

Town of Plymouth
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Terryville, CT 06786
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Plymouth Town Council
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Minutes

April 7, 2015

Call to Order: Mayor David Merchant called the scheduled April 7, 2015, 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, Mayor David Merchant, Town Councilwoman Susan Murawski, Town Councilman John Pajeski, Town Councilman Gary Wyszynski, and Town Councilman Tom Zagurski. Also in attendance were Town Attorney William Hamzy, Director of Planning and Zoning Margus Laan, and Interim Public Works Director Charles Wiegert.

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.

Invocation

Mayor Merchant stated “May God Bless America, May God Bless the Town of Plymouth”, for the record.

Council Rules and Procedures

Town Councilwoman Murawski made a motion, seconded by Town Councilman Heering, to move Agenda item “To discuss and take action to sell Lot 3-6 Bombard Court to Nutmeg Spice, as the next agenda item to discuss. This motion was approved unanimously.

Town Councilman Heering stated that he wanted to address the discussion that was held at the January 6, 2015, Town Council meeting, regarding the Public Comment time limits; a brief discussion followed.

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Council Rules and Procedures Cont'd.

Town Councilman Heering made a motion, seconded by Town Councilman Zagurski, to allow speakers to come up to the podium two times during Public Comment and have a time limit of 5 minutes the first time and one minute the second time to make their comments; a brief discussion followed.

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Murawski, to amend the motion to read: a three-minute time limit at the podium, not five minutes, with a second time of one minute; a brief discussion followed.

Vote: This motion was approved unanimously.

Acceptance of Town Council Regular Minutes February 3, 2015

Town Councilman Heering made a motion, seconded by Town Councilwoman Murawski, to accept the February 3, 2015, Town Council Regular Minutes as presented. This motion was approved unanimously.

To discuss and take action to sell Lot 3-6 Bombard Court to Nutmeg Spice

Town Attorney William Hamzy stated that the Plymouth Town Council, the Economic Development Commission and the Tax Incentive Committee had previously approved the incentives offered to Spiceco LLC (Nutmeg Spice) in October 2014 and that this evening's agenda item was to approve the sale. Attorney Hamzy reviewed the terms; a brief discussion followed.

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Murawski, to approve the sale of Lot 3-6 Bombard Court to Spiceco, LLC. This motion was approved unanimously.

Mayor's Report

Mayor Merchant gave his Mayor's Report

Public Comments on non-agenda items

Melanie Church, 328 Main Street, Terryville, stated that security should go to Capitals and then a vote and expressed concern about violating the Town's Charter. She further stated she would like to see a full forensic audit and briefly gave her reasoning.

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Public Comments on non-agenda items Cont'd.

John Murphy, 385 Greystone Road, Plymouth, stated he was seeing a lot of improprieties by Town officials. He further stated that he wanted to thank the Board of Finance for putting a budget together and briefly explained his reasoning. He further stated he was still waiting for FOI answers from the Mayor's Office. He further questioned Mayor Festa's departure check. He further questioned administrative raises and briefly explained his reasoning.

Chris Simo-Kinzer, 52 Old Farm Road, Terryville, questioned the scheduling of Town meetings, noting he can't make all the meetings and urged that the Town calendar be reviewed prior to scheduling and rescheduling meetings.

Cathy Kosak, 201 Harwinton Avenue, Terryville, stated \$972,000 was collected and questioned where it was. She further stated that prior to 2011 the IRS had noted the Town had underpaid Payroll taxes and thought the Bertnagel investigation should go back farther than 2011 because of this matter.

Dennis Fowler, 268 Town Hill Road, Terryville, questioned when the negative pessimistic complainers in Town would stop and briefly explained his reasoning. He further stated there was positive progress in Plymouth, that the Community was being rebuilt and growing because of the Mayor and the Town Council and briefly explained his reasoning and cited examples of Town growth.

Rae Anne Walcott, Plymouth Town Assessor, stated that Mayor Merchant had done a wonderful job with incoming businesses. Rae Anne Walcott stated that the Mayor and the Board of Finance had recommended removing her part time employee and cutting her hours, noting the Town would be damaged and stated the Grand List would not grow because of this and briefly explained her reasoning.

Cathy Kosak stated she resented being called belligerent and briefly explained her reasoning.

Brian Dunn 19 Carriage Drive, Terryville, stated he takes offense being called belligerent and questioned why there were tax increases and briefly explained his reasoning. He further questioned where the \$972,000 was and said we needed a forensic audit.

John Murphy stated that he wanted to thank Mr. Fowler for his antics and stated the Town was the agenda and we needed to come together and follow the Charter and briefly explained his reasoning.

Dan Gentile, Mount Tobe Road, Plymouth, stated that the Council should not waver to residents who plead to the Council to change the policies at every Council meeting noting it was only a couple of people.

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Public Comments on non-agenda items Cont'd.

Dan Gentile stated this was a meeting of the Council and the Council needed to start saying "Point of Order" to the public who yell out from the floor without permission to speak and that the meetings need order. Dan Gentile stated that a forensic audit would cost a lot of money that the Town doesn't have and briefly explained his reasoning.

Terri Dewell, 17 Prospect Street, Terryville, stated she was a Libertarian and that it was a citizen's rights to question Town leaders and briefly explained her reasoning.

Robert Ives, 282 Main Street, Terryville, Chairman-Republican Town Committee, stated that there were a few people who believed it was their duty to waste committee member's time, noting the same questions resurface at every meeting and were detrimental to the Town's progress and briefly explained his reasoning. Robert Ives stated that the Social Butterfly was a wonderful social media site that served the Town well with announcements for Town events and briefly gave his reasoning. Robert Ives stated that he wanted his name removed from Patties' Perspective on Plymouth social media site because of petty futile remarks that were edited and taken out of context.

Rob Wilcox, South Main Street, Terryville, stated that Patties' Perspective on Plymouth recently posted unemployment statistics for the Town of Plymouth and the State of CT and that because of the rising mil rate people were allowed to question things.

Dennis Fowler stated we live in a great country where we can express our opinions without being thrown in jail, noting that it was our right and responsibility to question officials, but we needed to trust the Town's leaders that the majority of people voted for to do what was right.

Robert Ives questioned if recordings could be made of Town meetings without prior approval. He further stated he was concerned about things being taken out of context.

Terri Dewell stated she was not a tea bagger and that name-calling was shameful and briefly gave her reasoning. She further stated that the people trust that the Town leaders will do their best for the people.

Brian Dunn stated that they wanted answers and transparency.

Michelle Lausian, 364 Lake Plymouth Boulevard, Plymouth, stated that people in the audience who were laughing and talking in the background were being rude to the Mayor and the Town Council.

Dan Gentile stated that members of the public audience were just screaming out and no one on the Council said "Point of Order" after just setting policy and questioned why not.

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Public Comments on non-agenda items Cont'd.

Citing FOI rules, Dan Gentile stated that video, tape recordings, etc., could be exempted if a policy was set prior to the meeting(s). He further stated that once again someone was shouting out from the public audience and it was bullying; requesting the Council say "Point of Order."

Mayor Merchant stated that public comment should be for the good of the order of the Council, but that people were bashing each other and saying horrible things about others. Mayor Merchant said people were saying comments about him and that they didn't even know him or who he was. Mayor Merchant stated this was a Council meeting for the purpose of the Council conducting Town business.

Melanie Church stated that the Charter should be followed and we need some Town Meetings.

Town Councilman Wyszynski stated that we were losing focus on why we were here tonight and briefly explained his reasoning. He further stated if you weren't going to support us don't get up because it doesn't help anyone who lives here.

Town Councilwoman Murawski stated that someone told her that they would bring their kids to a Council meeting but won't because they were embarrassed about people who get up only to bash other people and it was sad. She further stated she used to bring her young son to Council meetings and if there were speakers then, like there were now, she wouldn't bring him. Town Councilwoman Murawski stated this was about Council business, not insulting people.

Appointments/Resignations: To reappoint to reappoint William Hall, Jr. to the Zoning Board of Appeals; to reappoint William Kron to the Zoning Board of Appeals; to reappoint Michael Maffia to the Police Commission; to reappoint Stephen Mindera to the Historic Property Commission; to reappoint Helen Nejfelt to the Historic Property Commission

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Murawski, to reappoint William Hall, Jr. to the Zoning Board of Appeals. This motion was approved unanimously.

Town Councilman Zagurski made a motion, seconded by Town Councilman Heering, to reappoint William Kron to the Zoning Board of Appeals. This motion was approved unanimously.

Town Councilman Zagurski made a motion, seconded by Town Councilman Heering, to reappoint Michael Maffia to the Police Commission. This motion was approved unanimously.

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Town Councilman Zagurski made a motion, seconded by Town Councilman Heering, to reappoint Stephen Mindera to the Historic Property Commission. This motion was approved unanimously.

Town Councilman Zagurski made a motion, seconded by Town Councilwoman Murawski, to reappoint Helen Nejfelt to the Historic Property Commission. This motion was approved unanimously.

To discuss and take action to refund the following Property Taxes: Wells Fargo Bank NA \$27.54; Newtown Savings Bank \$4,571.10; Donald Nenninger \$200.00; Vault Trust \$313.65; Honda Lease Trust \$154.59; Janice Basoli \$289.64; Hyundai Lease Titling TR \$296.61, 204.18; Toyota Lease Trust \$348.15, \$301.27; Paul Drost \$3,406.77; Thomas G. Falcc or Carolyn Alston \$630.44; Allen or Susan Amorando \$275.00; McCue Mortgage \$500.00; Jeffery Ouellette \$218.02; Thomas K. Molcyk \$62.00; Tina Tedeschi Poa Charlene Zukowski \$104.55; William Hall, Jr. \$32.02

Town Councilwoman Murawski made a motion, seconded by Town Councilman Heering, to refund the following Property Taxes: Wells Fargo Bank NA \$27.54; Newtown Savings Bank \$4,571.10; Donald Nenninger \$200.00; Vault Trust \$313.65; Honda Lease Trust \$154.59; Janice Basoli \$289.64; Hyundai Lease Titling TR \$296.61, 204.18; Toyota Lease Trust \$348.15, \$301.27; Paul Drost \$3,406.77; Thomas G. Falcc or Carolyn Alston \$630.44; Allen or Susan Amorando \$275.00; McCue Mortgage \$500.00; Jeffery Ouellette \$218.02; Thomas K. Molcyk \$62.00; Tina Tedeschi Poa Charlene Zukowski \$104.55; and William Hall, Jr. \$32.02. This motion was approved unanimously.

Code Enforcement Semi-Annual Report

David Perkins, Zoning Enforcement Officer, stated his distributed Blight listing was for eight (8) properties and reviewed the information for each property; a brief discussion followed.

Real Estate Committee Report

Town Councilman Pajeski stated the Real Estate Committee was moving forward and that there would be a lot of properties for sale that would be going back on the tax rolls.

Town Councilwoman Murawski stated that the Committee had sent two properties to Planning and Zoning, which the Town would like to sell; a brief discussion followed.

Town Councilwoman Murawski stated that the Real Estate Guidelines had been drafted and would be brought to the Council for a vote at a future meeting; a brief discussion followed.

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To discuss and take action on the reallocation of excess funds from the previous Bond Package

Mayor Merchant distributed information showing that there was approximately \$2,000,000.00 in excess from the original Bond package, noting that Bond Counsel had stated the monies could be used on Town roads as long as they were part of the original Road Study; a lengthy discussion followed.

When questioned by Town Councilman Zagurski, Charlie Wiegert explained the chart road listing, including completion dates.

Town Councilman Zagurski stated per Council Rules and Procedures the Council is supposed to receive information for discussion at the Council on the Friday before Council. Charlie Wiegert stated that would not be a problem.

Town Councilman Zagurski made a motion, seconded by Town Councilman Wyszynski, to reallocate the funds from the 9.8 million-bond package with the provision we do not exceed the total amount for the bonding; a brief discussion followed.

When questioned by Town Councilman Wyszynski, Charlie Wiegert explained the difference between mill and overlay and a base rehab.

Pattie DeHuff, 20 Lynn Avenue, Terryville, urged the Council to question information received from the Bond Counsel. Pattie DeHuff questioned the monies from the previous Bond package; a brief discussion followed.

Rich Lyga, 58 Curtiss Road, Terryville, Chairman Public Works Advisory Committee, stated that the report from the Contractor had been color-coded and the Town was addressing the worse roads first; a brief discussion followed.

Town Councilman Wyszynski stated that this information was available from the Public Works Department and that the report was phenomenal.

Cathy Kosak questioned what the status of Bemis Street was. Mayor Merchant stated that it would go out to bid, hopefully in the next couple of months and would not be bonded.

Scott Poulton, 397 North Harwinton Avenue, Terryville, Vice-Chairman Public Works Advisory Committee stated the road project had come in under budget, had been managed very well by the Public Works Department and recommended moving forward to keep the progress going, noting he urged the Council to support this recommendation.

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To discuss and take action on the reallocation of excess funds from the previous Bond Package Cont'd.

Brian Dunn stated that he was leery of having money allocated because the bridge might come in over budget and briefly explained his reasoning.

Charlie Wiegert stated that money set aside for the bridge had safety factors built into the figure, including contingency.

George Porter, 49 and 71 Wolcott Road, Terryville, stated that his property had drainage issues and wanted to make sure this issue would be addressed and money would be allocated for it.

Charlie Wiegert stated that the drainage issues would be addressed.

When questioned by John Murphy, Charlie Wiegert stated that Wolcott and Old Waterbury Roads were on the list. Charlie Wiegert read the listing out loud for the public.

Melanie Church questioned how excess money could be remaining and recommended the Council ask for a chart of accounts showing a breakdown.

Vote: This motion was approved unanimously.

To discuss and take action to approve Permit Fee Application Increase

Mayor Merchant stated that prior to software that was installed at the Town Hall everything had been done manually. Mayor Merchant detailed how the software worked and noted there was a \$10.00 fee per application by the software company and that the fee structure was not being changed; a brief discussion followed.

Rae Ann Walcott stated that the software would link all the departments together noting that in the past communication had been a huge problem and would now be eliminated; a lengthy discussion followed.

Town Councilwoman Murawski made a motion, seconded by Town Councilman Zagurski, to approve the Permit Fee Application with an increase of \$10.00 and to adjust the fees as listed. This motion was approved unanimously.

Executive Session to discuss Contract Negotiations

Town Councilwoman Murawski made a motion, seconded by Town Councilman Zagurski to move into Executive Session at 8:55 p.m., to discuss Contract Negotiations and to invite the Town Attorney into the Executive Session. This motion was approved unanimously.

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Executive Session to discuss Contract Negotiations

Present for the Executive Session were Town Attorney Hamzy, Town Councilman Heering, Mayor Merchant, Town Councilwoman Murawski, Town Councilman Pajeski, Town Councilman Wyszynski, and Town Councilman Zagurski.

Mayor Merchant called the Plymouth Town Council meeting back into the regular session at 9:35 p.m.

Action, as may be necessary, from Executive Session

Town Councilwoman Murawski made a motion, seconded by Town Councilman Zagurski, to approve the Contract between the Town of Plymouth and Supervisors/Non-Supervisors effective July 1, 2015 through July 30, 2017. This motion was approved unanimously.

For future review: Year 2015 Plan of Conservation Development for the Town of Plymouth

Mayor Merchant requested the Council review the distributed Year 2015 Plan of Conservation Development information for the Town of Plymouth for a future meeting of the Town Council.

Margus Laan stated that David Elder, the author of the Year 2015 Plan of Conservation Development, would be present at a future meeting to explain and answer any questions concerning the plan that the Council might have. He further stated that he would be looking for an endorsement of the plan by the Town Council. Margus Laan stated that the Planning and Zoning Commission would be the next group to accept and endorse the plan and then it would go to a Public Hearing in June 2015.

Town Council Liaison Reports

Town Councilman Wyszynski gave his Liaison Report for the Public Works Department.

Town Councilwoman Murawski gave her Liaison Reports for the PVAC, the Fire Department and the Planning and Zoning Commission.

Town Councilman Zagurski gave his Liaison Report for the Library Board of Directors.

Town Councilman Pajeski gave his Liaison Report for the Plymouth Housing Authority.

Town Councilman Heering gave his Liaison Reports for the Board of Education, the Police Commission and noted that the Inland/Wetlands Commission meeting had been cancelled due to the lack of agenda items.

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Council Comments

Town Councilman Zagurski questioned if there was any new information regarding the Pot Hole Patching machine.

Mayor Merchant stated that the machine does not work well and that whenever Jim Schultz, Highway Superintendent, goes out to look at it, it's being repaired.

Adjournment

There being no further business of the Plymouth Town Council, Town Councilman Zagurski made a motion, seconded by Town Councilman Heering, to adjourn at 9:51 p.m. This motion was approved unanimously.

Respectfully Submitted,

Recording Secretary