

PLAINVILLE TOWN COUNCIL  
MUNICIPAL CENTER, ONE CENTRAL SQUARE  
REGULAR MEETING  
DECEMBER 5, 2005

6:30 P.M. WORK SESSION: Update from Capital Projects Building Committee  
(Toffolon Elementary and High School projects)

7:00 p.m. WORK SESSION: Streetlight Purchase

I. PUBLIC HEARING

None

II. REPORT OF THE TOWN MANAGER

1. Rules and Procedures of the Town Council
2. Capital Projects Building Committee Charge
3. Health District
4. CT Municipal Consortium for Fiscal Responsibilities
5. Happenings (Reported by S. Osle)

III. REPORT OF TOWN ATTORNEY

IV. BOARD OF EDUCATION LIAISON (3<sup>rd</sup> Monday Meetings Only)

V. ORAL PETITIONS

VI. MINUTES OF PREVIOUS MEETING

Minutes of November 21, 2005 Regular Meeting

VII. ANNOUNCEMENTS – REPORTS

VIII. APPOINTMENTS/RESIGNATIONS

1. Acknowledge removal of David Brochu as probationary firefighter
2. Acknowledge appointment of Shane Moore as probationary firefighter
3. Resignation from Conservation Commission
4. Appointments to Boards and Commissions

IX. OLD BUSINESS

X. NEW BUSINESS

1. Consider amendments to the Rules and Procedures of the Town Council
2. Capital Projects Building Committee Charge
3. Tax Refunds-See Addendum
4. Executive Session: -Pending Litigation  
-Personnel Matter

XI. ADJOURNMENT

Chairman Wazorko called the work session to order at 6:30 p.m. on Monday December 5, 2005 in the Municipal Center, One Central Square. Present were Council members Ciotto, Michalik, Chapman, Deegan and Bergenty, Town Manager Lee, Assistant Town Manager Osle, Finance Director Metcalf and

Town Clerk Skultety. Town Attorney Michalik entered the meeting at 7:25 p.m. Also present for the work session was the Permanent Building Committee members Lozaw, Iskra, Belanger, Dube and Chairman Kisluk.

Mr. Dube addressed the Council and proceeded with a committee update. The AM Design Contract for the Toffolon School and the JCJ Contract for the Plainville High School have been approved by the Committee, Town Manager and the Town Attorney. The execution of the contracts is pending receipt from the architects. The committee has received two RFQ's for Construction Manager Services and will be conducting interviews and making their selection later in the evening.

Mr. Dube stated the Capital Project Building Committee Charge discussed full reimbursement and the committee will not be moving forward until they address the Town Council. The charge was to maintain the 65.71% reimbursement and that percentage may vary with some renovation projects. The Board of Education is an administration space and will only be reimbursed at 1/2 of the percentage. It is in the best interest to relocate the BOE and renovate the space for full reimbursement. Toffolon's existing classroom sizes and trying to achieve the new design per the Ed Specs and needs exceeds allowable limits set by the State will not be eligible for full reimbursement. AM Design is working on options and will be addressing the Town Council.

Regarding both project budgets the only impact is for the architectural services and those have not exceeded the amounts approved. Finance Director then addressed the Town Council as to how the financing of the projects will be tracked. He handed out drafts that were similar to Linden Street. Mr. Metcalf stressed the importance of timely reporting of all purchase orders, contracts, transfer approval and bids and keeping communications open that will provide the most current data. Councilman Michalik requested updates for the Linden Street School project as well.

Discussion followed regarding space waivers, changing code requirements and enrollment updates. The Long Range plan still has the Board of Education administration ultimately moving to Linden Street School although temporary options are being explored. The membership of the committee was discussed and the possibility of adding members along with BOE and Town staff as ex officio members to ensure educational and mechanical maintenance involvement.

At this point Dan Dube stated that the company he is employed by, Turner Construction Company has submitted a RFQ for consideration and due to a conflict of interest according to the Code of Ethics along with personal reasons Mr. Dube submitted a resignation letter.

7:05 p.m. Street Light Acquisition and Maintenance: Present for the work session was Mr. Turri from Turri Electrical Construction. Finance Director Metcalf reviewed a memo regarding annual cost to CL&P for service and maintenance of the Town's street lights. If the Town were to purchase the lights CL&P would just be paid for the electrical costs. The net savings for the first year would be approximately \$52,000; over 5 years the savings would be approximately \$268,000 less the cost of the lights of \$138,000.

Mr. Turri addressed the Town Council and described the proposal. Turri Electrical Construction would maintain the lamp, fixture and the photocell. The Town would own the arm off the pole, lamp, fixture and the poles would be owned by either the CL&P or Southern New England Telephone Company. The Town would own only the poles that do not have any utilities on them. The utility company would be instructed to complete any repairs before the Town would make any purchase. The proposal calls for re-lamping of the entire town within 5 years. Emergency response time will be within 1 hour and any lamp, transformer or cell regular outage would be within 5 days.

Discussion followed regarding lease/purchase options and financing of maintenance inventory items. Town Manager Lee recommended that if the Town Council wishes to move forward that they set a public hearing date for January, at the next meeting authorizing the execution of a contract for the purchase of the street lights. It was the consensus of the Town Council to add "Establish a Public Hearing" to the next agenda.

Chairman Wazorko called the meeting to order at 7:35 p.m. Councilman Ciotto led the Pledge of Allegiance.

## II. REPORT OF THE TOWN MANAGER

Town Manager Lee reviewed his suggested recommendations to the "Rules and Procedures of the Town Council". There is a New Business item to adopt amendments if desired. Councilman Michalik stated that any action must be taken at the next meet according to the rules. Councilwoman Bergenty questioned the removal of the second paragraph under 1. MEETINGS. Mr. Lee stated that it suggests that motions are made in Executive Session when under FOI that is not the case. Discussion followed regarding making and seconding of motions, privileges of the floor and grammatical changes.

The amended Capital Project Building Committee Charge was discussed next. Changes were presented to the Town Council for consideration after review by the Town Attorney, Town Manager as well as the Board of Education's attorney. Changes included clarification of the Board of Education's powers under Connecticut General Statutes regarding care and maintenance of their buildings.

Town Manager Lee has met with city officials from New Britain and the State Health Department regarding the formation of a possible Health District. Discussion will continue to see if this would be right for Plainville. Past discussion with Bristol/ Burlington and Farmington Valley Health Districts have expressed a reluctance to have a satellite office in Plainville. Staff will continue to explore this issue but does not see a significant cost savings however program enhancements are possible.

Plainville has been asked to support the Connecticut Municipal Consortium for Fiscal Responsibility. Involvement is at not cost to the Town and is made up of a group of town leaders that feel more attention needs to be directed to the problems of unfunded mandates; binding arbitration and prevailing wage rates. A consensus of the Town Council was to proceed with a letter of support after discussing this with the Board of Education.

Town Manager Lee updated the Town Council with regards to the recent snowplowing/leaf pick-up. Complaints have been received after the latest storm and the Roadways Department is trying to maintain a balance of keeping the streets safe for traffic and at the same time not plowing a lot of snow on existing piles of leaves that have not been picked up.

Mr. Lee stated to the Town Council that college students have been interviewed for an internship and a candidate from Plainville is being considered. Town Manager Lee stated he would be helpful to the Managers office and will be reviewing all Town Ordinances and personnel policies as well as given other responsibilities.

Assistant Town Manager Osle reported that the Library Trustees will be host an Open House on December 13, all are welcome. The Finance Department audit is being reviewed and may be available for the next Town Council meeting. The Police Department has begun their DUI points that will run through the New Year. The Engineering Department has completed the sidewalks from the Middle School to Tyler Farms and the sidewalk ramps are done for the relocated crosswalks at the High School. The Fire Company held their Annual Meeting and the officers were elected and will take office on January 6, 2006.

Fire Chief Swanson met with Tim Parks from CSB Communications regarding T-Mobile renting space on the department's tower and is proposing an agreement. The Senior Center will be hosting their Annual Christmas Dinner on December 25 at noon. The Plainville High School Student Athlete Leadership Committee, Food Pantry and the Plainville Senior Center are sponsoring the Snowball Dance on December 6. Our Lady of Mercy is collecting Christmas presents for senior homebound individuals through their Giving Tree and presents will be delivered by the outreach coordinator.

December 7, at the Senior Center there will be a presentation regarding the Medicare Plan D and how it may affect other medical plans, the land around the Quonset Hut has been graded, some of the parking lot has been paved and the WPC building Committee reports that the design phase is 95% completed.

Councilman Deegan asked Town Manager Lee about the progress of the traffic light on the corner of Stillwell Avenue. Mr. Lee remarked the State will be asking the Town for approval of the plans within the next 30 days. Councilman Michalik asked if Southington was a possibility for sharing a Health district. Town Manager Lee stated the Southington department is interested however he is not sure if the leadership of the community is at this time. Councilman Michalik also mentioned that Historian Ruth Hummel has asked to sponsor programs at the center over the winter and asked Mr. Lee to contact her with regards to where funding may possibly come from. Regarding the Land Acquisition Committee, Councilman Michalik has asked for applications for appointments, party affiliation, liaisons and staff to be ready for the next meeting.

### III. REPORT OF TOWN ATTORNEY

Town Attorney Michalik reported that on November 22, 2005, Judge Cohen ruled in favor of the Planning & Zoning Commission and dismissed the appeal filed by Auto Recovery Services. Attorney Tim Sullivan handled the case for the Town of Plainville. Copies of the decision were given to the Town Manager and the Town Planner.

Town Attorney Michalik then reported that he has made an appearance for an appeal that has been taken by Durkin Village regarding a decision of the Zoning Board of Appeals for Jennifer Bartiss-Early. Attorney Michalik will be representing the Zoning Board of Appeals.

### IV. BOARD OF EDUCATION LIAISON (3<sup>rd</sup> Monday Meetings Only)

No report

### V. ORAL PETITIONS

Kevin Neary, 85 Sunset Avenue- Mr. Neary mentioned he was a past member of the Town Council and in 1994 tried to join New Britain with a Health District and at that time did not find it cost effective. Mr. Neary then asked about the process in renaming a portion of a street in town. He is requesting that the portion of Whiting Street from Maple Street to East Main Street be renamed Petit's Way. He feels that Bill Petit and Charlie Petit have served the Town for a total of 55 years and would like to honor the family.

Town Attorney Michalik stated that in the past it was requested that Walnut Street be renamed to Robert Holcomb Way because of the loss of life of the officer. A petition was submitted to the Town Council, a survey is then taken of the residents along the street and the subsequent action was taken by the Town Council. He recommended the same procedure be followed.

Town Manager Lee stated that after a letter is submitted that a survey would be taken by the Town of the property owners on the proposed street. Mr. Neary stated he will be submitting a letter.

Domenick D'Onofrio, 11 Tyler Avenue- Mr. D'Onofrio voiced his concerns about the leaf collection. He suggested adding crews to pick up the leaves to avoid any storm drain blockage. Mr. D'Onofrio also mentioned a traffic light on the corner of Route 10 and Town Line Road. He would like the Town to look into the length of time it stays red on Town Line Road. Town Manager Lee stated he would ask the State to look into it.

Andre Grandbois, 42 Maxine Road- Mr. Grandbois remarked on the proposed amendments to the Rules and Procedures of the Town Council. He would like to have it stated that when the Town Council comes out of Executive Session and a motion is made that it become part of the meeting minutes. Mr. Grandbois also mentioned that, not to diminish the impact the Petit family has had, there are many families in Town deserving of recognition. Robert Holcomb was an exception.

John Simon, Shuttle Meadow Road Southington- Mr. Simon handed out pictures and maps of property owned and for sale by the Valley Water Company near Tilcon's quarry. He encouraged the Town to purchase the wooded property as open space and offered his assistance. Mr. Simon suggested using grant money that is offered by the Department of Environmental Protection for part of the purchase along with asking Tilcon to become involved.

David Niedzwiecki, 8 MacArthur Road- Mr. Niedzwiecki has also been stuck at the red light that Mr. D'Onofrio spoke of. Mr. Niedzwiecki also commented on the lawsuit mentioned by Attorney Michalik. An article in the Harford Courant quoted an unnamed staff member saying what goes around comes around. Mr. Niedzwiecki felt the comment was biased and a disservice to the Town.

#### VI. MINUTES OF THE PREVIOUS MEETING

A motion was made by Councilwoman Bergenty and seconded by Councilwoman Chapman to approve the minutes of the November 21, 2005 Regular Meeting. The motion passed unanimously.

#### VII. ANNOUNCEMENTS/REPORTS

Councilwoman Bergenty announced that the Chamber of Commerce will hold its 98th annual meeting on January 11, 2006, at which they will be presenting their awards. Ms. Bergenty also mentioned the Woman's Club has fund raiser posters left for sale. If anyone is interested they can contact Lucky Powell at the Police station.

Councilman Deegan attended the Fire Company meeting at which they elected their officers and that the Chairman of the Recycling and Solid Waste Commission is looking for members to fill vacancies.

#### VIII. APPOINTMENTS/RESIGNATIONS

Councilman Michalik motioned to acknowledge the removal of David Brochu as a probationary firefighter for the Plainville Fire Company. Councilwoman Chapman seconded and the motion passed 6-0.

Councilwoman Chapman motioned to acknowledge the appointment of Shane Moore, 109 Colonial Court, as a probationary firefighter for the Plainville Fire Company. Councilman Ciotto seconded and the motion passed 6-0.

Councilman Michalik motioned to accept with regret the resignation of Amy Therrien from the Conservation Commission. Councilwoman Bergenty seconded and the motion passed 6-0.

Councilman Michalik motioned to appoint Charles I. Motes, Jr. (D) 22 Woodside Lane as a regular member of the Inland Wetlands Commission for the unexpired term of 1/7/04 - 1/7/06. Councilwoman Bergenty seconded and the motion passed 6-0.

A motion was made by Councilman Michalik to appoint Conrad Ouellette (D) 117 Laurel Court as a regular member of the Planning & Zoning Commission for the unexpired term of 1/2/05 - 1/2/09. The motion was seconded by Councilman Ciotto and passed 6-0.

Councilman Ciotto moved to appoint Michael Goulet (R) 146 Pickney Avenue as a regular member of the Inland Wetlands Commission for the unexpired term of 1/7/05 - 1/7/07. Councilwoman Bergenty seconded and the motion passed 6-0.

Councilman Michalik motioned to reappoint Val Dumais (D) 43 Reliance Road as a regular member of the Economic Development Agency for the term of 11/9/05 - 11/9/10. The motion was seconded by Councilman Ciotto and unanimously passed.

#### IX. OLD BUSINESS

#### X. NEW BUSINESS

##### 1. Consider amendments to the Rules and Procedures of the Town Council

A motion was made by Councilman Michalik to amend the "Rules and Procedures of the Town Council" as shown on the attached. The motion was seconded by Councilwoman Chapman. Councilman Michalik moved to table the motion, Councilwoman Chapman seconded and the motion to table passed 6-0.

##### 2. Capital Projects Building Committee Charge (See Addendum)

Councilman Michalik motioned to amend the Capital Projects Building Committee Charge with the changes suggested by Attorney Sommaruga. Councilman Ciotto seconded and the motion passed 7-0.

3. Tax Refunds-(See Addendum)

Councilman Ciotto motioned to authorize tax refunds as listed on addendum. Councilman Michalik seconded and the motion passed 6-0.

4. Executive Session

A motion was made by Councilman Michalik to enter into executive session at 8:40 p.m to discuss pending litigation and personnel matters. The motion was seconded by Councilwoman Chapman and unanimously passed.

Executive session ended at 9:15 p.m. by a motion of Councilman Michalik and second by Councilwoman Chapman. No further action was taken.

Respectfully submitted by,

Carol Skultety, Town Clerk  
& Clerk of the Town Council

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**Building Committee Charge  
By the Plainville Town Council**

The charge to the newly formed permanent building committee John Kisluk, Thomas Lozaw, Daniel Dube, George Iskra, Mark Belanger, as follows:

The first charge is oversight as the building committee for approved capital building projects. The voters have recently passed referenda to renovate the High School and Toffolon Elementary School and a renovation of the High School Auditorium.

As the standing building committee you may start projects at any time. It is your job to set the schedule and order in which they are to be started and completed including the prospect of doing them both at the same time. The High School auditorium project is already underway and that committee will now report to you as a sub-committee.

Each project is to be managed separately as to design, construction, and expenditures. However, committee/sub-committee membership for the projects can be the same and scheduling can be worked together. You as the permanent building committee have the option of managing these projects yourselves or having sub-committees appointed for each. If you opt for sub-committees, please advise the Council and we will appoint them. If sub-committees are appointed they will report to you and complete their specific project under your overall direction.

You should begin the process of advertising for RFP's (request for proposal) from architects for the High School renovation project and the Toffolon renovation project as soon as possible. The RFP's will be under your control with help from Mr. Robert Metcalf and Mr. Robert E. Lee. After you interview the interested architects and determine which firm should be hired for each project, you are hereby directed to negotiate a proposed contract with that firm. However, under the purchasing procedures of the Charter the final approval of those contracts must be by the Council.

Further, the referendums passed for the High School and Toffolon are for "renovate as New" status with and expected State reimbursement of 65.71% of the project cost.

The second charge is the ongoing review and proposed capital maintenance for all Town buildings, which includes the schools. The Town's annual budget has a capital budget section for the Town and for the Schools. It will be your job to present for these budget sections capital projects for the care and preventive maintenance of these buildings. You can determine such projects based on your inspections and input from the appropriate Town Departments and Board of Education. Such planning should protect our buildings and prevent the need for future extreme referendums as recently passed.

"Nothing herein shall be deemed to interfere with the Board of Education's powers under Connecticut General Statutes 10-220, including but not limited to its control over the care, maintenance and operation of the buildings, nor shall this charge interfere with the powers of the Board of Education under Connecticut General 10-291 with regard to the approval of any plans."

Having a permanent building committee that will handle all capital projects is a new system. Therefore several questions and problems will arise. Inasmuch as you report directly to the Council, please direct your questions and problems to our attention.

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#### TAX REFUND ADDENDUM- December 5, 2005

1. Ford Motor Credit Co, Atlanta, GA-\$328.30
2. Barbara Guyette, 365 Woodford Avenue C-14-\$1,163.88
3. Michael Koster, 65 Wayne Dr-\$71.24
4. Hazel Ricciardi, 24 Hickory La-\$122.82
5. Robert Ricciardi, 24 Hickory La-\$122.82