

**PLAINVILLE TOWN COUNCIL  
COUNCIL CHAMBERS – MUNICIPAL CENTER  
REGULAR MEETING  
August 3, 2009 - 7:00 p.m.**

**6:30 p.m. EXECUTIVE SESSION:                      Litigation Matter**

**I.        7-7:30pm TOWN COUNCIL CITIZENS FORUM**

**II.       PUBLIC HEARING**

**III.      REPORT OF TOWN MANAGER**

1.        Fire Code Fee Ordinance
2.        Skate Park Demonstration – August 4

**IV.      REPORT OF TOWN ATTORNEY**

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

**VI.      ORAL PETITIONS (Old or New Business Agenda Items)**

**VII.     MINUTES OF PREVIOUS MEETING**

Minutes of July 20, 2009 Regular Meeting

**VIII.    ANNOUNCEMENTS – REPORTS**

**IX.      APPOINTMENTS/RESIGNATIONS**

1.        Appointments to Boards and Commissions

**X.       OLD BUSINESS**

1.        Consider adopting ordinance entitled “Ordinance Regarding Fire Safety Code Inspection Fees”

**XI.      NEW BUSINESS**

1.        Set date for Bulk Pick-Up
2.        Consider canceling August 17, 2009 meeting
3.        Tax Refunds – See Addendum

## **XII. ADJOURNMENT**

Chairman Wazorko called the Executive Session to order at 6:30 p.m. on Monday, August 3, 2009 in the Conference Room of the Municipal Center, One Central Square. Present were Council members Ciotto, Rupaka, Szach, Hurley and Bergenty. Also present were Town Manager Lee and Town Attorney Michalik. Councilman Deegan was absent. Councilman Ciotto made the motion to enter into Executive Session for the purpose of discussing a pending claim against the Town. Councilman Hurley seconded the motion. The motion passed 6-0.

At 6:55 p.m. Councilman Ciotto motioned to go out of Executive Session with the intention of returning after the Regular Meeting. The motion was seconded by Councilman Hurley and passed 6-0.

Chairman Wazorko called the meeting to order at 7:00 p.m. in the Council Chambers of the Municipal Center, One Central Square. Present were Council members Bergenty, Hurley, Ciotto, Szach, Rupaka, Town Manager Lee, Town Attorney Michalik and Town Clerk Skultety. Councilman Rupaka led the Pledge of Allegiance.

### **I. TOWN COUNCIL CITIZENS FORUM**

John Kisluk, 65 Forestville Ave. commented on various issues that included the Municipal Driveway and questioned who has the right of way when traffic is coming from Whiting Street. He was pleased with the repair work of the driveway between the Neri Building and the church but expressed his displeasure with an article in the New Britain Herald and comments made by Town Manager Lee regarding the all day budget vote. He commented on unsightly properties that a Blight Ordinance may address. He feels the Town staff should get more involved with the clean-up and suggested getting volunteers to help. He then, as President of the Citizens & Taxpayers Association, questioned if there were additional costs for police and employees to the Town for the Balloon Festival, Petit Road Race for staff and does the grant that covers DWI & Seatbelt checkpoints cover gas and engine repairs.

Fran Heap, 25 Florence La. read responding comments submitted online to a newspaper article regarding DWI checkpoints. The woman stated she felt harassed each time she was stopped and has put her house up for sale to move to another town.

### **II. PUBLIC HEARING**

None

### **III. REPORT OF TOWN MANAGER**

Town Manager Lee reported on the following topics:

- Fire Code Fee Ordinance

There is an item regarding the ordinance under Old Business. Several Council members felt they were not ready to take any action and would like to wait until the Fire Marshal Sutherland to have any questions answered.

- Skate Park Demonstration – August 4

SK8park Committee is sponsoring a demonstration at Norton Park on Tuesday August 4. The American Ramp Company is setting up ramps and rails and will be putting on a demo/contest for anyone interested.

- Track Crossing Repairs

Town Manager Lee has been in touch with the railroad concerning two of their crossings; one on RTE 10 near GE and the other on Main St. near the Municipal Center and has been assured repairs will be made within the next 45 days to both crossings. Town staff is trying to coordinate the repairs to the Main St. crossing at the same time the work is done on the intersection with Whiting St.

- Police Complaints

Mr. Lee proceeded to respond to complaints voiced at the previous Town Council meeting. He concluded that the police acted timely and in an appropriate manner with both issues.

Councilman Rupaka asked for conformation as to who does have the right of way when exiting the Municipal Center. Town Manager Lee responded that after speaking to the DOT and the Police Department, persons coming out of the driveway have the right of way. Suggestions were made to stagger the lights and have more signage alerting to the 4-way light. Staff would like to complete the Downtown Project and then make any finishing changes.

Discussion followed regarding the Bulk Pick up and extending Transfer Station hours.

**Councilman Ciotto motioned to add the following under XI. NEW BUSINESS:**

**3. Award Bid #2010-01, Vacuum Street Sweeper**

**4. Adopt resolution entitled "Resolution Regarding Robertson Airport Purchase Agreement"**

**The motion was seconded by Councilman Rupaka and passed 6-0.**

**IV. REPORT OF TOWN ATTORNEY**

Town Attorney Michalik commented on suggestions from Citizens Forum. He cautioned volunteers going on properties that are under foreclosure to help clean-up. The Town is aggressively going after individuals that are responsible for the property but has to obey the law as well, which makes it hard to start any action in some cases. He also remarked that DWI stops are appropriate and proper according to the US Supreme Court provided every vehicle is stopped. During the recent checks, the Police Department has discovered other serious offenses as well and has heard only positive feedback.

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

No report

**VI. ORAL PETITIONS (New Business Agenda Items)**

Fran Heap, 25 Florence La. read responding comments submitted online to a New Britain Herald newspaper article regarding the proposed Fire Safety Code Inspection Fees Ordinance. An individual wrote he is taking his business out of town if he is charged an additional fee for fire inspections.

Dominick D'Onofrio, 11 Tyler Ave. asked if the proposed ordinance has been reduced from the original proposal. Town Manager Lee mentioned the number of categories was reduced from 54 to 24.

John Kisluk, 65 Forestville commented if the proposed ordinance has been reduced and amended why not get rid of the ordinance entirely. He does not feel the ordinance is necessary for the Town.

#### **VII. MINUTES OF PREVIOUS MEETING**

**Councilman Ciotto motioned to approve the minutes of the July 20, 2009 regular meeting. The motion was seconded by Councilman Hurley and passed 6-0.**

#### **VIII. ANNOUNCEMENTS – REPORTS**

Councilwoman Bergenty mentioned the Chamber of Commerce's 28<sup>th</sup> Annual Get Acquainted Golf Tournament on August 18 in Farmington.

Councilwoman Szach mentioned the Police Association Wing Ding fundraiser to be held at the VFW on August 15.

#### **IX. APPOINTMENTS/RESIGNATIONS**

- 1. Councilwoman Szach motioned to reappoint Helen Marinelli (D) 33 Loomis Ave. and Ann Krupinski (D) 29 Loomis Ave. to the Senior Citizens Committee for the new term of 8/1/09 – 8/1/12. The motion was seconded by Councilwoman Bergenty and passed 6-0.**
- 2. Councilwoman Bergenty motioned to reappoint Josephine Forcella (D) 25 Hough St. and Bruce Morris (R) 19 Farmstead La. to the Strong Fund Committee for the new term of 7/1/09 – 7/1/10. The motion was seconded by Councilman Ciotto and passed 6-0.**

#### **X. OLD BUSINESS**

- 1. Consider adopting ordinance entitled “Ordinance Regarding Fire Safety Code Inspection Fees. – See addendum**

No action was taken.

#### **XI. NEW BUSINESS**

- 1. Set date for Bulk Pick-up**

**Councilwoman Szach motioned set the date for the next bulk pick-up in April of 2010. The motion was seconded by Councilman Ciotto and passed 5-1 with Councilwoman voting against.**

Town Manager Lee will be working with staff to increase evening hours for the attendant at the Transfer Station on Tuesdays & Thursday during the month of October.

- 2. Consider canceling August 17, 2009 regular meeting.**

Councilman Rupaka motioned to cancel the August 17, 2009 Town Council meeting due to lack of agenda items and vacation conflicts. The motion was seconded by Councilman Hurley and passed 6-0.

3. Award Bid #2010-01, Vacuum Street Sweeper

Councilman Ciotto motioned to award Bid #2010-01, Vacuum Street Sweeper, to C. N. Wood of Connecticut, LLC, New Haven, CT in the amount of \$175,742. The motion was seconded by Councilwoman Szach and passed 6-0.

4. Adopt resolution entitled "Resolution Regarding Robertson Airport Purchase Agreement.- Addendum

Councilwoman Bergenty motioned to adopt resolution entitled "Resolution Regarding Robertson Airport Purchase Agreement". The motion was seconded by Councilman Ciotto and passed 6-0

5. Tax Refunds – See Addendum

Councilman Ciotto motioned to approve the tax refunds as listed on the addendum. The motion was seconded by Councilman Rupaka and passed 6-0.

Chairman Wazorko presented Councilwoman Bergenty with a cake to celebrate her birthday and then the Town Council reconvened into Executive Session. Executive session began at 8:45 p.m. in the Conference Room at the Municipal Center. Present were Chairman Wazorko, Council Members, Rupaka, Szach, Ciotto, Hurley and Bergenty, Town Manager Lee, and Town Attorney Michalik. Discussion continued regarding a claim against the Town.

**Councilman Ciotto motioned to go out of Executive Session at 8:50 p.m. The motion was seconded by Councilman Hurley and passed 6-0.**

No action was taken and the meeting adjourned at 8:50 p.m.

Respectfully submitted by,

Carol A. Skultety, Town Clerk  
& Clerk of the Town Council

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16-2009

**RESOLUTION  
REGARDING ROBERTSON AIRPORT PURCHASE AGREEMENT**

I, Carol A. Skultety, the Town Clerk of the Town of Plainville do hereby certify that in accordance with the Charter of the Town of Plainville, Robert E. Lee, as Town Manager of Town of Plainville is authorized and directed to execute and deliver any and all documents on behalf of the Town of Plainville and to do and perform all acts and things which he deems necessary or

8/3/09

appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents.

Furthermore the Town Council authorizes Town Manager Robert E. Lee to enter into an agreement with the State of Connecticut Department of Transportation for the purchase of Robertson Airport File No. AERO 5800-1601

The undersigned further certifies that Robert E. Lee now holds the office of Town Manager and that he had held that office since July 26, 2004.

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August 3, 2009

TAX REFUNDS

1. Jones, Theresa M., 151 Stillwell Dr.-\$15.07