

Town of Plymouth

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Board of Finance

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1. Call Meeting to Order – The **Special Joint Meeting of the Plymouth Town Council and Board of Finance** was called to order in the Community Room, Plymouth Town Hall on **Monday, September 12, 2011 at 7:02 p.m.** by Mayor Vincent Festa, Jr. Mayor Festa noted there was a quorum of both boards. Members of Town Council in attendance: Councilmen Sandshaw, Wunsch, Zagurski, and Councilwoman Schenkel. BOF attendees: Pat Budnick, Vicky Carey, Peter Cook, Mike Drozdick, Dan Murray, Chairman Ralph Zovich. Also in attendance: Robin Gudeczauskas, Recording Secretary for BOF and Patricia Hale, Acting Clerk of the Council; David Bernagel, Director of Finance; Tony Lorenzetti, Public Works Director; James Schultz, Highway Superintendent.

2. Fire Exit Notification - Exits so noted by Mayor Festa.

3. Discussion of Emergency Plans and Operations Due To Storm Related Activities – Mayor Festa stated the reason for this special meeting is to discuss storm damage in the community from Hurricane Irene, remnants of Lee and rain. Discussion will be held after listening to financial considerations and issues from Tony and Jim from towns' plight and damages incurred. These boards will plan what to do as a community on problems we need to approach and what resolutions for areas such as Beach Ave., center of town, Rt. 72 flooding and no true representation on how to approach issues. He does have Preauthorization Planning on Upper Pequabuck River Watershed from March 1983 (distributed and reviewed_ from CT DEP, USDA soil conservation with a number of recommendations but not follow up on; and today the State Dept. sent information for funding of roads, classification reviewed. This is not part of FEMA but FHWA program and need to find out if we have roads or bridges that comply. Travelers is reviewing WPCA problem at Canal Street for issue of wall collapsing, piping destroyed and notified it is not covered under insurance because underground piping of \$97,000 not covered. Tony Lorenzetti: have put numbers together for FEMA, staff spent time with them, and estimate from road and damages, not full numbers but into six figures. Bemis washed out, other spots washed out such as Wolcott Road, spot damage at Judd Road, Cross, Scott, Todd Hollow and others as well as WPCA. Mayor Festa stated he has 2 to 2.5 dozen issues from private homeowners and businesses whose insurance do not cover and will not cover by grants and looking for help. The Learning Center wants to know if we will do a fundraiser for them and nothing we can do as the town for fundraising based on status. They have process to follow and we will give any assistance we can in compiling organizations who may help; did look into things for that and also have building across the street which is no longer a school and under their regulations it does not qualify to move into even for a short period of time; main concern is the plight of individuals who are looking for daycare for children and actually paying double as they have to pay tuition to The Learning Center even if not using it. Other business and private homeowners lost living quarters, basements, yards affected. Damage is horrendous.

Initial consideration is to look at a bonding proposal although the recent referendum failed but what was presented in the amount of money looking at, cost of money and to prepare for next go round if we look seriously may be through another bonding proposal and to be more specific in nature than the last one. We need to get an understanding of where we are and where headed. Tony Lorenzetti and Jim Schultz: study in 1983 was done in an attempt to get grant money to fix up the Pequabuck River Watershed, distributed, with executive summary and estimate on options. The Pequabuck has had flooding problems throughout years; we had different things occur and storm event was over 100 year storm event and flooding; on North Riverside the flooding came to Rt. 72 so that Webster, the post office and daycare and at least a foot of water by the Whole Donut that came over the bridge; a similar flooding event the following week where breaching and yards flooding; lost Bemis Street on two different occasions by Sherman Lane and Upper Pond. The pond breached and traveled down road, got in sewer trench and washed out and had a resident who had quite a bit of debris in yard. At some point we need to reconstruct that portion of Bemis and now partially gravel, somewhat passable; had washout at treatment plant, affluent line in river exposed and repaired and bank had to be stabilized and significant issue for several days and did bypass pumping at plant; there were other parts of town where watercourses breached. Met with residents and Marty with him one day with FEMA folks and met with FEMA at least 4 different occasions with different groups coming to see residents, commercial properties, and brought them to Lee Hardware, Scott Funeral, church on Maple, residential on Silver Street. Another spot with flooding was Woodside Lane and sub station there and had 3-4' of water at end of road. High water on Harwinton Avenue backed into Pequabuck; IGA plaza had water starting at Adams Drive, down Orchard; Cross Road, Keegan and Todd Hollow flooded. DEP was out to Todd Hollow, looked at private dam there and called Tony out and questioned evacuating and that was from second storm; had private culvert blow out on Minor Road and problems with access to home. After the storm(s) saw debris in rivers, spots with trees across river and still sediment in rivers and bricks there from Eagle Lock fire and spots if obstructed can be removed and would minimize risk of future problems. Jim Schultz: Matthews Street bridge, Judd Road, reservoir off Preston running full; North Street reservoir running full and in contact with Water Company on possible breaching; they inspected dam by high school, Lake Winfield. Mayor Festa noted in relation to report, talk about USDA people who were in Thursday on making application re rivers and streams vs. width of river on one side vs. another. Tony, potentially money for cleaning rivers and had USDA here (now Natural Resources (NRCS) and met with us and brought around to many spots with debris in river, Maple Street, Todd Hollow, downtown and took pictures, did not make us feel good about potential of getting grant money and talked about imminent danger and loss of human life regarding blockages shown. Did ask if other agencies can look and not definite no but minimal chance. Comes down along line we need to help ourselves initially. If we can get help from somewhere application process can be long especially with condition of other states. Can look at regional approaches. Mayor Festa: regionalization component and suggesting after speak with CCRPA is do geographic membership and write to Washington to pass legislation that is proactive rather than reactive and all material read up on, FEMA for reactive purposes and time someone takes a look and every time this type of storm damages occur same in same location. Problem is problem is not taken

care of. At Whole Donut on one side of road is 35' road and as crosses street it is 17' wide and water rushes through with debris it acts as dam and flooding occurs. USDA stated one time Army Corps went into communities and cleared out brooks and kind of thing asking if still have opportunity to utilize them with help of locals. Also have enough people unemployed if governor puts money into reconstruction we can put legislation in to help local governments as well as state. Waiting to hear back from Carl, Executive Director of CCRPA who is contacting other mayor's from surrounding communities to come together for joint meeting. Dave Bertnagel, impact on budgetary component – calculation in office about \$38,000 in general fund of operating expense due to Irene and Lee so far; second component is WPCA about \$100,000 of repair work to be done and as of today \$138,000 of expenditures committed for event. We are entitled to eligibility expenditure from FEMA and have come out to determine if approved we would get up to 75% reimbursement. Wall was questionable and another scale. 75% of \$138,000; we did have snow even in January and similar declared emergency and got 75% but have not received money for it yet. FEMA, after storm hit New England said they are out of money. Cost estimates of Bemis Street can be in millions of dollars to do long term solutions; discussion held. Provision in Charter noted that allows for emergency expenditure for items to take place and on \$24 million (for taxation) or \$1.2 million that can be authorized as emergency and Council need to approve and public hearing would need to be held; also in provision are additional appropriations for various items, anything over \$50,000 requires town meeting approval and if beyond authorization Council can bond up to \$150,000 without a referendum but still need town meeting. Now have \$50,000 in contingency line item for BOF and if use it, it is gone for the year. Mayor Festa stated issue is very serious and we do not have full implication of what expended and taking safety and welfare of people in community first. We are at crossroads and will not make a decision without coming back to Council and the BOF. Comments from Council: John Wunsch, to Tony Lorenzetti, will dredging Upper Pond will help Bemis. Tony, it is a control structure and if pond had ability to be lowered and if dam control operated it would have ability to control water. Pequabuck River watershed had water and water coming out at bridge near Main Street. Reservoir near high school, board was out and does not know ability for us to control that but to control upstream elevations helps. Lake Winfield, Rec department moved boards and that dam was not at risk. The State does not have policy on how we should do this. Looked at flood mapping and not quite sure flood mapping is right because of location of breach on Bemis runs along street before it gets back in pond and not showing on flood map. That dam, however, is not ours. Marty Sandshaw to Tony (a) a whole bunch of issues to address and in his professional opinion, what are the first issues we should attack and look at financing and what will do most benefit for town and townspeople, where we will we get biggest bang for buck. His opinion from driving with FEMA and Tony is stream bed/bank maintenance. Tony Lorenzetti, debris washing downstream is a big reason for flooding and debris went under bridge and ripped out utilities; debris management. In some areas of river not a lot of mature trees but 20-30 year olds that have fallen in and if can get some debris out would help; Silver Street, huge amount of debris. (b) do we have opportunities to work on this and what avenues would you use to do this. Tony stated it is private property and not publically owned property and anybody doing work needs permission from landowner, example given on area near daycare and people who own

that property own both sides of watercourse and they have ability to do maintenance and try to have trees and brush that limits storm water flow. (c) do we have opportunity or ability to say because of public health and safety that we will go in and do work if funds available and give people notice we will do that. Tony stated that question will have to be deferred to the town attorney. North Main Street bridge, water is way up on bridge because it can't make it around the corner from stumps and debris. Need to be care of erodible soils and careful of taking stuff out for sake of taking out and river may move in different direction. (d) Original question, we are coming into rainy season for 6-8 weeks get rain and what should we do to minimize effects on rains. Tony noted we have a bit left of hurricane season and impacts, what could be done to investigate spots most critical and talk to people about getting something done. We have 25-30 town owned bridges to make sure are in good shape; know spots we have to fix and a huge issue. Discussion held. DiAnna Schenkel, to Tony, when study done for roads and approximate roads talking about tonight were rated c or lower. Understand concern on waterways, imminent domain is precise legal mechanism requires you to just compensation for owners. If we do get funding, easement, to see if homeowner do voluntary easement to gain access and it is private property. Engineering study, 100% behind as water is a tricky thing and if we are fixing it, need to fix it right and do not want erosion afterwards. Question, roads, through trauma and situation unique, but concern on safety of roads mentioned and hoping whatever proposal put in is what is taken into account as we drive them every day. BOF comments: Mike Drozdick to Tony, (a) report mentioned that was issued in 1983, was this an engineering study. Tony, in essence, soil conservation who has engineers that work with them. It was an attempt to try to get DEP funding; options to summarize report reviewed. (b) is it valid today due to when issued. Tony, issue does not go away, we have more development, weather is strange and we seem to get extreme events and discussion with Dept of Agriculture in determining standards for storm events. Numbers obviously would change but discussion and alternatives have not changed all that much. Study done in 83 will be updated but we need to find funding to work on results. Mayor Festa, we need to take a lesson from storm 1-1/2 year ago because we did not qualify as a regional component. Study of Pequabuck River and results and saw price and put on shelf due to money necessary to complete project. Need discussion to problems and look at financial component. Bottom line is where is money coming from and only a few sources of taxation, increasing mill rate; bonding proposal; level debt service bonding and need financial plans for community and coming up with solution of severe problem facing. Pat Budnick, if we can't qualify for grant money without doing an updated study we need to find out if more cost effective to do with Bristol and need to look into. Agree with DiAnna on roads study and some including Bemis have always been an issue and need correlation and if bonding proposal that needs to be incorporated and if dams, including private, does it pay to do road unless dam corrected. Easements on private property, she has a lot on Burnham and have no clue if own land on other side and would have no problem giving easement; unfortunate is most people who have biggest debris would be happy to give ok to clean it up. One thought is old timers around town would say to put people to work like in depression, and Army Corps would send people to state parks and rivers to clean up and now stimulus money should go to those people and not existing contractors with work of their own and get these people back to work. Tony Lorenzetti stated you need to train those people. Dan Murray, when you

think of how Hoover Dam was originally made, training skills were to work pick or shovel. Pat Budnick, flooding, some like nursery that was a pond and IGA plaza use to be a swamp and natural for these places to flood as waterway needs somewhere else to expand. DiAnna Schenkel, is there a drainage ditch behind Jan Court. Tony stated it use to be an old reservoir and old pipes coming down and have detention pond on Jan Court and have other pond there. Need to figure out way to direct loose water away. Pat Budnick questioned wall collapsing and costs. Tony, there is rip rap, some embankment scoured and exposed pipes and one came apart and slope had to be reestablished with bigger stone in same location. Discussion held. Pat, thought for affording is that we put \$400,000 for road repair and if bond something and use that moneys for debt service. Tony, in terms of discretionary road, we used that money for crack sealing, putting pipe in ground, paving. Roads that need to be repaired cannot be done for \$400,000. Pat, last year patched sides of Bemis and out of \$400,000 and now if do whole road; why waste money on patch work. Vicky Carey stated Tony does not have enough money for roads and what we give is for band aid. If price tar and asphalt it is expensive. If we go with level debt service and Tony has only had a short time to go around since flooding, if he needs to reprioritize road study with drainage would like to see that with figures which would be best estimate and go forward with bond package and keep debt service level as planned. Dave Bertnagel stated it is structuring of debt service and how we do that. Peter Cook, we have talked a ton and given two numbers of 38,000 and 75% paid for and 100,000 for WPCZ and given six figures for all this stuff and no list. If we talked less and write on board he would have more knowledge. Where is list of projects with street name and "x" amount. We need a plan of yearly maintenance costs, clean up; what doing to mitigate potential flooding in future. Ralph Zovich stated two issues of short term approach for repairs and urgent ones to be made and long term bonding in capital improvements. Emergency appropriation in Charter reviewed. We can't rush headlong and bond all cap projects and need complete list. Beach Street flooding is in 1983 report; flooding of downtown area and 72/6 section under prequalify; Canal Street which ties into WPCA damage; Bemis Street is two issues, lower to 72 and patched and can no longer keep patching and upper portion near pond and long term projects. Waterbury Road has a catch basin that is depressed and short term project and should be done. Need short repair list and long term cap list for bonding. Also Cross Road has long term and short term component. Priorities for long term are public health and safety and what will help individual owners and people who live by river and in flood plain. Recommendation in report, some have been done; reviewed. Financing, have \$138,000 incurred in expenditures and need to cover; when 75% comes in then 75 appropriated to WPCA and rest back to BOF for contingency. Long term bonding, need to work with Municipal Facility and Capital Improvements and need to reconfigure bond package. John Wunsch, how much of \$400,000 was spent; Tony, roughly 2/3 spent. Pat Budnick asked Dave to clarify where 3.3 bonding and if approve road bond how would we accommodate it, would you refinance debt. Dave Bertnagel stated need to remember sewer plant was paid off this year and reducing debt burden for next year, PCS came off and lowers down and roughly your bucket full at 3.3 and drops next year to 1.7 million. Ralph, key is to get authorization from taxpayers at referendum and Dave can then sell bonds. Peter Cook asked if someone setting up a package to go out for bid for a study and can be started now and if we want to talk about money who will do study, put

together and how much will it cost. Tony Lorenzetti stated we can put a package together and discussion on study. Are we going with regional approach or on our own. Dan Murray stated what we have just gone through brought we have a variety of issues, roads, dams, waterways, study from '83 seems relevant today, and have projects in front of public works and have to separate out individually and within each prioritize what has to be done and only way to find out how long take, cost, time frame to get together. Need to prioritize ahead and if other studies done similar to this we should pull off and look at and determine if relevant today. Tony Lorenzetti, we have been submitting year after year all cap projects such as Beach Ave and these things have been broken out and discussed and even in presentation to Capital Improvement with design cost and project cost. Marty Sandshaw, agree with Dan and we need a list; depending on professional people to say this is what has to be done; we can't afford another study. Ask that staff come back with recommendation on what needs to be done immediately and best guess of what it will cost to be done. DiAnna Schenkel stated Tony has done several studies and take as foundational starting and if looking at Bemis Street by Armbruster and see if we need engineering study for presentation of cost, dam or bridge needs to be repaired and add that element and broken out approximate costs. Then go before Municipal Facility/Capital Improvement and show what need start to finish and why need. Pat, agree, this is top priority and feels waterways also need to be cleaned. Vicky Carey, this is emergency and welfare and safety of people and need to take care of and don't care about bond issue but want list of roads and costs. Ralph Zovich noted original bond was \$19.5 million including costs of underwriting and only 7.5 or 8 million for public works which included code upgrades for this building. Mayor Festa stated the bottom line that Vicky brought up is to do what you have to do, prepare a list with figures and bottom line we will come up with money. Discussion on authorizing particular project for funding. We do not have list tonight of facts and figures and point is repair work or complete reconstruction; what is impact on Bemis for reconstruction. Tony stated ballpark for area washed out is under 1000 feet but you cannot do just piece that just washed out; High Street to 72 is 2-3 million and other piece if want to do right is ¾ million and need to address root of problem which is dam at Fish and Game and if fix road still have base of problem that needs to be corrected. Mayor Festa stated the point is we are looking at millions of dollars. John Wunsch asked if we are looking at Public Works coming up with list for prevention and list of roads damaged heavily. Mayor Festa, list of roads that were damaged that need to be repaired for prevention with understanding prevention is for secondary issues. DiAnna Schenkel asked how many other little issues around town and do you need funding. Tony, temporary repairs with our resources and went in with own equipment and note we have only a few months before winter. Marty, do we need an emergency appropriation for temporary help; is it manpower issues. Look at hiring temporary help to address issues; short term emergency repairs. Jim Schultz gave example of behind IGA if we don't backfill what was just paved we will lose those roads and then patch. Ralph Zovich, short term emergency repairs can be done as Council has authority for that even for temporary help. Marty, Learning Center, sounds like citizens effected by their not being able to operate and is there something the town can do to assist, space available such as the school across the street. DiAnna Schenkel stated that is a private business and we would have to do that for every business in town. Peter Cook, the fire marshal should tell you no. Mayor Festa stated it comes in with licensing and the

state licenses them and whether they would give a license for them to operate out of Main Street School which is no longer a school. Parents have called and they are looking for money or project the town would sponsor as fundraising activity. Vicky Carey suggested they can rent a portable classroom and gave background of when on Planning and Zoning and the Daycare knew it was a flood plain and told they have to maintain insurance for a 100 year flood, their engineer had done design and it was to be able to sustain that and if they need to, they need to look at other avenues or renting another building in town; unfortunately we should not do anything for them but give alternatives. If using MSS they need to be brought up to code and we have liability. Peter Cook, closing of day care is not an emergency situation. We should not have to help private business and no life or death situation; this is not where we are here for. John Wunsch stated he believed they opened today.

5. Public Comment

a. Ann Tuleja – First, to clarify, Municipal Facilities hasn't met all summer much to her dismay. She owns a piece of property on a private lake and the State of MA came in and qualified all dams and made them have long term bonding package for dams and waterways that are private and why doesn't the State of CT make anyone who lives on streams maintain their property and when does it become our problem to maintain them. It is not our responsibility in short or long term to make people fix what is privately owned by them. In MA private dams and waterways homeowners have no choice to maintain or get fined per day. Agree projects have come multiple before BOF for 25 years and approved by State but we did not have enough money; now by the time we get specs and goes to boards and commission it will be two years and we can worry about money later on.

John Wunsch, dam between upper and middle pond, is it up to whatever; Jim Schultz, did observation of it and leaking. Tony, which one did they upgrade, upper or lower. Obvious when you put sandbags at foot of dam something needs to be looked at. Discussion held.

b. Patti DeHuff, 20 Lynn Avenue, (a) is Pequabuck River a navigable river. Tony, question on who owns property and brought post office and day care plan showing who owns and person who. (b) Dave said the town can spend 150,000 before going to bonding; Dave Bertnagel stated special appropriation piece up to 50,000 and then town meeting required and town council can issue bonds and notes up to 150,000 without referendum and that is 9a b. under Chapter 7; read into record. (c) that is not an updated version of Charter in 2009 charter revision; the Town Clerk's Charter is not updated. (d) how much money in undesignated fund; Dave, \$1.8 million and 250,000 allocated for next year so \$1.6 million.

c. Jim Deutsch, 34 Orchard Street – (a) Bemis Street piece discussed and saw dam on Saturday that is leaking and understand gate doesn't work and has there been planning or any discussion with Fish and Game as far as when that gate or valve can be fixed. Mayor Festa, we have to find out if accurate and for certain an issue; discussion is set up for purpose of meeting. (b) that is short term solution and second, what happens if they don't have funds to fix that because fixing Bemis permanent is not going to work unless that gets fixed. Do you know for sure if reservoir like Old Marsh or Preston Road dam and water levels lowered prior to each of storms. Mayor Festa, first storm they were

monitored with someone there 24/7 and had someone watching dam. (c) at Preston Road dam and that breached and someone in there now filling with material. Tony, that is Bristol Water Company. (d) so there is discussion with other communities. Mayor Festa, there are state regulations sent out relative to they have to maintain and check alarms yearly etc and the water company put sandbags around their area and question whether preparing for some type of spillage or maintenance and cannot second guess. Discussion. Tony and Jim check by sight and cannot go on private property and had called people last go around and told them to go in and check to take water down. Jim Schultz, Todd Hollow dam is privately owned and that dam breached too and homeowner is going in and filling in themselves and not getting professionally engineered and chances are it happening again. (e) for dams on private homeowners thought wetlands has jurisdiction. Tom Zagurski, dam safety division within State of CT; Tony stated they are involved in some locations more than others. (f) for short term from plan is there some type of check, listing place. Hearing from some communities they don't want people to go into river or stream because of velocity of river and caution before have people go in river to clean out minor debris; from safety perspective; and health perspective some towns are having ecoli issues and is there any monitoring of water from bacteria perspective. Mayor Festa, TAHD has not and how do you control human nature. People who had wells were concerned and they called the health department and information given out. (g) had someone come before and looking where river took turn and eroded back yard and estimate to fix that was 20,000.; some people will have more responsibility to clean up than others; what Tony eluded to earlier about people who live with rivers in back yards and run into on wetlands not only own to edge of river but own parts of riverbed and becomes matter of if tree going across who is actually responsible to take tree out; need to use VIS and scan to find out whose responsibility it is. Mayor Festa, pointed discussion on who owns river, reviewed State regulations and statues and town has no responsibility for those not keeping their river clean.

e. Melanie Church, 328 Main Street, undesignated for emergency and if have roads washed out that is emergency; time to start taking money to get studies done. If emergency do not question but get facts; referendums failed because not facts or studies. When school was going to be built had everything broken-down and what people looking for. Todd Bridge, looked back in records under capital improvements 20 years ago and had grant to fix that, never done and money lost and another problem when we have emergencies these are things need to fix and complete. Need to be ready to complete them and only way to be ready is to have study done. Section of Bemis, need concrete numbers so if FEMA decides to come in and say 800 but costs 300 more when done. Buildings can wait; priority for this whole town is roads. Think biggest reason referendum failed was people did not want to see buildings and screamed fix roads.

6. Board Member Comments

BOF - no comment

Town Council - DiAnna Schenkel, feel frustrated because we did not help anyone tonight and next time meet get something solid and make decisions.

Ralph Zovich, can we get general consensus but to have Facilities and Capital Improvement meet they need some type of list of projects to consider; compilation of major road projects from summary of consultant and what was discussed tonight and on

summary. Peter Cook, we say we will bond every road and fact that he needs more than 400,000 a year; discussion held. Put money in budget and no longer bond roads which need to be in budget. Have money coming off bonding.

Pat Budnick, 150,000 to do thorough road study and that is what we need to get list together for each road. Need \$1 million to get studies done for exact figures on how much road reconstructions will cost for design and then referendum to approve projects and get money to do work.

Marty Sandshaw, we will get a list of priorities and direction and whether need additional manpower to make emergency repairs prior to winter. If we need to hire a dozen people to make happen, need list.

Mayor Festa thanked all for being here.

7. Adjournment

MOTION: To adjourn by DiAnna Schenkel; second Dan Murray and the vote unanimous.

Meeting adjourned at 9:30 p.m.

Respectfully submitted,

Robin Gudczauskas
Recording Secretary