list and that it would be worked on.

Ted Scheidel stated that all the hard work was coming to fruition and that there would be a closing on the old Eagle building on Thursday, noting that they had \$24,000 in back taxes. He further stated that the building would be taken down and a 8,500 square-foot building would be erected.

Ted Scheidel stated that the Town's new Tax Collector, Ana LeGasse, was doing an absolute fantastic job, especially in the area of back automobile taxes, noting that she was sending the "put on's and take off's" very early to Motor Vehicle. He further stated that there was \$5,000.00 to \$10,000.00 per day coming in on back automobile taxes. Ted Scheidel stated that at some point the Town would talk about where to go with the larger accounts on the list because now it was getting to people's houses, long time residents and some sad cases, however everyone would be treated the same as the Town moved forward.

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

Ted Scheidel stated that hopefully, the Town would make the tax budget with whoever was here from now on and not go 15 years. Ted Scheidel stated that he was talking about a collection rate of 97.5, which was acceptable, but that most towns in the State of Connecticut were at a 98 or 99 percent rate.

Mayor Festa stated that he wanted to reiterate the cooperative effort between Ted Scheidel, Ana LeGassey and Fran Swierczynski, noting that they had been doing a marvelous job over time and worked very well together.

Mayor Festa stated that Ana had been a real blessing to the office, that she deserved kudos and encouraged everyone who had an opportunity to thank her for the efforts she had put forward.

**Public Works/Road Projects**

Mayor Festa stated that the Council would be tabling the Public Works/Road Projects discussion item (later in the Agenda) due to a conflict that Chairman Rodney Houle had this evening. He further stated that in regard to the Road Projects a Gantt chart had been posted upstairs in the Town Hall and that the Town was on target and under budget. Mayor Festa stated that he wanted to thank George Castle for his work on the Gantt chart and the Capital Improvements Committee for moving forward with the projects.

**Lake Winfield Dredging**

Mayor Festa stated that he had a company coming forward to measure and examine Lake Winfield and investigate the bottom of the lake material. He further stated that he would keep the Council updated, and noted that the biggest problem was trying to find acreage to dry out the material, noting that it would be expensive to truck the material over to Franklin, CT.

**Parks and Recreation Department-Michael Ganem**

Mayor Festa stated that he wanted to reiterate to the Council what a marvelous job Michael Ganem had done as the new Director of Parks and Recreation in the short amount of time that he has been here. He further stated that many programs were being added for the youth and seniors in the Community, noting that he credited Michael Ganem with this effort.

Mayor Festa urged everyone, who had an opportunity, to speak to Michael and thank him for his efforts as the new Director.

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

**Public Act No. 13-34 Veteran's Service Contact Person**

Mayor Festa stated that Public Act No. 13-34 was a Legislative Act, which had established a new position and that by October the Town had to have someone in place to comply with this act. He further stated that he would be speaking to two individuals relative to their involvement with the Veteran's group. Mayor Festa noted that State of CT Veterans, Rocky Hill, had indicated that the Town could have two individuals, one as a fill-in when necessary, to help the other. He further stated that this would be something that would involve Abigail Egan, Human Services Director, who had been handling the Human Services component and helping Veterans out in the interim.

**Department of Housing; Commissioner Klein/Visitation**

Mayor Festa stated that the Department of Housing Commissioner, Evonne Klein, would be visiting the Town of Plymouth, noting that she was visiting different State communities and that he would try to get a definite date and time for anyone interested.

Mayor Festa stated that she would be looking at the different type of housing within the Community and would be offering her department's assistance with rehabilitation of housing units, noting that the Town might qualify for some rehab grant money. Mayor Festa stated that this money was different from the Small City Block Grants.

**To Refund the Following Property Taxes: Jim Turner \$553.86; Stephen J. Fisher \$17.62; Theresa D. Urban \$66.22; Brett Cook \$26.46; Corelogic Tax Service \$1,087.53; Fifth Third Auto Lease TR, \$437.45; Gerald Kroll \$1,732.44; Georgianne or Gary McCluskey \$95.72; Robert or Sandra Klim \$36.76; James P. Skoczylas \$3.90; Vincent Audibert II \$9.61; Peter J. Birdsall \$45.48**

Town Councilman Foote made a motion, seconded by Town Councilman Ferreira, to refund the following Property Taxes: Jim Turner \$553.86; Stephen J. Fisher \$17.62; Theresa D. Urban \$66.22; Brett Cook \$26.46; Corelogic Tax Service \$1,087.53; Fifth Third Auto Lease TR, \$437.45; Gerald Kroll \$1,732.44; Georgianne or Gary McCluskey \$95.72; Robert or Sandra Klim \$36.76; James P. Skoczylas \$3.90; Vincent Audibert II \$9.61; Peter J. Birdsall \$45.48. This motion was approved unanimously.

**Appointments/Resignations: To Re-appoint the Following: James Benway Conservation Inland-Wetlands Term to Expire 9/1/2016; Michael Maffia Conservation Inland-Wetlands Term to Expire 9/1/2016; Cheryl Gianesini Plymouth Housing Authority Term to Expire 8/31/2018; Avis Flanders Plymouth Housing Authority Term to Expire 8/31/2018**

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**Appointments/Resignations Cont'd.**

Town Councilwoman Murawski made a motion, seconded by Town Councilman Zagurski, to re-appoint James Benway to the Conservation Inland-Wetlands Commission, with a term to expire on 9/1/2016. This motion was approved unanimously.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Foote, to re-appoint Michael Maffia to the Conservation Inland-Wetlands Commission, with a term to expire on 9/1/2016. This motion was approved unanimously.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Ferreira, to re-appoint Cheryl Giancesini to the Plymouth Housing Authority, with a term to expire on 8/31/2018. This motion was approved unanimously.

Town Councilman Foote made a motion, seconded by Town Councilman Zagurski, to re-appoint Avis Flanders to the Plymouth Housing Authority, with a term to expire on 8/31/2018. This motion was approved unanimously.

**To Authorize the Town Clerk, by Resolution, to Submit the 2013 State Library Preservation Grant**

Mayor Festa stated that a copy of the Resolution was included in the Council packets. He further stated that this Resolution was to verify the fact that the Council was authorizing Barbara Rockwell to make application for the State Library money for Preservation.

Town Councilwoman Schenkel, made a motion, seconded by Town Councilwoman Murawski, to authorize the Town Clerk, by Resolution (see attachment), to submit the 2013 State Library Preservation Grant and read the Resolution into the record.

**To Discuss Request for Ordinance Regarding Smoking Paraphernalia Per Local Prevention Council**

Mayor Festa stated that Christopher Perkins, Local Prevention Council, would be coming to the Council next month to give a presentation on the Ordinance. He further stated that the Agenda item was included to give the Council opportunity to discuss the matter, and if they felt it necessary to create such an Ordinance. Mayor Festa stated that Mr. Perkins would bring the wording for the Ordinance when he gave the presentation and that if this issue was favorable then a Public Hearing etc., would follow. Mayor Festa stated that the concern for this Agenda item arose because of the fact that youth cannot legally buy tobacco, however they can buy the smoking paraphernalia that goes along with the illegal substance that was put into the pipes, etc., to smoke and that the LPC would like to outlaw the sale of the paraphernalia to youth under the age of 18.

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**To Discuss Request for Ordinance Regarding Smoking Paraphernalia Per Local Prevention Council Cont'd.**

Town Councilman Zagurski stated that he had no problem with the Ordinance and that he looked forward to hearing from the Local Prevention Council on the issue. He further stated that having the issue in the form of an Ordinance would be fantastic.

Mayor Festa stated that he would relay the Council's feelings to Mr. Perkins and the Local Prevention Council.

**To discuss and take action, as may be necessary, on the Final Report of the North Street Reservoir Ad Hoc Committee**

Mayor Festa stated that this Agenda item was to accept the North Street Reservoir Ad Hoc Committee's Final Report, which had been presented after the Public Hearing. He further stated that after the Council accepted the report the next step would be to hold a joint meeting with the Public Works Department, the Parks and Recreation Department and State of Connecticut personnel to review the report and to decide exactly who would be responsible for what type of maintenance in this particular area.

Town Councilwoman Murawski stated that she believed the Council had done this already a couple of meetings past in July.

Town Councilwoman Schenkel stated that the Council had done this in July, however because of the Public Hearing the Mayor was asking if the Council wanted to make any amendments to the report.

Mayor Festa stated that he was referencing the Final Report after the Public Hearing where corrections had been made on the sheets and that it was just a formality for accepting the Final Report.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Ferreira, to accept the Final Report of the North Street Reservoir Ad Hoc Committee, as amended. This motion was approved unanimously.

Town Councilwoman Murawski stated that she believed this Ad Hoc Committee should be disbanded since they had completed their job. She further stated that a couple of the members had stated that they felt they were in limbo.

Mayor Festa stated that once the Final Report had been accepted, as it was this evening, then they could be disbanded, but up until this evening they were still an Ad Hoc Committee.

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Town Councilwoman Murawski made a motion, seconded by Town Councilwoman Schenkel, to disband the North Street Reservoir Ad Hoc Committee with a nice letter of thank you from the Mayor and Town Council. This motion was approved unanimously.

**To Receive Report from Rodney Houle, Chairman Capital Improvements Committee/Municipal Facilities Committee**

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Ferreira, to table this Agenda item. This motion was approved unanimously.

**To Enter into Executive Session to Discuss Real Estate Transactions, Potential Default on Block Grants**

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Ferreira, to enter into Executive Session at 7:58 p.m., to discuss real estate transactions and potential default on Block Grants.

Present for the Executive Session were Director of Finance David Bertnagel, Mayor Festa, Town Councilman Ferreira, Town Councilman Foote, Town Councilwoman Murawski, Administrative Assistant Theodore Scheidel, Town Councilwoman Schenkel, Town Attorney Salvatore Vitrano and Town Councilman Zagurski.

Mayor Festa called the Plymouth Town Council back into the Regular Session at 8:25 p.m.

**To Take Action, as may be Necessary, from Executive Session**

Mayor Festa noted for the record that there was no action taken as a result of the Executive Session.

**Remove from Table to Discuss and Take Action, as may be Necessary, on Tax Abatement Ordinance/Public Hearing**

Town Councilman Foote made a motion, seconded by Town Councilman Zagurski, to remove from table to discuss and take action, as may be necessary, on the Tax Abatement Ordinance/Public Hearing. This motion was approved unanimously.

Town Attorney Salvatore Vitrano stated that Craig Stevenson, Town Economic Development Consultant, had raised the issue of creating an Ordinance that would deal with and help property owners deal with taxes on property that under certain/appropriate circumstances property would qualify as property in need of environmental remediation.

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**Remove from Table to Discuss and Take Action, as may be Necessary, on Tax Abatement Ordinance/Public Hearing Cont'd.**

Attorney Vitrano stated that Mr. Stevenson had pointed to a State Statute that provided for this issue, noting that he was asked to formulate the Ordinance to present to the Town Council for consideration. He further stated that the Ordinance would be consistent with the State Statute and would accomplish the goal of incentivizing those with remediation challenged property. Attorney Vitrano stated that there were a number of towns that have enacted Ordinances similar to this and that the one, which he drafted, was to mirror very closely to the State Statute. He further stated that essentially it dealt with three situations.

Attorney Vitrano stated that section, General Requirements, paragraph one, abates taxes (at a level between zero and 100 percent) for qualifying property while remediation efforts were underway for a period. Attorney Vitrano stated that the property would not be worth very much if it satisfied the State Statute in terms of qualifying and so the Town would be helping the landowner by abating the taxes on the property for up to seven years.

Attorney Vitrano stated that the second situation would be where there was a plan in place satisfying all of the State Statutes and appropriate regulations and the owner of the property wants to sell it to someone and the taxes on the property had accrued because the owner couldn't pay it and that the property wasn't worth very much because it needed remediation. He further stated that that the plan was done and approved and this would allow for the forgiveness of the taxes as far back as seven years.

Attorney Vitrano stated the last situation would be whereby someone had completed the remediation project and the Ordinance would be enacted afterward and they would like to fix the assessment of the taxes at the rate that the taxes would have been before they did the remediation for a period of seven years.

Attorney Vitrano stated that the Ordinance would give the Town the opportunity to provide tax relief to property owner who had property that was environmentally challenged in accordance with the State Statutes.

Attorney Vitrano stated that the way he drafted the approval process it would first go to the Tax Incentive Committee and they would evaluate the application and then with a recommendation from the Tax Incentive Committee it would go to the Board of Finance and then the Town Council and would all be done on an ad hoc basis. He further stated that the draft was for the Town Council's consideration and could be discussed today or discussed at the next Town Council meeting or at both.

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**Remove from Table to Discuss and Take Action, as may be Necessary, on Tax Abatement Ordinance/Public Hearing Cont'd.**

Craig Stevenson stated that there were several properties across Town that had some environmental issues associated with them. He further stated that there were a lot of programs at the State and Federal levels; however there wasn't enough funding to go around in order to deal with the issues that needed to be dealt with. Craig Stevenson stated that the Town really needed to do everything it could to incentivize the private sector to pick up the ball and deal with the issues. He further stated that one of the challenges that the private section had was to get from when there were challenged with the environmental issues to the point where they could be producing revenue so they could pay their full tax bill. Craig Stevenson stated that the Assessor expected the owner to pay the taxes on the full market value of the property even though they might not be able to rent it out or produce any revenue or any benefit from the property. He further stated that this Ordinance puts another tool in the Town's tool chest to allow the private sector owner to have a small break from their taxes while they fix the property back to a condition where they could lease it, be productive and then it could be returned to the Grand List in a condition where it could generate funds for the private sector and for the Town, as well. Craig Stevenson stated that it would be used wisely and had a process and would provide the Town a tool to help the private sector help the Town to get the Grand List back in a fully productive shape.

Town Councilman Foote questioned if this was in the final draft form.

Town Attorney Vitrano stated that he thought it was perfect, but that it was up to the Town Council, noting that Council would refer it to a Public Hearing because it was an Ordinance. He further stated that it could be tabled for further review.

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Schenkel, that the Council schedules a Public Hearing on the Ordinance authorizing the Municipality to abate and forgive taxes or fix assessment on contaminated real property on October 1, 2013, at 6:00 p.m. This motion was approved unanimously.

**To Discuss and Take Action on Emergency Contingency Plan for all Elections**

Mayor Festa stated that the report presented by the Registrars had been included in the Council's packets.

Town Councilwoman Schenkel made a motion, seconded by Town Councilwoman Murawski, to accept the Emergency Contingency Plan for all Elections as presented by the Registrars.

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**To Discuss and Take Action on Emergency Contingency Plan for all Elections  
Cont'd.**

Discussion:

Referencing the Town of Plymouth, CT Emergency Contingency Plan for all Elections document, Section I., first sentence, Town Councilman Zagurski stated that the Moderator should be calling the Police or the Fire Dept immediately rather than calling the Registrar to see what was going on and noted that he had concerns about that sentence.

Referencing the paragraph under it, Town Councilman Zagurski stated that the sentence read that 80 Main Street Terryville would be used as an emergency polling place and stated that he thought this site was where District 1 currently voted. He further stated that he thought the Town Hall was used for the last Mayoral election.

Cheryl Giancesini, Registrar of Voters, 8 Kimann Drive, Terryville, stated that they didn't have electricity for the Mayoral Election (from Hillside Avenue to North Main Street) previously referenced and that they were unsure which section of Fisher School had lost the power and so they had an emergency meeting whereby it was decided that the voting place would be changed to the Town Hall.

Town Councilman Zagurski stated that it was his mistake and that he thought the voting was held at the Town Hall for most of the elections.

Cheryl Giancesini stated that Referendums were held in the Town Hall because historically speaking, a lot of people (1,000) come out to vote, but for the November elections they were required to have the two polling places for the two districts.

When questioned by Town Councilman Zagurski, Cheryl Giancesini stated that the HAVA (IVS) voting system was for the visually impaired.

Melanie Church stated that she still thought there was a problem because we had to be sure that polling booths or polling stations were on each side of Main Street so in an emergency you still had to have one for District 2 on that side and you couldn't move it here because they said we couldn't even do that now with District 1 and 2 you couldn't have one at the school and one here at the thing it has to be on that side so I think there's a problem with that also.

Cheryl Giancesini stated that because they had designated two districts they had to try to hold both polling places in two districts, but if for any reason, an emergency, such as this, it could be changed.

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**To Discuss and Take Action on Emergency Contingency Plan for all Elections  
Cont'd.**

Vote: This motion was approved unanimously.

**To Discuss and Take Action on Town of Plymouth Safety Manual**

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Foote, to discuss and take action on the Town of Plymouth Safety Manual.

Discussion:

When questioned by Town Councilman Zagurski, Mayor Festa stated that the Safety Committee wrote the Town of Plymouth Safety Manual and that Sergeant James Dubowsky had submitted it to his office, noting that it was their Final Report relative to a Safety Manual.

Citing New Employee Orientation, Page 4, Town Councilman Zagurski questioned if the “volunteers” were the people who were on Committees or Commissions.

Mayor Festa stated the volunteers were anyone involved with the Town of Plymouth because they could have a safety issue and that they would know exactly what to do because they had been trained. He further stated that would include volunteers on site and that he would look into this.

When questioned by Town Councilman Zagurski, Mayor Festa stated that on Page 4, under Record Keeping Requirements, they might be referring to the checklist that was utilized when a new person comes on board for orientation and that it might contain something that stated they had been trained on the Safety Manual. He further stated that he would look into this.

When questioned by Town Councilman Zagurski, Mayor Festa stated that the Town refers employees to Concentra when they have to have something looked at; however for an emergency situation the closest place would be Bristol Hospital.

When questioned by Town Councilman Zagurski, Mayor Festa stated that Waterbury Hospital would be used if that were the closest place.

When questioned by Town Councilman Zagurski, Mayor Festa stated that Supervisors/Department Heads fill out the Accident Investigation Form referred to on Page 6.

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**To Discuss and Take Action on Town of Plymouth Safety Manual Cont'd.**

When questioned by Town Councilman Zagurski, Mayor Festa stated that the Human Resource Director posts the OSHA 300a Form.

Town Councilman Zagurski stated that on Page 8 it was a little picky referencing the concern of someone tripping over a paperclip.

Referencing Desks and Chairs, Page 8, Town Councilman Zagurski stated that the “storage of pointed or sharp objects such as” omitted what the pointed or sharp objects were.

Referencing Office Equipment, Page 8, Town Councilman Zagurski questioned if the Office equipment would be inspected daily, monthly, yearly etc., and questioned if it would be the Town employee who would be inspecting the equipment.

Mayor Festa stated that Supervisor should be inspecting the equipment, under OSHA recommendations, noting that OSHA personnel had come through the building.

Town Councilman Zagurski stated that the word “e3xit” was a typo under Exits, second bullet.

Town Councilman Foote stated that he had also found typos within the document.

Referencing on Page 9, Parking Lots and Sidewalks, Town Councilman Zagurski stated that the sidewalks at Town Hall were not kept in very good condition and questioned who was responsible for them and when would they be fixed.

When questioned by Town Councilman Zagurski, and referencing Page 9, under Automobile and General Operations, Town Councilwoman Schenkel stated that if a Town employee were driving a Town vehicle without permission then they would be using their own insurance and that there would be other liabilities because of it.

Town Councilman Foote stated that if there were an accident the person would be coming after both the Town and the Town employee.

Town Councilwoman Schenkel stated that she agreed.

Town Councilman Zagurski stated that the word “hand” was a typo on Page 11, under Temporary Power Extension Cords, and thought it should be the word “hang”.

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**To Discuss and Take Action on Town of Plymouth Safety Manual Cont'd.**

Referencing Fire Prevention, Page 15, Town Councilman Zagurski stated that this item talked a lot about not smoking near flammables, etc., and questioned if there was a Town Policy about not smoking on public property.

Mayor Festa stated that there wasn't a Town Policy that prohibited anyone from smoking on public property.

Citing that it was what he considered to be the most important item to him, Town Councilman Zagurski stated that the Town of Plymouth Emergency Operations/Evacuation Plan, Page 22, provided Authority, Mission and a Purpose, but did not provide a plan, which he was expecting.

Town Councilwoman Murawski stated that on Page 4, first sentence, under Department Heads and Supervisors Responsibility, she thought the words "all employees" should be inserted after the words "Department heads and supervisors are responsible for ensure."

Citing Page 4, Item 3., Paragraph 2, Town Councilwoman Murawski questioned who the "designated appointee" would be. She further questioned if the "designated appointee" would be an Acting Mayor.

Mayor Festa stated that he did not know why this section would be included because the bottom-line, if there were a suspension or in fact a dismissal, would come to the Mayor and end there.

When questioned by Town Councilwoman Murawski if he could think of anyone else who would be the "designated appointee", Mayor Festa stated that he did not see anyone else coming forward to make a decision on behalf of the Mayor to make a suspension or a dismissal. He further stated that when it gets to be that serious of an issue the ultimate decision is made at the Mayor's Office.

Town Councilwoman Murawski stated that maybe that part could be deleted.

Mayor Festa stated that he would ask the Safety Committee what their original intent was.

Town Councilwoman Schenkel stated that maybe it would be prudent to have someone from the Safety Committee come to a Town Council meeting and talk about this so that the Town Council's questions could be addressed and maybe fine tune the wording.

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**To Discuss and Take Action on Town of Plymouth Safety Manual Cont'd.**

Town Councilwoman Murawski stated that maybe the Safety Committee could take the questions already asked this evening, go through and update the Safety Manual, and then present it to the Council.

Town Councilman Foote stated that he thought that was a good idea and noted that the Safety Manual represented a lot of work. He further stated that maybe they tried to get everything they could get in there.

Town Councilman Zagurski stated that he was quite impressed with it and that the Committee had done a wonderful job with it.

Mayor Festa stated that he agreed, and that they were with the OSHA personnel for quite some time. Referencing the sidewalks and the curbing, cobblestone, etc., Mayor Festa stated that OSHA doesn't miss a trick.

Town Councilman Foote withdrew his second; Town Councilwoman Schenkel withdrew her motion.

Town Councilwoman Schenkel made a motion, seconded by Town Councilman Foote, to table this Agenda item until next month and request that a member of the Safety Committee come before the Town Council and have a presentation of the Town of Plymouth Safety Manual. This motion was approved unanimously.

**To Discuss and Take Action on Hazard Communication and Hazardous Chemical Safety Program**

Town Councilman Zagurski stated that he felt this report was very well written.

When questioned by Town Councilman Zagurski, Mayor Festa stated that HCP Coordinator would be the Hazard Communications Program Coordinator and it looked like it was a newly created position.

When questioned by Town Councilman Zagurski, Mayor Festa stated he would have to find out if it was something that would be negotiated relative to Loureiro.

Town Councilman Ferreira stated that on Page 3, under 5.1, it read that "the Town of Plymouth DPW and P&R management would designate and provide training for a Hazard Communication Program (HC) Coordinator in each department. Unless otherwise delegated, the HCP Coordinator shall be the Department Director or Manager."

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Page Twenty-One of Thirty-Four Pages**

**To Discuss and Take Action on Hazard Communication and Hazardous Chemical Safety Program Cont'd.**

Town Councilman Zagurski stated that this sounded good to him.

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Schenkel, that the Town Council adopt the Hazard Communication and Hazardous Chemical Safety Program, as presented in Draft Revision 2, dated 09/17/2007. This motion was approved unanimously.

**To Discuss Financial Reports/D. Bertnagel**

David Bertnagel stated that the Town had gone out to bond for the second piece and had gone to a different rating agency, Standard & Poor's, and that the Town was upgraded in three places from 1996, noting that was a huge accomplishment for the Town.

David Bertnagel stated that Standards & Poor's had graded the Town very strong from a financial and management point of view. He further stated that in their report they had stated that the Town had the highest grade rating, low market risk profile and maintained strong legal authority to issue long-term general obligation bonds.

David Bertnagel stated that they had also said that the Town had strong wealth and good household incomes, good financial position, solid operating performance, despite general revenue environments, good financial management and a moderate to low debt burden considering the demographics as well the Town itself. He further stated that this was in comparison with other towns and cities throughout the State.

David Bertnagel stated that Standards & Poor's addressed all the policies that were adopted over the past several years and they had given high praise to that and said that it was a high achievement for the Town to sustain. He further stated that Standards & Poor's had said that the Town's position looked strong.

David Bertnagel stated that the Town was trying to go for an upgrade and missed it by one week with the big tax payoff. He further stated that this was because the property taxes were a lot higher than normal, but they were monitoring it and the Town had a very good chance of being upgraded with them very soon, noting that would put the Town in an even better financial position.

David Bertnagel stated that the Town had received two upgrades in the past six years and noted that was significant for the Town, and was a huge success to the Town's financial well-being.

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**To Discuss Financial Reports/D. Bertnagel Cont'd.**

David Bertnagel stated that they had also said that the Town's conservative budgeting and willingness to raise taxes when needed basically meant the Town had not raised taxes, had kept a very low tax burden on the taxpayers during the past six years. He further stated that the Board of Finance, as well as the Mayor's Office, had played a key role in the overall fiscal stability of the Town.

David Bertnagel stated that Standard & Poor's also commented on the fifth consecutive surplus that the Town had. He further stated that he was pleased to report that the Town would have a sixth consecutive surplus of approximately \$120,000.00 in the General Fund, noting these were significant items that had occurred.

David Bertnagel stated that he was working on closing out the Fiscal Year at the end of June 30, 2013, with the roughly 41 funds of the Town of Plymouth. He further stated that these funds covered the Economic Development Funds, CDG Mobile Funds, Block Grants for Capital Projects, etc., and that basically all of the funds that he closed had a small to moderate surplus, which was a good sign. David Bertnagel stated that the Water Pollution Control Authority (WPCA) would be posting a \$45,000 to \$50,000 surplus this year; and the General Fund would be posting approximately \$120,000.00. David Bertnagel stated that he was happy to report that the Town was basically in good financial health at the end of the fiscal year and in better shape than before than when we started off. He further stated that even though the Town received a large payoff, it was really an asset relocation from a Accounts Receivable to a cash position and that it put the Town in a lot stronger cash position. David Bertnagel stated that the Town needed to make sure that it collected on the current taxes and noted that the Board of Finance, the Mayor's Office and Ana LeGassey, Tax Collector, had been strongly adhering to doing this. David Bertnagel stated that the Town had a 54 percent collection rate so far and he felt it would be right on target this year.

Town Councilman Zagurski stated that Ted Scheidel had noted that the Town was \$146,000.00 under.

David Bertnagel stated that the Town was \$146,000.00 under for Revenue Shortfalls. He further stated that the Town had under spent the total General Fund Budget, which had been legally approved at \$39,920,495, did not increase that budget and that it stayed at that level for the entire year. David Bertnagel stated that the Town had under spent it by \$300,000 last year, which meant the Town Departments had savings within their various Operating Budgets and it rolled up to a \$300,000 savings in expenditures. He further stated that the Town would need revenues to be at least \$300,000 or more to have a surplus and that currently the Town had a \$100,000 (and change) on a shortfall of revenues.

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**To Discuss Financial Reports/D. Bertnagel Cont'd.**

David Bertnagel stated that basically, when you roll off what Ted Scheidel had said, the Town receives other revenues (permits, etc.) that compensated for that loss.

Referencing the Public Works Requisition and Invoicing Processing Policy received in the Council packets a few months past, Town Councilman Zagurski stated that it was his understanding that it might not be being adhered to.

David Bertnagel stated that they had been adhering to it, noting that they had several meetings with all the Staff people involved, and that there had been some personnel issues involved with it.

When questioned by Town Councilman Zagurski, David Bertnagel stated that everything had been straightened out.

**To Authorize the Public Works Department to Sell Excess fill at \$2.00 per Yard**

Ted Scheidel stated that any excess fill material that the Town had at any time was stored at Wolcott Sand and Gravel through a yearly agreement with them. He further stated that with all the road jobs the Town had been doing, and general maintenance, the Town had a between 4,000 and 5,000 yards of fill, much of which the Town had no use for or didn't need, noting that that amount keeps growing.

Ted Scheidel stated that they looked around to see what other towns were doing and out of that they were asking the Council to authorize the Public Works Department to sell most of the fill, while still monitoring what the Town might need (i.e. backfilling, curbing, etc.) between \$2.00 and \$3.00 a yard so that the Town could raise some extra income. He further stated that it would be kept separate and it would be recommended to the Council or the Board of Finance as to where that money should go, noting that it would stay in the Public Works Department.

Ted Scheidel stated that the fill would be advertised so that everyone would know that it was available and that he and David Bertnagel would monitor how it was done, noting that it could be one Contractor needing it for a job or a number of different ones. He further stated that they would probably limit it to five to seven yards and that a lot of the fill had been just sitting for a long time.

Apologizing for the pun, Town Councilman Zagurski stated that \$2.00 per yard sounded dirt cheap.

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**To Authorize the Public Works Department to Sell Excess fill at \$2.00 per Yard  
Cont'd.**

Ted Scheidel stated that it was a mixed bag, not topsoil, and that it was material that was just dirt and gravel, etc., but not milling.

When questioned by Town Councilman Zagurski, Ted Scheidel stated that the Town would not haul it, but it would load it and would not go on private property.

When questioned if the material needed to be certified, Ted Scheidel stated that even though it was fill it had all been screened and was clean.

When questioned by Town Councilman Zagurski, Ted Scheidel stated that the fill was not contaminated, it was not sweepings, and that the Town knew where it came from.

Melanie Church stated that she may be dumb on this but we have two people up there five days a week, 300 and, or how many days they work, and that is all their labor so even if we make money from it we are using two employees up there five days a week so that money should definitely go back and go against those wages because if a profit is coming from it we are not making a profit from these two people working off of land that we rent and doing the mining and to her it shouldn't just go back to be a little fund for them it should be to cut down on wages. She further stated that it seems it's not for the public use, it's for the commercial use, and they're going to take money from it and it's still our labor and we are paying insurance for those people to work there, it's giving them a job five days a week and it's guaranteeing them a job because now there's so much up there they have to get rid of it so they can do some more. So like she said it's an expense and when you look at the insurance and everything else, that whole property up there is an expense and the little bit that the Town is going to reap is costing us a lot more and that should go back against wages.

Ted Scheidel stated that the Town had no intention of operating that property on a full time basis and certainly they could look at what wages were spent up there and that it did take two people. He further stated that people would have to call to make an appointment before they could come for the fill so that the Town could get someone down there. Ted Scheidel stated that there would be wages involved, but not on a full time basis and they wouldn't be there five days per week. He further stated that there might be one company that takes all of the fill.

When questioned by Town Councilman Zagurski about where the \$2.00 per yard figure came from, Ted Scheidel stated that they had spoken to Bristol and Plainville and it was the fair market value for this type of fill.

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**To Authorize the Public Works Department to Sell Excess fill at \$2.00 per Yard  
Cont'd.**

Town Councilman Zagurski made a motion, seconded by Town Councilman Foote, to authorize the Public Works Department to be able to sell the excess fill at \$2.00 per yard. This motion was approved unanimously.

**Liaison Reports**

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

Town Councilwoman Schenkel stated that the Police Commission had elected Chet Scoville as their new Chairman and that he did a really good job on his first meeting. She further stated that the Police Commission was also meeting this evening, but that she could not attend because of tonight's Town Council Meeting.

Town Councilwoman Schenkel stated that the Board of Finance was dividing up the Budget in sections to begin this year's budget process.

Town Councilwoman Schenkel stated that the Human Services Commission would be meeting this month after a summer hiatus.

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

Town Councilwoman Murawski stated that the Planning and Zoning Commission had approved plans for a 6,000 square foot addition to Northeast Fasteners on Tremco Drive.

Town Councilwoman Murawski stated that the Planning and Zoning Commission had approved the Safe Routes to School sidewalks on North Main, Maple, Hillside, and Charles Street.

Town Councilwoman Murawski stated that the Planning and Zoning Commission had tabled their discussion on Bad Custom Cycle that was located in the former B J Tool building, next to the Waterwheel, noting that they had concerns about the contamination in the ground in that area and its effect on the building project.

Town Councilwoman Murawski stated that Inland-Wetlands was contacting Public Works concerning the beaver dam at Marino Pond on Wolcott Road and its possible effect on the road safety due to any flooding.

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**Liaison Reports Cont'd.**

Town Councilwoman Murawski stated that Inland-Wetlands approved the Town's application to spread topsoil on the former beach at Lake Winfield, noting that a lawn would be planted on that area.

Town Councilman Foote stated that he did not attend last month's Fire Commission meeting because he looked at his calendar incorrectly.

Town Councilman Foote stated that the Historic Properties Commission did not meet.

Town Councilman Foote stated that he attended a joint meeting of the Municipal Facilities Committee and the Capital Improvements Committee last evening, whereby many things were thrown out by Chairman Houle and noted that everything was unsure at this point in time.

Town Councilman Foote stated that Chairman Houle had reported the Town was getting a lot of work done with the original Bond Package.

Town Councilman Foote stated that Proposal No. 2 would be discussed and would include the Town Hall, the Police Department, etc.

Town Councilman Foote stated that Chairman Houle had reported on the problems with the Pequabuck River vis-a-vis Bristol and Plainville, noting that this item had to be addressed.

Town Councilman Foote stated that Chairman Houle had reported that the Town Hall and its relationship to the Main Street School would also be addressed. He further stated that the question had arose if the Town were to do something with the Main Street School building would it be called the Town Hall Annex or Town Hall No. 2, etc.

Town Councilman Foote stated that the Police Department needed an Interrogation Room, and additional space. He further stated that the Interrogation Room had to be in place by January 1, 2014, if the Town wanted the \$8,000.00 grant for electronic equipment.

Town Councilman Foote stated that discussion had taken place on Code Compliance at all of the buildings, noting that before anything was done the Town had to make sure the Codes were in order.

Town Councilman Foote stated that Chairman Houle had noted that he wanted Sub-Committees setup so that all these different projects could be discussed.

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**Liaison Reports Cont'd.**

Town Councilman Foote stated that Chairman Houle had briefly discussed the Town dams. He further stated that members of the Fish and Game Club were also present at the meeting because of the Upper and Middle Ponds, they were part of the Farmington River Watershed and hopefully, something could be done at this point to alleviate the flooding.

Town Councilman Foote stated that a question arose at the meeting concerning placing the proposed Skate Board Park behind the Main Street School property in the event the school gets used for a Town Hall. He further stated that discussion also took place about a possible addition to the current Town Hall, as well as an underground parking lot.

Town Councilman Foote stated that this was all conjecture at this point in time.

Town Councilman Foote stated that the Municipal Facilities Committee would be meeting the first Monday of each month at 6:00 p.m. for anyone interested.

**Public Comment**

Melanie Church stated that she may be wrong but she thought you were supposed to come forward with taking a look at the Police doing all the traffic in Town with the two flagging companies in Town that was supposed to be looked at and she didn't see that.

Town Councilman Foote stated that it was his fault because he didn't get a chance to write up a report.

Melanie Church said okay so long as it wasn't forgotten because she thought it was another way we were wasting money.

Melanie Church stated that she wanted to bring up something and that she was certain that Sue was happy her road got done. She further stated that she was sure that they were doing it in front of yours and Remie they got Townline Road that you and Ralph wanted, but you know what it's very very sad when you have an emergency list and not one of those roads were touched, and that's the sad thing or you have Diane come up here, Reed, having to live next to something that Sue I'll bet you wouldn't live next to or anyone else up here, but that's sad.

Melanie Church stated that she had to tell you something else that was really bothering her and last month they came and they talked about the wonderful microseal done on Greystone, Vicky Carey is the Liaison, her road is all done and ironically this month it got torn up again.

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**Public Comment Cont'd.**

Melanie Church stated that we put in a bunch of storm drains well Greystone Extension when she was going down that way two years ago they replaced all those so those are not even two years old and they were torn up and replaced again and that's throwing our money away and now it's going to be chip sealed, the wonderful microseal that works down South. She further questioned how many times are we going to do roads, twice, twice is nice, three, three times the charm, it's a problem.

Melanie Church stated that she wanted to talk about Adams Drive, and go up there and talk to residents, never saw this done in all the construction she's ever seen done. They start at one end, start at the other end and they meet in the middle, how many times have you seen a road done that way.

Melanie Church stated that this was serious stuff, forget the politics and start doing things right and we do have two people up there year round, at Wolcott Sand and Gravel working, two people, that's making our material that we may some day need, two people.

Melanie Church stated that she wanted to talk about one more thing that was a waste of money; snow runs, anybody see any snow out there, has it snowed, but every morning they got to go and do snow runs because they start so early in the morning, these are serious problems, it's our money, it's everybody's money in this room, and you are taking and wasting gas and those are the things that could save money. We buy dump bodies out of salt and sand and don't come back and say next year oh I need, all this money for salt and sand, because you can take \$20,000 dollars right out of it off the top, all that has been going on is a shell game, to her if it says salt and sand that's what the money is there for not for all this other stuff and oh that's okay. Melanie Church stated that she would also like checked into was overtime, not overtime, vacation time and sick time. She further stated that she had an employee admit to people in this Town had gotten extra because nobody's watching. Melanie Church stated that she would like the Auditors to audit last year and especially with the Public Works and look at the sick days and the vacation days and when you find that people are over we got to get that money back.

Jim Deutsch, 34 Orchard Street, Terryville, Chairman of Wetlands and Conservation, stated that he wanted to bring to the Council's attention a good thing that happened in the last month to the Town and that on August 31<sup>st</sup> there was a Tree Walk.

Jim Deutsch stated that he wanted to publically thank Jerry Milne, who led the Tree Walk, noting that this was a result of a grant which they wrote last summer to create a brochure and it was also noted that the Tree Walk was posted on a Connecticut Tourism site as one of the things to do in the State of Connecticut during the Labor Day weekend.

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**Public Comment Cont'd.**

Jim Deutsch stated that in addition to business, it was a good thing to have people come into our Town and visit. He further stated that there was close to 35 to 40 people present at the Tree Walk, noting that they had come from different parts of the State.

Jim Deutsch stated that the walk started off in Baldwin Park, went down North Main Street and then over to Hillside Cemetery, noting that it took approximately two hours to complete. He further stated that although there it was lightly raining out there was still a good turnout.

Jim Deutsch stated that he wanted to publically thank Michael Ganem who had come to their Wetlands meeting last week. He further stated that Michael Ganem was trying to make some improvements to Lake Winfield. Jim Deutsch stated that it was previously mentioned that Michael Ganem was attempting to have grass planted in the beach area, and that he was also attempting to get some people there, outside of swimming, i.e., a small concert, etc. He further stated that again, he wanted to thank Michael Ganem for putting out the effort to get people to come over to that area of Lake Winfield.

David Bertnagel stated that he wanted to place on record that Mrs. Church's accusation that it was coming out of Sand and Salt was incorrect. He further stated that it came out of the Salt and Sand Budget, but there was a program line item that was approved each year through the Board of Finance, as well as the Budget process, and that was where the dump bodies were purchased for the past 20 plus years for that particular purpose.

David Bertnagel stated that the Board of Finance had questioned Jim Shultz and Tony Lorenzetti regarding this line item and it was reduced from \$20,000.00 to \$10,000.00 in the current 2013/2014 Budget.

When questioned by Town Councilman Zagurski, David Bertnagel stated that it was a Program Supplies line item within the Snow Removal budget, but it was not Salt and Sand as it was stated several times tonight.

Town Councilman Zagurski thanked David Bertnagel for the clarification.

Melanie Church thanked David Bertnagel for the correction.

**Council Comments**

Town Councilman Foote stated that he was looking at 100 signatures on the petition and he knew Mrs. Reed had been at almost every meeting since he got on the Council.

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**Council Comments Cont'd.**

Town Councilman Foote stated that he did not know what process the Council would have to follow, but he thought it was time the Council consider foreclosure for back taxes of the property at 4 Chidsey Terrace with the content removal of materials and as requested by Mrs. Reed this evening, inclusion on the Blight list.

Town Councilman Foote stated that it was time the place was cleaned up. He further stated that he had spoken to the Fire Marshal and other people who told him there was nothing that could be done. Town Councilman Foote stated that the Town of Watertown, and some other towns, they just wait so long and then they tell somebody you have so much time to clean it up or we're tearing it down and he felt it was time the Council take action something like that.

Town Councilwoman Murawski stated that now that the Council had accepted the Final Report from the North Street Reservoir Ad Hoc Committee she thought it was the Mayor's Office that had governance over that property right now and maybe for the next Council meeting the Council could think about what the Town wanted to do, noting that most likely Parks and Recreation would take it over with help from Public Works as far as maintenance. She further stated that there had been talk about it becoming a Conservation area and maybe the Conservation Commission could have some input into that and she would like to hopefully get that going at the next Council meeting.

Town Councilwoman Murawski stated that she would like to have the Flagging Ordinance on the next Council's Agenda.

Town Councilman Foote stated that he would have to write something up for it.

Town Councilman Ferreira stated that he took offense to the inference that there were people on the Town Council who were taking things quid pro quo or the Council's roads were getting preference over certain roads. He further stated that these things get pushed over ever week, every month and for the past two years, i.e. accusations go forward and were not addressed. Town Councilman Ferreira stated that whether people were afraid of whatever the repercussions might be, but he was getting tired of it, noting that he had one more month left. He further invited anyone to come over and drive down his road, noting that four years ago there was chip seal on it and you couldn't even pedal a race bike up it without getting a flat tire. Town Councilman Ferreira stated that you should believe him when he said there was no quid pro quo going on from the Town Council and you should be applauding the people who serve on the Town Council, not throwing them under the bus every change that you get the opportunity to.

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**Council Comments Cont'd.**

Town Councilman Ferreira stated that if you have information about people stealing time from this Town he felt that you should come forward and bring that information to the Town, noting that it was your civil duty to the Town. He further stated that you should tell the Mayor's Office who these people were so that the Town could save some more money which he knew you were very concerned with and maybe you could have a meeting with the Mayor's Office and bring that forward.

Town Councilman Ferreira stated that every month there were points of heresy thrown out such as "he said, she said", which were unfounded and that they keep going by the wayside because we don't address them and they were given credence. He further stated that many of the things that were brought forth to the Town Council weren't discussed because maybe we don't have the information or the time to go into it, about Public Works. Town Councilman Ferreira stated that one thing you should be aware of, and maybe go to these meetings, is the Public Works Advisory Commission meetings. He further stated that he was there two weeks ago and the only people there were himself, Tony Lorenzetti and the Commission. Town Councilman Ferreira stated that the Commission would be more than willing to answer or look into any questions that anyone had about the Public Works Department and that's what they were there for; to facilitate all the answers that you need rather than coming up and people getting on their soapbox and railing at the Town Council and putting accusations out there, go to the meeting and get the information, the correct information, not information from some guy on the street corner or somebody who just happens to be disgruntled or walking down the street or going wherever they want, but get the real information or have somebody who cares look into it. Town Councilman Ferreira stated that it was a breath of fresh air when he went to the meeting, to see all these people looking to do the right thing for this Town and to get behind the Public Works Department and to see if there were things going on that shouldn't be, to get it taken care of and if not to help our Public Works Department to get the accolades that they should be getting. He further stated that he saw a spread on a State-wide Public Works publication where our Public Works Department was applauded for the work that they did with the resources that we had. Town Councilman Ferreira stated that like they, say a prophet is not accepted in his own hometown. He further stated that we have a great Public Works Department and he thought it would get even better with the Public Works Advisory Commission that is now in place. Town Councilman Ferreira stated that we have some great people there and he would suggest that if anyone had any questions or thinks something underhanded is going on then they should go to that Commission because there are a lot of people that would look into it for you.

Town Councilwoman Schenkel stated that she wanted to say "well said, Remie", and thank you very much, and she would miss him.

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**Council Comments Cont'd.**

Town Councilwoman Schenkel stated that with all the conspiracy that is supposed to be going on in Town she hoped Oliver Stone would come and film a movie.

Melanie Church stated that we would make Town Councilwoman Schenkel a star.

Town Councilwoman Schenkel said thank you to Melanie Church and that she deserved it.

Town Councilman Zagurski stated that Danny Gentile had not attended one meeting of the Public Works Advisory Commission and that he was hoping that the Mayor's Office could contact him and find out about his intentions.

Mayor Festa stated that his office had made attempts to contact him and would do it again.

Town Councilman Zagurski stated that he was interested in the Fire Department's truck that was turned in and also about all the Police cars.

Town Councilman Zagurski questioned David Bertnagel if there was any thought about auctioning the Police cars off.

David Bertnagel stated that he and Ted Scheidel would talk to Town Councilman Zagurski about this issue. He further stated that Ted Scheidel had been dealing with most of the legwork with the State agency.

David Bertnagel stated that the cars out back were currently being used by Town officials to do their duties. He further stated that the Town could not get rid of them, as he previously had stated, until the Town had the official letter that the grant had been approved and that there was also the last step that the Council had authorized them to do and that Ted Scheidel would fill him in on where it stood right now.

Ted Scheidel stated that he had a direct line to Kevin Peake at DOT, who was the point person for these new cars and that he calls him twice a week to ask if he can order the cars and last week his answer was again "no" because the Attorney General's Office had not signed off on them and Kevin Peake had told him that his boss had told him that they were going to bother them until next week, which was now this week, to see why they weren't signing and evidently they hadn't signed a lot of the grants that had come out of the STEAP Fund, but the Town was all set to go and then the cars would be auctioned. He further stated that it was a good question, but that it was unfortunate because we don't have the sign-off.

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**Council Comments Cont'd.**

David Bertnagel stated that the Town had the grant notification for two years and it was just a matter of the final formalities of it.

David Bertnagel stated that the Fire Department had procured the new fire truck in the middle or end of July. He further stated that all the equipment usually goes to the Public Works Department at which point it is either disposed of, scrapped, or whatever else. David Bertnagel stated that the pickup truck would be looked into and he would see what was going on.

David Bertnagel stated that his knowledge was that the pickup truck was going to be eventually sold, but again, he really didn't know too much more and obviously people have other inside information that we don't have here.

Town Councilman Foote stated that he was unsure what truck it was, but if it was the one he was thinking of it was a pickup truck with a flatbed body on it and it was in pretty good looking shape for an '86. He further stated that mechanically it might have some work needed, but body wise (which is expensive) it was good and the chassis seemed strong and it was parked out in front of the Fire House all the time. Town Councilman Foote stated that if it was the one he was thinking of then he didn't see anything wrong with keeping it in Town, noting that it wasn't a junkable piece.

David Bertnagel stated that it might not be able to be used for emergency purposes, but it might be able to be used for other purposes.

Town Councilman Foote stated that he thought it was going to be used for general pick up, but the Fire Department obviously needed to get rid of it because it wasn't serviceable for Fire apparatus.

Town Councilman Zagurski stated that he didn't quite understand what they wanted to do with the petition because basically they were saying they wanted the property cleaned up and emptied out and he was assuming they wanted the Town to do that. He further stated that they also wanted the property placed on the Blight list, but it wouldn't go on the Blight list if everything had been cleaned out.

Town Councilman Foote stated that it was kind of backwards, but that he thought the Town should immediately include it on the Blight list and go from there.

Town Councilman Zagurski stated that the Charter tells the Council what it has to do now that they had been petitioned, noting that he did not remember exactly what had to be done, but he felt the Council should look at it and probably act on it at the next meeting.

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**Council Comments Cont'd.**

Mayor Festa stated that he had received a registered letter today, noting that one was also addressed to the Council, regarding concerns about the location of the Skate Park behind Town Hall.

Mayor Festa stated that a copy of the letter was also sent to the Planning and Zoning Commission and to Martin Sandshaw, noting that he had spoken to Marty about it.

Mayor Festa stated that the indication from the people who submitted the letter was that they were not opposed to a Skate Board Park; they were only opposed to the location behind Town Hall. He further stated that they were adjoining property owners and that they were asking for reconsideration and due to the fact that it was on the Planning and Zoning Agenda he wanted to ensure that the word went out to the Council.

**Adjournment**

There being no further business of the Plymouth Town, Town Councilman Foote made a motion, seconded by Town Councilwoman Murawski, to adjourn at 9:46 p.m. This motion was approved unanimously.

Respectfully Submitted,

Recording Secretary

Attachments