

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

**Plymouth Town Council**  
**Telephone: (860) 585-4001**  
**Fax: (860) 585-4015**

**Minutes**

**August 10, 2017**

**Call to Order:** Mayor David V. Merchant called the scheduled August 10, 2017, Plymouth Town Council Special Meeting to order at 7:12 p.m., in the Community Room, Plymouth Town Hall.

**Roll Call:** Present were Town Councilman Daniel Gentile, Mayor David Merchant, Town Councilwoman Sue Murawski, Town Councilman John Pajeski and Town Councilman Tom Zagurski. Excused Absence: Town Councilwoman Ana LeGassey. Also in attendance was Town Attorney William Hamzy.

### **Pledge of Allegiance**

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

### **Public Comment on Agenda Item**

No report.

Mayor David Merchant briefly outlined and explained the process, with or without changes, to draft the questions that would go on the ballot for the November election, which the Town Council would approve at the September Town Council meeting.

### **To consider and act upon the following proposed changes to the Town of Plymouth Charter for placement on the ballot for the November 2017 Election as follows:**

- a. Chapter III Section 3. Delete last three sentences.
- b. Chapter VI Section 4 Subsection 2. Delete and renumber subsections.
- c. Chapter VII Section 3b. Change title from “Annual Budget Referendum” to “Annual Budget Approval Process”. Delete this section and substitute the following: “In the event the proposed budget is not more than three percent (3%) higher or lower than the current year’s original approved budget, the Town Council may consider and approve the same by a majority vote. If the proposed budget is more than three percent (3%) higher or lower than the current year’s original approved budget, then the council shall schedule a budget referendum to be held on or before May 3 for adopting a budget. The budget shall be accepted or rejected by a majority ballot vote cast by the electors and qualified taxpayers at the referendum. In the event of a budget rejection, the town council is authorized to adopt a budget by June 15.

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Council adjustments to the budget excluding debt service shall not be more than three percent (3%) higher or lower than the current year's original approved budget. At the time the budget is adopted, the Board of Finance shall file the same with the Town Clerk and shall also fix the tax rate in mills which shall be levied on the taxable property in the Town for the ensuing fiscal year."

- d. Chapter IX Section 3 Subsection 2. Delete the second sentence of this subsection and substitute the following: "All meetings and minutes of meetings shall be conducted in recorded in accordance with established rules of parliamentary procedure and shall include "Public Comment" as an agenda item. The Town Council shall also include "Public Comment on Non-Agenda Items" as an agenda item, which may be combined with the "Public Comment" agenda item. Each board or commission as well as the Town Council may adopt a rule which limits the amount of time a speaker may speak during the Public Comment agenda item or in the case of the Town Council, the Public Comment on Non-Agenda items. Boards, commissions and the Town Council may use their own by-laws, rules or regulations pertaining to the allowance of Public Comment on agenda items."

Chapter III Section 3. Delete the third sentence of this Section and substitute the following: "All meetings of the Town Council for the transaction of business shall be open to the public which public shall have input in accordance with Chapter IX Section 3 Subsection 3 as amended."

When questioned by Town Councilman Tom Zagurski if the Council received paperwork, photographs, etc., from the Public audience during the Council meeting(s) would this material be kept in the Town Clerk's Office.

Charter Revision Commission Chairman Mark Malley stated the Council minutes essentially contain what the Council Journal requires and briefly elaborated.

Plymouth Town Clerk Barbara Rockwell stated the Town should consult with Record Retention to see what had to be kept and how long it needed to be kept.

Charter Revision Commission Chairman Mark Malley stated the Journal doesn't address the question; what to do with the material being generated from the meetings; a brief discussion followed.

Town Councilman Tom Zagurski made a motion, seconded by Town Councilman Dan Gentile, to delete last three sentences in Chapter III Section 3.

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Discussion:

Town Councilwoman Sue Murawski stated she was happy with this motion if at the next Council meeting the Council bring it up again under Council Rules and Procedures and set down what the Council wanted saved and where it would be saved.

Vote:

Motion approved unanimously.

Mayor David Merchant stated this evening the Town Attorney had suggested the following change to Item 4.b.: Chapter VI, Section 4, Subsection 2. Delete and substitute "An Assessor shall be appointed in accordance with Connecticut Statutes Sec. 7-100k."

Town Councilman Tom Zagurski stated he did not know the Town had a Board of Assessors and questioned if it was still in existence.

Charter Revision Commission Chairman Mark Malley stated the Town had hired a professional Assessor so the Board of Assessors became a redundant elected board; a brief discussion followed.

When questioned by Town Councilman Tom Zagurski, Charter Revision Commission Chairman Mark Malley stated the Town does have an Assessment Board of Appeals and that he thought it was included in the Charter.

Town Councilwoman Sue Murawski made a motion, seconded by Town Councilman Tom Zagurski, to delete and replace Chapter VI Section 4 Subsection 2 with "An Assessor shall be appointed in accordance with Connecticut Statutes Sec. 7-100k." This motion was approved unanimously.

Town Councilman Tom Zagurski stated he understood what the Charter Revision Commission wanted to do with the 3% proposed change, however he did not like the idea of taking the vote away from the people, wanted it to go to Referendum, and briefly elaborated.

Charter Revision Commission Chairman Mark Malley stated he thought the vote had been 100 percent unanimous for this proposed change and briefly elaborated on the Charter Revision Commission's logic.

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Charter Revision Commissioner Cathy Paskus stated the reason the proposed the change was made because so many people didn't come to the budget meetings, but when it went to referendum 500 people would come out and they really didn't really understand what would happen if it was rejected. She further stated the Town Council and the Board of Finance worked very hard and for a long time on the budget and these members were elected by the same people. Charter Revision Commissioner Cathy Paskus stated by putting it on the ballot for the November election would decide if it was what the people wanted. She further stated the Charter Revision Commission was not trying to take anyone's rights away.

Town Councilman Dan Gentile state the perception was the problem, not the factual truth. He further stated no one was taking anyone's rights away—this was a catch 22 and briefly elaborated. He further stated the Charter Revision Commission were volunteers and did not have a secret type of agenda and were doing what was in the best interest of the Town.

Town Attorney William Hamzy stated for the record no one in the room was making a decision on these questions; the only decision was whether or not to send it to the voters and let them make the decision whether or not to approve it.

Charter Revision Commissioner Peter Gianesini stated the City of Bristol citizens do not vote on their budget and briefly elaborated.

Town Councilman John Pajeski made a motion, seconded by Town Councilman Tom Zagurski, to accept Item c. and to put it on the ballot in November.

**Discussion:**

Town Councilman Gentile stated he wanted to make an amendment to the motion that a 2.5% or whatever the Council preferred (instead of the 3%) and send it back to the Charter Revision Commission to change it.

Town Councilman Tom Zagurski stated he understood where the 3% came from.

Town Councilman Dan Gentile made a motion to amend the motion, seconded by Town Councilwoman Sue Murawski, to change the percentage to 2% instead of 3%.

Charter Revision Commission Chairman Mark Malley stated if the number was going to be changed 2% it didn't make sense and quoted from the current Charter on this section; a brief discussion followed.

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Town Councilman Dan Gentile retracted his amendment noting and let the motion stand.

Vote:

Town Councilman Dan Gentile/no; Town Councilman John Pajeski/no; Town Councilman Tom Zagurski/yes; Town Councilwoman Sue Murawski/yes; Mayor David Merchant/yes. Motion passed.

Town Councilman Dan Gentile made a motion, seconded by Town Councilwoman Sue Murawski, to approve Item d. Chapter IX Section 3 Subsection 2 and Chapter III Section 3., as presented and put it on the ballot in November.

Discussion:

Town Councilman Dan Gentile stated there had been a previous Public comment that the Town Council did not have Public Comment on its agendas and noted that for over one year and a half there has been Public Comment on non-agenda items, as well as Public Comment on agenda items and briefly elaborated.

Vote:

This motion was approved unanimously.

Town Attorney William Hamzy stated the question of the Town Manager would be addressed at the Regular September meeting of the Plymouth Town Council.

When questioned by Town Councilman Dan Gentile, Mayor David Merchant stated there would still be time to put the Town Manager question on the November ballot after it was brought to the Town Council at its September meeting.

Town Attorney William Hamzy stated any question that is put on an election ballot should be approved at a Regular Town Council meeting and listed as an agenda item on the Town Council Agenda/Public posting notice. He further stated at the September Regular Council meeting he envisions the Council approving the questions that will be put on the ballot and deciding to include an advisory question on whether or not a Charter Revision Commission should be empanelled to consider a Town Manager.

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Town Councilman Dan Gentile made a motion, seconded by Town Councilwoman Sue Murawski, to recess at 8:01 p.m., to allow the Charter Revision Commission to convene. This motion was approved unanimously.

Mayor David Merchant called the Town Council Special meeting back to order at 8:02 p.m.

Town Councilman Dan Gentile made a motion, seconded by Town Councilman Tom Zagurski, to adopt the change by the Charter Revision Commission for the Assessor. This motion was approved unanimously.

**Adjournment**

There being no further business of the Plymouth Town Council, Town Councilwoman Sue Murawski made a motion, seconded by Town Councilman Tom Zagurski, to adjourn at 8:03 p.m. This motion was approved unanimously.

Respectfully Submitted,

Patricia A. Hale  
Recording Secretary