

**Town of Plymouth**  
**80 Main Street**  
**Terryville, CT 06786**  
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**Plymouth Town Council**  
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**Minutes**

**April 1, 2014**

**Call to Order:** Mayor David V. Merchant called the scheduled April 1, 2014, Plymouth Town Council Regular Meeting to order at 7:00 p.m., in the Community Room, Town Hall.

**Roll Call:** Present were Town Councilman William Heering, Town Councilwoman Susan Murawski, Town Councilman John Pajeski, Town Councilman Gary Wyszynski, and Town Councilman Tom Zagurski. Also in attendance were the Director of Finance David Bertnagel and Director of Parks and Recreation Michael Ganem.

**Fire Exits Notification**

Mayor Merchant noted the Fire Exits for the record.

**Pledge of Allegiance**

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

**Council Rules and Procedures**

Town Councilman Heering distributed a copy of his proposed addition to the established Town Council Rules and Procedures-“AutoTable” for review and consideration by the Council. Town Councilman Heering read through the document and noted that he would like the item tabled until next month; a brief discussion followed.

Town Councilwoman Heering stated that he would like this Agenda item tabled until next month allowing the Council members to digest it.

Mayor Merchant stated that he would like Agenda Item 11 removed from the Agenda, noting that the Council had previously voted on it.

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**Acceptance of Minutes (February 27, 2014, March 4, 2014)**

Town Councilman Pajeski made a motion, seconded by Town Council Heering, to accept the February 27, 2014, Town Council Minutes as presented. This motion was approved unanimously.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Heering, to accept the March 4, 2014, Town Council Minutes as presented. This motion was approved unanimously.

**Mayor's Report**

Mayor Merchant stated that he had attended a Plymouth Early Childhood Council dinner meeting, earlier this evening at the High School, noting that they were a great group of people working hard for the children of Plymouth.

Mayor Merchant stated that the Community Garden was progressing nicely in the Industrial Park, noting that Public Works had done a tremendous job on the project. Mayor Merchant stated that Michael Ganem, Director of Parks and Recreation, had taken over the project and anyone looking for space in the garden should contact him directly. He further stated that there would be a parking area and that tilling would begin soon.

Mayor Merchant stated that the North Street Reservoir project was also progressing, noting that he would be meeting with the Department of Environmental and Energy Protection this week. He further stated that there would be a small dock area where rooftop boats, canoes and kayaks, along with a parking area.

Mayor Merchant stated that the material (sand and gravel) for the parking lots was processed by the Town up at the Wolcott Sand and Gravel facility and would not be an expense to the Town.

Mayor Merchant stated that the Town's Economic Development was high and that he was currently working with 11 businesses that were going to expand in Town or were purchasing lots, and that the majority of the new businesses would be relocating in the Industrial Park.

Mayor Merchant stated that a tire company had just opened up on Main Street in the old Western Auto building.

Mayor Merchant stated that the Seymour Road project had been awarded to Richards Corporation this past week and that a pre-construction meeting would be held this week.

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

Mayor Merchant stated that design work was almost completed for the Bemis Street project, noting that the Town had gone back to Central Connecticut Regional Planning (CCRPA) to get the project fully funded, and that the monies had been approved.

Mayor Merchant stated that he was hopeful that the budget that had been submitted to the Board of Finance would be approved and would lower the mill rate that had been previously discussed.

Mayor Merchant stated that the Town's Bond rating had been upgraded from a minus AA to AA, noting that was excellent news. He further stated that if the Town had to do another Bond Package this upgrade would save the Town at least \$300,000 to \$400,000 at least.

**Public Comment on Non-Agenda Items**

Marty Sandshaw, 7 Richmond Drive, Plymouth, requested a Moment of Silence for Austin Fired Department tragedy, noting that they had their services today.

Steve Mindera, 5 Virginia Road, Terryville, Chairman-Historic Property Commission, stated that he wanted to briefly update the Mayor and Town Council on the Waterwheel Project, noting that the Waterwheel was a Town jewel.

Steve Mindera stated that he had obtained prices for trashcans and benches for the Waterwheel Park, noting that they would be the same as the Streetscape and that the Commission was very positive about their progress on Phase I and were currently starting Phase II.

Steven Mindera distributed photographs of a Waterwheel that he and his wife had visited in Troy, NY, noting that the Town had not taken care of it and all that remained was a billboard picture.

Steve Mindera state Matt Malley, Historical Society, was working on the Brick Fundraiser.

Steve Mindera stated that the progress of all the Commission's work was slow because most of what the Commission does has to be done with the State of Connecticut, noting that there was a lot of positive in the Town.

Mayor Merchant stated that it was a great project and that he was pleased that it was finally getting off the ground and moving forward.

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**Appointments/Resignations**

**To untable the appointment of Robert White to the Code Enforcement Committee as a Regular Member; to appoint Frederick Schwalm to the Plymouth Human Services Commission as an Alternate Member**

Town Councilwoman Murawski made a motion, seconded by Town Councilman Wyszynski, to untable the appointment of Robert White to the Code Enforcement Committee as a Regular Member. This motion was approved unanimously.

Town Councilman Heering made a motion, seconded by Town Councilman Wyszynski, to appoint Robert White to the Code Enforcement Committee as a Regular Member. This motion was approved unanimously.

Town Councilman Pajeski made a motion, seconded by Town Councilman Zagurski, to appoint Frederick Schwalm to the Plymouth Human Services Commission as an Alternate Member. This motion was approved unanimously.

**To discuss and take action to appoint Mayor David Merchant as the Interim Public Works Director**

Mayor Merchant stated that he wanted to make it very clear to everyone concerned that he did not hire on with the Town to be the Public Works Director no did he intend to be it, and that he had enough going on currently. He further stated that he was working on a plan and that until that happened he felt it would look/be better that he was appointed for the interim, noting that as the Mayor he was overseeing the department, anyway.

Town Councilman Pajeski made a motion, seconded by Town Councilwoman Murawski, to discuss and take action to appoint Mayor David Merchant as the Interim Public Works Director.

Discussion:

Rob Wilcox, South Main Street, Terryville, stated that he was opposed to the appointment and that the Mayor should not be participating in the operation of Public Works. He further stated that Tony Lorenzetti's position should be replaced with a qualified Engineer. Rob Wilcox stated that he did see the need for any full-time Facilities Safety person and didn't necessarily know what that person was. He further stated that he did not feel there should be an Engineering Technician if a qualified Public Works Director was hired.

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**Public Comment Cont'd.**

Melanie Church, 328 Main Street, Terryville, stated that the Town was paying someone overtime to attend Capital Improvements Committee meetings, and other meetings, in Tony Lorenzetti's absence. She further stated that the Town definitely needed a Public Works Director. Melanie Church stated that according to the Charter the Mayor could be the Acting Public Works Director and the Council did not need to appoint him. Melanie Church stated that the Town should get a Public Works Director who would get a handle on everything within the department. She further stated that Tony Lorenzetti went to a lot of outside meetings and that he had a lot of expertise and that the person should have a degree.

Robert Ives, 282 Main Street, Terryville, stated that the Mayor wanted to take the position and keep the projects forward, noting that someone had to do that, noting that the Town finally had an aggressive Council and Mayor. He further stated that the Mayor would not be collecting a paycheck in the position and he saw no reason not to make the appointment.

Town Councilman Zagurski stated that he was concerned about Land Use Boards, noting that they rely on an Engineer to answer questions, etc.

Mayor Merchant stated that Margus Laan would deal with Land Use Board issues, noting that Engineering issues were dealt with by other Engineer who had helped out in the past, i.e. Bemis Street, Seymour Road, etc. He further stated that if a specific problem arose he would face it as it came in.

When questioned by Town Councilman Heering, Mayor Merchant stated that he did not have a specific timetable as to how long he would be the Interim Public Works Director; a brief discussion followed.

Town Councilman Wyszynski stated that we need to do something about this interim situation and that someone needed to be responsible and questioned if a timeframe could be looked into to replace Tony.

Mayor Merchant stated that a Special Meeting could be set up to discuss this agenda item.

Town Councilman Pajeski stated that he firmly believed that the Town had to continue to move forward and that the Mayor would only be filling in the position temporarily.

Barbara Watson, 203 Lake Plymouth Boulevard, Plymouth, stated that the item stated that the position was only interim and that the people in Town wanted the roads fixed, noting that putting the Mayor in charge would keep the Town moving forward.

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**Public Comment Cont'd.**

Cathy Kosak, 201 Harwinton Avenue, Terryville, stated that appointing the Mayor, as Interim Public Works Director, would give the Town time to look at what the Town really wanted in the office. She further stated that the Charter stated the Mayor would be the Interim Public Works Director and she didn't see what the problem was, noting that she would like to see the Public Works Advisory Commission involved with the discussion.

When questioned by Town Councilwoman Murawski, Mayor Merchant stated that the timeframe might be six months.

Town Councilwoman Murawski stated that she was in agreement that we needed to keep the Town moving forward; a brief discussion followed.

Vote: Town Councilman William Heering/yes; Town Councilwoman Murawski/yes; Town Councilman Pajeski/yes; Town Councilman Wyszynski/yes; Town Councilman Zagurski/yes, motion passed.

**To discuss and take action, as may be necessary, to refund the following Property Taxes: Corelogic \$691.88; James M. Fluman \$23.65; Marilyn Marullo \$2,099.54; USA Dept. of Agriculture Rural Housing \$281.96; Dawn D. Provost \$618.99; Michael J. Ryan \$29.57**

Town Councilman Wyszynski made a motion, seconded by Town Councilman Zagurski, to refund the following Property Taxes: Corelogic \$691.88; James M. Fluman \$23.65; Marilyn Marullo \$2,099.54; USA Dept. of Agriculture Rural Housing \$281.96; Dawn D. Provost \$618.99; and Michael J. Ryan \$29.57.

**To discuss and take action on the Regional Performance Incentive Program (RPI) Grant Application/Resolution (Resolution Projects: Aerial Imagery and GIS Upgrades, Municipal Transportation Services Study, Municipal Cloud Services, Dial-a-Ride Software/Hardware Proposal)**

Mayor Merchant stated that he put this Agenda item back because he did not realize at the time that these were four separate issues that could be voted on separately. He further stated that CCRPA had explained the issues to him further and that CCRPA had also discussed the items with Margus Laan (Land Use) and the Planning and Zoning Commission. Mayor Merchant stated that that these departments/boards said they could definitely use the Aerial Imagery and GIS Upgrades, noting that it would help them.

Mayor Merchant stated that CCRPA had sat down with our IT people (Rich Trudeau) noting that he felt they would definitely take advantage of the service.

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**To discuss and take action on the Regional Performance Incentive Program (RPI) Grant Application/Resolution (Resolution Projects: Aerial Imagery and GIS Upgrades, Municipal Transportation Services Study, Municipal Cloud Services, Dial-a-Ride Software/Hardware Proposal) Cont'd.**

Town Councilman Pajeski made a motion, seconded by Town Councilman Zagurski, for the Aerial Imagery and GIS Upgrades.

After a brief discussion, Town Councilman Zagurski withdrew his second and Town Councilman Pajeski withdrew his motion.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Pajeski, to adopt a Resolution endorsing Item #1 Aerial Imagery and GIS Upgrades of the Regional Performance Incentive Program Proposal referenced in Connecticut General Statutes Section 4-124S as amended by Section 251 and 253 of Public Act 13-247.

Discussion:

Town Councilman Heering stated that he voted against this item last time and probably would this time based on Constitutional grounds (Fourth Amendment) which he read, and briefly explained his reasoning.

Town Councilman Pajeski stated that the pictures would be used for Wetlands verification and property lines, etc. He further stated that the Town had already paid for it and that the Town would have to pay for it again down the road, noting that it would benefit the whole Town now to keep things moving forward.

Rob Wilcox stated that he wanted to reiterate what Bill had said, noting that there was no guarantee what they were taking pictures of and that it was an invasion of privacy and was a matter of Constitutional rights.

Robert Ives stated that he was in favor of the Constitution, however everyone in Town with a computer could access Google Earth and see everyone's property. He further stated that the pictures were already taken and that there were other services that had done the same thing. Robert Ives stated that if it would benefit the Town and projects he was in favor of it.

Bill Hall, 353 Plymouth Boulevard, Plymouth, stated that aerial maps were the basis for services that the Town might need such as wetlands, tax maps, zoning maps, utility maps, noting that the Town of Thomaston, smaller than Plymouth, had gone through two serious of tax maps already.

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**To discuss and take action on the Regional Performance Incentive Program (RPI) Grant Application/Resolution (Resolution Projects: Aerial Imagery and GIS Upgrades, Municipal Transportation Services Study, Municipal Cloud Services, Dial-a-Ride Software/Hardware Proposal) Cont'd.**

Michael Kennedy, 11 Overlook Road, Terryville, distributed copies of the United States Constitution, noting that the images were already there, but it would allow the government another tool to invade our privacy. He further stated that the government was trying to take our liberties away and that the Council took an oath to uphold the Constitution and that he would hold the Council as guilty as the government if they passed this agenda item and briefly explained his reasoning.

Pattie DeHuff, 20 Lynn Avenue, Terryville, distributed copies of the Connecticut Constitution and the United States Constitution and read from Section 7. She further stated that this agenda item was a violation of the Fourth Amendment of the United States Constitution rights and Article 1, Section 7 of the Connecticut Constitution and briefly explained her reasoning.

Vote: Town Councilman William Heering/no; Town Councilwoman Murawski/yes; Town Councilman Pajeski/yes; Town Councilman Wyszynski/no; Town Councilman Zagurski/yes; motion passed.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Zagurski, to adopt a Resolution endorsing Item 2 Municipal Transportation Services Study of the Regional Performance Incentive Program Proposal referenced in Connecticut General Statutes Section 4-124S as amended by Section 251 and 253 of Public Act 13-247.

Discussion:

Mayor Merchant stated that CCRPA would be studying our transportation in Town, and neighboring towns, and would offer suggestions to make life easier and possible make duplicate routes that could be shared. Mayor Merchant read the CCRPA description for the item for the Public audience.

Vote: Town Councilman William Heering/yes; Town Councilwoman Murawski/yes; Town Councilman Pajeski/yes; Town Councilman Wyszynski/yes; Town Councilman Zagurski/yes; motion passed.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Heering, to adopt a Resolution endorsing Item 3 Municipal Cloud Services of the Regional Performance Incentive Program Proposal referenced in Connecticut General Statutes Section 4-124S as amended by Section 251 and 253 of Public Act 13-247.



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**To discuss and take action on the Regional Performance Incentive Program (RPI) Grant Application/Resolution (Resolution Projects: Aerial Imagery and GIS Upgrades, Municipal Transportation Services Study, Municipal Cloud Services, Dial-a-Ride Software/Hardware Proposal) Cont'd.**

Discussion:

Mayor Merchant read the CCRPA description for the item for the Public audience. Mayor Merchant stated that the Town's IT Department had discussed this item with CCRPA and that had said that it was a service that they would like to take advantage of.

When questioned by Town Councilman Heering, Mayor Merchant stated that the grant money would not be coming to us and that CCRPA would be providing this service on behalf of the towns. He further stated that he was unsure if there were future costs to this once the grants ran out.

When questioned by Town Councilman Heering, Mayor Merchant stated that Rich Trudeau was confident about the security with this Agenda item.

Chris Simo-Kinzer, 52 Old Farm Road, Terryville, stated that he was familiar with Cloud services and noted that the security was questionable. He further stated that there were a lot of questions brought up and that he couldn't understand how the Council could vote yes on this item without knowing what they were getting into.

Pattie DeHuff stated that she was in agreement with Chris Simo-Kinzer and that she was concerned about the safety and security involved. She further stated that the Mayor's answer from Rich Trudeau did not say that it was safe and she wanted the Council to just vote no.

Citing the recent hacking of Target stores, Mayor Merchant questioned what was actually secure. He further stated that the Town had to go out and look for what was best and what was being offered at the time. Mayor Merchant stated that he listens to the people that have knowledge about the issue.

Vote: Town Councilman William Heering/no; Town Councilwoman Murawski/yes; Town Councilman Pajeski/yes; Town Councilman Wyszynski/no; Town Councilman Zagurski/yes; motion passed.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Heering, to adopt a Resolution endorsing Item 4 Dial-a-Ride Software/Hardware Proposal of the Regional Performance Incentive Program Proposal referenced in Connecticut General Statutes Section 4-124S as amended by Section 251 and 253 of Public Act 13-247.

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**To discuss and take action on the Regional Performance Incentive Program (RPI) Grant Application/Resolution (Resolution Projects: Aerial Imagery and GIS Upgrades, Municipal Transportation Services Study, Municipal Cloud Services, Dial-a-Ride Software/Hardware Proposal) Cont'd.**

Mayor Merchant read the CCRPA description for the item for the Public audience. Mayor Merchant stated that Dial-a-Ride was constantly being used by Town residents.

Town Councilman Wyszynski questioned how Dial-a-Ride currently handled their scheduling.

Mayor Merchant stated that the individual towns handled it themselves and that currently nothing existed. He further stated that this was CCRPA's grant and they would be offering our Town the service and that Cook's would be doing the scheduling.

Vote: Town Councilman William Heering/yes; Town Councilwoman Murawski/yes; Town Councilman Pajeski/yes; Town Councilman Wyszynski/yes; Town Councilman Zagurski/yes; motion passed.

**To discuss and take action to approve a \$70,000 appropriation using a LoCIP Grant for construction of a Skate Park, as recommended by the Skate Park Committee**

Marty Sandshaw, 7 Richmond Drive, Plymouth, provided a detailed background history on the Skate Park Committee and their work. He further named the Committee Member names and their involvement with the Committee. Marty Sandshaw stated that he wanted to thank you the Council members in advance for the consideration of this appropriation.

David Bertnagel, Director of Finance, provided and detailed the LoCIP Grant financial information for the \$70,000 appropriation request. He further stated that this appropriation would not compromise the Road Projects or the Budget; a brief discussion followed.

Michael Ganem, Director of Parks and Recreation, stated that he couldn't thank the Skate Park Committee enough on all the work that they done, noting that they had worked for years on this project. Michael Ganem requested that the Council give the Skate Park Committee a vote of confidence and endorse their project request, noting the merit of the project.

When questioned by Pattie DeHuff, Marty Sandshaw stated that there was approximately \$12,000 leftover from the Fisher Athletic Fields and that it could be reallocated for this project; a brief discussion followed.

Melanie Church stated that LoCIP monies was supposed to be for roads and stated that this was a continuing problem and briefly detailed her reasoning.

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**To discuss and take action to approve a \$70,000 appropriation using a LoCIP Grant for construction of a Skate Park, as recommended by the Skate Park Committee**

Chris Simo-Kinzer stated that he was glad to hear there were some road projects being done, noting that there was a section of Preston Road that was just as bad as Bemis and Seymour, noting that he had an issue with \$70,000 being spent on a Skate Park.

Cathy Kosak stated that she was a member of the Parks and Recreation Commission, but that she was speaking as a life long resident and a taxpayer. She further stated that neither item, roads or recreation, were better than the other, noting that there was a social aspect that the Town owed its youth.

Robert Ives stated that electronics were taking kids away from social activities and that the Skate Park issue should go before the people and requested the Council let the people make the choice.

Nicole McWilliams, 34 Overlook Terrace, Terryville, stated that she agreed monies could be spent in other areas, however she felt the Town should move this project forward, noting that youth needed more things to do and were the Town's future.

Sarah Sandshaw, 141 Shroback Road, stated that she saw youths on bicycles downtown near the newly renovated Streetscape, noting that the Town had done a wonderful job with the benches, light posts, etc. She further stated they had their bicycles in the area and that if they had someplace to go they would not be destroying what the Town had built up in the downtown area.

When questioned by Town Councilman Wyszynski, David Bertnagel further explained how this appropriation would not affect the Town's road projects.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Zagurski, to recommend to the Board of Finance a \$70,000 appropriation using a LoCIP Grant for construction of a Skate Park.

Vote: Town Councilman William Heering/yes; Town Councilwoman Murawski/yes; Town Councilman Pajeski/yes; Town Councilman Wyszynski/yes; Town Councilman Zagurski/yes, motion passed.

**Discuss and take action on the Wolcott Sand and Gravel Contract**

Mayor Merchant stated that this was a one-year contract that was expiring and noted that a lot of the material at the site was used for Town projects, i.e. parking lots at the North Street Dam and the Community Garden.

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**Discuss and take action on the Wolcott Sand and Gravel Contract Cont'd.**

Town Councilman Zagurski made a motion seconded by Town Councilman Wyszynski, to renew the contract for Wolcott Sand and Gravel.

Discussion:

David Bertnagel distributed copies of a spreadsheet of the material created at the Wolcott Sand and Gravel facility and detailed the information at length, noting that it as profitable for the Town.

When questioned by Town Councilman Zagurski, David Bertnagel stated that the Town did not own the crusher; it was leased.

When questioned by Town Councilman Heering if the Town paid rent, David Bertnagel stated that it was a \$5,000 cost per year to the Town.

When questioned by Town Councilman Wyszynski, David Bertnagel stated that the contract was renewable and that it would be an identical contract going forward.

Melanie Church questioned what the cost was for the contractor who came in to crush the rock and stone.

David Bertnagel stated that it was included in the \$150.00 per hour with a daily rate of nine hours per day.

Michael Kennedy questioned if the material being produced at Wolcott Sand and Gravel was certified.

Richard Lyga, 58 Curtiss Road, Chairman Public Works Advisory Commission, stated that all the material was certified by the State of Connecticut and briefly explained the process used for the roads. He further stated that this facility was a Registered Mining site.

Richard Lyga explained the cost savings to the Town by utilizing the Wolcott Sand and Gravel facility, in detail and at length, noting that it was a plus for the Town.

Michael Kennedy stated that if the material was certified then he would like to see the certification and that it should be made public, as well, noting that it was important.

When questioned by Town Councilman Zagurski, Mayor Merchant stated that the contract was for one year with the option to renew for four years.

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**Discuss and take action on the Wolcott Sand and Gravel Contract Cont'd.**

Town Councilman Zagurski stated that he did not like getting the material the night of the Council meeting and that it brought to light Town Councilman's Heering AutoTable recommendation.

Town Councilman Zagurski stated that David Bertnagel had done a good job with the document.

Vote: Town Councilman William Heering/yes; Town Councilwoman Murawski/yes; Town Councilman Pajeski/yes; Town Councilman Wyszynski/yes; Town Councilman Zagurski/yes, motion passed.

**Town Council Liaison Reports**

Town Councilman Wyszynski provided his Public Works Report.

Town Councilwoman Murawski provided her Fire Commission Liaison Report.

Town Councilwoman Murawski provided her Water Pollution Control Authority Report.

Town Councilwoman Murawski provider her PVAC Report.

Town Councilwoman Murawski provided her Planning and Zoning Commission Report.

Town Councilman Zagurski provided his Library Board Report.

Town Councilman Pajeski provided his Housing/Gosinski Park Report.

Town Councilman Heering provided his Conservation Inland-Wetland Report.

**Council Comments**

Town Councilman Wyszynski stated that the Town's IGA Supermarket was holding a Food Drive on April 5<sup>th</sup> and April 6<sup>th</sup> noting that all donations were being matched through the Feinstein Foundation Grant during the months of March and April.

Town Councilman Wyszynski thanked the Public for their distributed material and stated that he wished more people would come out and voice their opinions.

Town Councilman Wyszynski stated that he had a trip scheduled with Jim Schultz to Wolcott Sand and Gravel, noting that he would get back to Mr. Kennedy with additional information.

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**Council Comments Cont'd.**

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

Mayor Merchant stated that a fundraiser was in the works for the Eagle's Nest Restaurant because of the recent fire at the establishment and encouraged everyone to support the event.

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

Town Councilman Pajeski stated that he had no Council Comment at this time.

Town Councilman Heering stated that he wanted to second what Town Councilman Wyszynski had stated this evening regarding Public participation.

**Adjournment**

There being no further business of the Plymouth Town Council, Town Councilman Wyszynski made a motion, seconded by Town Councilwoman Murawski, to adjourn. This motion was approved unanimously.

Respectfully Submitted,

Recording Secretary