

**PLAINVILLE TOWN COUNCIL
COUNCIL CHAMBERS – MUNICIPAL CENTER
REGULAR MEETING
January 22, 2008 - 7:30 p.m.**

7:00 p.m. WORK SESSION: **Senior Center Project Update**

I. PUBLIC HEARINGS

To hear public comment on a appropriation of \$10,000 from General Fund, Fund Balance to Economic Development Fund

II. ORAL PETITIONS (Non-Agenda Items)

III. REPORT OF TOWN MANAGER

1. Fluorescent Street Lamp Conversion
2. Trane Energy Assessment - Municipal Center
3. Bid #2008-21, By-pass Pump
4. General Electric 5K Race
5. School Administrator's Arbitration
6. Robertson Airport Update
7. Appointment of Town Planner/Economic Development Director
8. Delinquent Tax Report
9. Happenings (S. Osle)

VI. REPORT OF TOWN ATTORNEY

V. BOARD OF EDUCATION LIAISON (3rd Monday Meetings Only)

VI. ORAL PETITIONS (Agenda Items)

VII. MINUTES OF PREVIOUS MEETING

January 7, 2008 Regular Meeting

VIII. ANNOUNCEMENTS – REPORTS

IX. APPOINTMENTS/RESIGNATIONS

1. Appoint Fire Inspectors
2. Appoint Firefighter
3. Appointments to Boards and Commissions

X. OLD BUSINESS

1. Tabled Minutes from December 17, 2007 Regular Meeting

XI. NEW BUSINESS

1. Consider appropriation to Economic Development Fund
2. Disposal of Equipment
3. Consider Sewer User Fee Adjustment
4. Adopt "The Farmington River Watershed Conservation Compact"
5. Accept CT Police Executive Forum payment
6. Tax Assessment Fixing Agreement - Dream Maker Holdings, LLC
7. Tax Assessment Fixing Agreement - Walker Crane & Rigging Corp.
8. Establish public hearing for amendment to "Ordinance Providing Property Tax Relief for Certain Elderly or Disabled Homeowners"
9. Waive bid process for Bid #2008-21, By-pass Pump
10. Tax Refunds – See Addendum

XI. ADJOURNMENT

Chairman Wazorko called the work session at 7:00 p.m. on Tuesday January 22, 2008 in the Council Chambers of the Municipal Center, One Central Square. Present were Council members Bergenty, Hurley, Ciotto, Szach, Rupaka, Deegan, Town Manager Lee, Assistant Town Manager Osle and Town Clerk Skultety.

Senior Center Director Cohen and Quisenberry Architect Arcari reviewed the proposed additions and renovations for the Plainville Senior Center.

Chairman Wazorko called the meeting to order at 7:30. Councilman Hurley led the Pledge of Allegiance.

Councilman Ciotto motioned move agenda item

IX. APPOINTMENTS/RESIGNATIONS

1. **Appoint Fire Inspectors**

to the beginning of the meeting. The motion was seconded by Councilwoman Szach and passed 7-0.

1. **Councilman Deegan to appoint Timothy C. Lennon, Stephen R. Chapman, John T. Myska and Peter F. Crowe as Fire Inspectors. The motion was seconded by Councilman Rupaka and passed 7-0.**

Fire Marshal Sutherland presented the inspectors with their new badges.

I. PUBLIC HEARINGS

Town Clerk Skultety read the Legal Notice:

**LEGAL NOTICE
TOWN OF PLAINVILLE
TOWN COUNCIL PUBLIC HEARING
January 22, 2008**

NOTICE IS HEREBY GIVEN that the Plainville Town Council will hold a public hearing at 7:30 p.m. on Tuesday January 22, 2008 in the Council Chambers of the Municipal Center, One Central Square in Plainville to hear public comment on the following:

1. Consider the appropriation of \$10,000.00 from General Fund; Fund Balance to the Economic Development Fund.

Dated at Plainville, Connecticut this 17th day of January, 2008

Chairman Wazorko opened the hearing to public comments. No comments were made.

II. ORAL PETITIONS (Non-Agenda Items)

Tom Warnat, 11 Eastwood Dr. - Mr. Warnat, Chairman of the Advisory Park & Recreation Board stated the Rec. Board has meet with the Midget Football leaders and both groups are now seeking approval for the construction of the football field at Paderewski as proposed.

III. REPORT OF TOWN MANAGER

Town Manager Lee reported on the following topics:

- Fluorescent Street Lamp Conversion

A proposal has been received from Turri Electrical Contraction to install compact fluorescent lamps in the streetlights owned by the Town. There is an energy cost savings however the lighting output is lower than the existing lamps. It's being recommended to install the bulbs in a test area on Norton Park extending into the park for consideration.

- Trane Energy Assessment - Municipal Center

Trane Building Services is proposing to replace the Municipal Center's rooftop heating and air-conditioning units to ones that run on natural gas. The Town entered into an agreement with Yankee Gas to convert these 30 year old units with the construction of the Police Station. The cost of replacement is \$88,519 with Trane estimating a rebate of approximately \$18,000 forthcoming because of the energy efficient control system that will be installed. The proposal would require Town Council action.

Councilman Ciotto motioned to add under XI. New Business:

- *10. Waive bid process for Bid #2008-22**

The motion was seconded by Councilwoman Bergenty and passed 7-0.

- Bid #2008-21, By-pass Pump

WPC Plant staff is recommending the purchase of the trash pump which is currently being rented and is replacing a broken screw pump. The trash pump will be utilized in various ways in the system. Staff is recommending Godwin Pump. Approval would require Town Council action.

- General Electric 5K Race

A Race Committee is proposing to hold a 5K race to benefit the Petit Family Foundation. General Electric will be the major sponsor. The race is scheduled for July 20, 2008.

- Robertson Airport Update

Recently the Town has learned from the FAA that funding to purchase Robertson Airport would not be available for at least two years. Currently Town staff is in the process of coordinating a between our local legislative representatives and the D.O.T. to consider alternate proposals.

- Appointment of Town Planner/Economic Development Director

Mark DeVoe has been hired to be the new Town Planner and Economic Development Director beginning February 4.

- Delinquent Tax Report

The report was distributed earlier.

- Fireside Chat at the Public Library

Town Manager Lee will make himself available on February 7th & 28th from 5:00 to 7:00 at the Library for anyone interested in discussing any issues they might have.

- School Administrators' Arbitration

The following is the discussion Town Manager Lee had with the Town Council. (Slide presentation attached)

On November 29, 2007, the Town Council rejected the three year contract that was negotiated between the Board of Education and the School Administrators. The Town Council rejected the contract because they felt that the monetary impact of the contract was not affordable to the taxpayers of Plainville. Specifically, the Town Council was concerned about three major areas of the contract. These three items were the proposed salary increases, the proposed step increases and the proposed medical benefits contributions.

An initial arbitration hearing was held on December 20th with three Town Council members and the Town Manager present. The Town Council informed the BOE and the Union with their concerns regarding the contract.

State statutes call for the BOE to make all decisions regarding the arbitration process once the contract is rejected by the Town Council. The Town Council requested several times to meet with the BOE to discuss their recommendations but were refused. Specifically, the Town Council requested to meet on both December 10th and January 10th when the BOE had scheduled executive sessions to discuss their strategy for the upcoming arbitration. They were also denied the opportunity to attend these meetings.

Unknown to the Town Council until two days before the final hearing on January 11th, the BOE made an agreement with the union that the only items to be arbitrated were the salary increases. The BOE dismissed the request of the Town Council to have the proposed step increases and medical contribution amounts be part of the arbitration process.

The Town is allowed by state statute to make a presentation to the arbitrator and did so on January 11th. Because of the decision made by the BOE, the only issues as stated earlier were the proposed salary increases of 4.5% over each of the next three years. After the presentation was completed, it was up to the BOE to determine what is known as the "last best offer" for the arbitrator to consider. The BOE decided that the last best offer would be 4.4% over the next three years meaning that the arbitrator now has the choice between 4.4% over three years or 4.5% over three years.

This evening, Chairman Chris Wazorko and I will give you the presentation that we made to the arbitrator explaining why the Town Council rejected the contract and why we felt the terms of the agreement were not "affordable" to Plainville. After that is done, we will hear a presentation

from Atty. Patrick McHale, who will: review the statutes, speak to how it was intended to work and what options the Town Council may or may not have for moving forward on this issue.

School Administrator's Arbitration Hearing
January 11, 2008

Christopher to introduce

- First – I would like to start by saying that the Town Council is appreciative of all of the hard work and effort that is put forth by our school administrators every single day. We believe that the school administrators are dedicated to their schools and towards the education of our children. The Town Council's issue is simply one of economics and affordability. In our opinion, the proposed contract exceeds what is appropriate and is not in conformance with Towns with similar demographics to Plainville. What we are proposing today is a salary increase of 3.5% the first year, 3.6% the second year, and 3.75% the third year. As we will explain, this proposal accomplishes two goals. It continues to exceed the average administrator salary increase and it represents a more affordable salary structure for the Town.
- In Plainville slightly more than 2/3rds of the entire budget goes toward school related expenses. Being such a large part of the Town's budget, Education is a priority in Plainville. In fact, of the Towns that make up the Hartford area, Plainville is ranked 14th in per pupil expenditures. **(slide)** This is higher than all but 4 of the 27 towns in Hartford County. Despite our wealth rating and ability to pay, Plainville is ranked high for per pupil expenditures.

Robert to follow

- By almost every measure – Plainville cannot afford the increases proposed in the contract.
 1. Plainville is in the midst of a \$60M school building project and a \$26.5M sewer project. Both of these projects have had significant impact on the Plainville budget and will continue to do so for several years more. For example,
 2. According to the Town audit just issued, debt service as a percentage of non-capital expenditures has increased to its highest level to 8.8%. This is almost 2% higher than just two years ago. That trend is expected to increase over the next two years. **(slide)**
 3. The undesignated fund balance has been decreasing over the last several years. **(slide)** For example, on June 30, 2005, the undesignated fund balance stood at \$4,516,216 or 9.8% of the total expenditures. Two years later, on June 30, 2007, the undesignated fund balance stands at \$3,967,344 or 7.7% of total expenditures. This is a decrease of just under \$550,000. It is anticipated that the undesignated fund balance will further decrease by another \$650,000 to 6.2% of total expenditures by June 30, 2009.

4. Ct Magazine does a rating of the Towns in CT. In 2006, CT Magazine Plainville was ranked 26th out of 30 worst towns in the area of economy. Economy was defined as “the strength of the local economy was determined by the 2006 Public Investment Community score compiled by the Office of Policy & management, which rates the CT Towns under a formula based on population, per capita income, the adjusted equalized grand list per capita, the unemployment rate, the equalized mill rate and the per capita aid to children”.
5. In the current fiscal year, there are several issues that should be noted.
 - Revaluation – Plainville residents felt the impact of revaluation with the tax bills that were sent out last July. Because residential property increased its value at a higher rate than commercial and industrial properties, the average homeowner with an annual tax bill of \$2,000 had their taxes increase by \$274, while the homeowner who paid \$3,000 had their tax bill increase by \$411 in the current fiscal year. Most homeowners in Plainville had their tax bill of around \$3,000 so the average increase in taxes was approximately \$400.
 - Sewer user rates for Plainville residents have increased by 40.5% over the last 5 years. In the last two years alone, the sewer rate increased 21%. This is in response to a mandated upgrade of the Towns’ sewer plant to comply with regulations regarding nitrogen removal by the D.E.P.
 - Water is supplied to Plainville residents by Valley Water. Last spring, the DPUC increased water rates to residential customers by 16%.
 - Plainville has underfunded the capital budget for several years. Needs that have not been addressed in the last several years include road repair, drainage and sidewalk improvements.
 - Tax collections are running behind last year. By mid-year last year, 62.8% of taxes were collected. This year, that percentage has dropped to 60.9%. (slide)
 - The Town will be receiving \$259,476 less than what was budgeted for ECS revenues in the current fiscal year. (slide) This is the result of using the Governor’s proposed budget figures. The final state budget revenues were not available until after the Plainville budget process had been completed.
 - Police overtime is expected to be over budget by at least \$100,000 in the current fiscal year due to unanticipated disability retirements and personnel moving to different law enforcement agencies.
 - 12 straight budget defeats over a span of 4 years.

Chris to conclude

6. I mentioned wealth rating earlier. Let's look at those numbers. Plainville's per capita income levels are considered below average. **(slide)** In the latest census data available, Plainville is ranked 49th out of 68 towns that make up the District Reference Group (DRG)-F and Hartford County towns combined. As can be clearly seen from the slide, the Hartford area towns have significantly higher per capita incomes than Plainville and the DRG-F towns.
7. Plainville's median family income levels are also significantly below the county averages and in the lower half of the DRF-F Towns. **(slide)** In the latest census data available, Plainville is ranked 57 out of 68 Towns that make up the District Reference Group (DRG) F and the Hartford area towns combined. As can be clearly seen from the slide, the Hartford area towns have significantly higher median family incomes than Plainville and the DRG-F towns.
8. Plainville's wealth measured by Adjusted Grand List Per capita is \$28,426 or 119th in CT. **(slides)** Plainville is in DRG-F as categorized by the State Education Department. The comparison of salaries for the position of High School, Middle School and Elementary School Principals, just to give some examples, show that Plainville is paying significantly higher than the average in our DRG for all three positions at the maximum level for FY 08. (HS - \$116,249 v. \$113, 228 & MS - \$111,790 v. \$105,854 & EI - \$107,593 v. \$103,189). **(slide)** These salary comparisons clearly indicate that an above average increase is not needed to keep Plainville competitive within our DRG.
9. Some have suggested that the proposed above average increase to the Administrator union is in order because of their comparison to the Hartford County Towns. **(slide)** This is not a fair comparison given the distinct differences in the wealth levels between DRG-F and Hartford County. For example, a comparison of the Net Grand List per capita indicates that the DRG-F communities are ranked an average of 132 in NGLPC while the Hartford communities average 90. However, when Hartford, New Britain and Bristol are removed from the list, that average ranking drops to 78 almost half the level of the DRG-F average.
10. In 2007, school administrator settlement data indicates that the average increase in the first year has been 3.27%, 3.49% in the second year and 3.56% in the third year. **(slide)** If the increment is factored in, the increases have been 3.83 in the first year, 3.89% in the second year and 3.85% in the third year. The contract that was negotiated with the Plainville administrators has a salary increase of 4.5% over the three years of the contract and, with the step increase; the increment increase is 5.5%, 5.1% and 4.8% respectively. This proposed contract is significantly out of line with contract settlements that have been both negotiated and mediated in the current fiscal year.

When this contract was brought to the Town Council by the Board of Education it was explained that a priority was placed on "catching up" with surrounding communities. That somehow we have fallen behind similar communities and are facing dire straights if we do not reverse this trend. We support the Board and Unions priority on the importance of keeping salary ranges and step increments competitive, not only within our own DRG, but also within the surrounding communities. We also place a high priority on making sure salary and performance increases do not exceed our ability to pay. With lower than average wealth ranking and average salary structure, we believe a salary increase slightly above average is warranted. We recently gave our own Town Manager a 3.5% pay increase. And while the Town Council would have loved to give him more, we also took into account the Town's financial situation and what was going on around us. In keeping with that philosophy we propose for the Administrator's Contract a three

year salary increase of 3.5%, 3.6%, and 3.75%. This proposal accomplishes two goals. It supports the Board and Unions priority to “catch up” with surrounding towns, as it exceeds average increases for both Hartford County and the State of Connecticut, and it also fits into the town’s limited ability to absorb additional increases.

Attorney McHale reviewed at length the arbitration process. He ended by saying a State study regarding the arbitration award process showed that Municipalities usually achieve more cost effective results than with settlements. This data would suggest that the process is worthwhile and that better outcomes can be achieved by utilizing the process. In Plainville's case the Town has paid an arbitrator to consider all good evidence with the only issue for the arbitrator being whether it's 4.4 or 4.5%, \$1,200 in each of the three years.

At this point in the meeting Council members had their questions for the Town Manager. Councilman Rupaka suggested the 5K Road Race route be swept before the race and asked about the status of the Paderewski Football Field. Discussion followed with the Council members and Park & Rec. Chairman Warnat. It was the consensus of the Town Council to move forward with the fundraising for the football field and eventual construction as long as that would be within the Pesticide Free Resolution.

- Happenings (S. Osle)

Assistant Town Manager Osle reported on the activities of the Municipal Center renovations, Senior Center, Library, Social Services and also made mention about the luminary event to benefit the Petit Family Foundation.

IV. REPORT OF TOWN ATTORNEY

Town Attorney Michalik clarified action that the Town Council would be making regarding the agreement for Dream Maker Holdings LLC.

V. BOARD OF EDUCATION LIAISON (3rd Monday Meetings Only)

Board of Education Chairperson Tyrrell- Chairperson Tyrrell commented that she listened to the rationale as to why the Town Council rejected the administrator's contract. She stated that she had said this group of individuals is not like other groups of individuals. These are people who really are the lifeblood of the school system. They do things everyday that prevent going to litigation, they go above and beyond, they set the example, people follow them and having high caliber administrators is probably the most important thing you could have in a school system.

She said the reality is you could compare to the DRG but those individuals live in places like Southington and Bristol they aren't going to work in Bloomfield, Plainfield, Thompson they going to work in the area we're in. In this area we are in they were dead last at the bottom. That is not what we wanted our administrators to have. When asked if administrators are leaving the response was when you have a job you don't stay just because you get paid well there are other conditions. One is feeling supported and the arbitration process absolutely put the Board of Education in an awkward position. They bargained with the administrators in good faith and put forward what they thought was fair settlement for them and then to be put in the middle was being put in a tough spot.

The Board of Education felt even with the increase of 4.5% they would still be only be a few rungs from the bottom however it is not the goal to have them at the top either but they do need to feel supported. To say here's 3.5% would have been a slap in the face. Chairperson Tyrrell does not feel the BOE would have won 3.5, which is arguable.

The comment that nothing was done with health insurance, the average premium cost sharing in this area is 13%; our administrators are paying 16%.

Chairperson Tyrrell said we are going to have to agree to disagree on this, and we are in two different places and as much as the Town's legal counsel may want to say we should sit down and come up with a plan together the goals and visions are not going to be the same and not realistic in this circumstance.

Chairman Wazorko agreed that the statute is set up maybe under misrepresentation that what happens when the Board feels they've done the best that they can do and the legislative body disagrees with that. That's the reason for the feeling of frustration.

Board of Education Chairman Tyrrell mentioned there was a brief Strategic Task Force meeting with the Town Manager of Farmington. The topic of a shared service subcommittee was discussed and several Board members expressed an interest. The next school budget meeting will be 2-5-08.

Chairman Wazorko mentioned the Town Council also has interested members to serve on the shared service subcommittee.

VI. ORAL PETITIONS

Domenick D'Onofrio, 11 Tyler Ave. - Mr. D'Onofrio expressed his frustration and feels the Town Council should have more power with the arbitration process.

Arthur Screen, 62 Robert St. Ext. Mr. Screen, Chairman of the WPC Building Committee stated the 4 pump stations will be on-line by the end of the month and suggested the Town use a different area to test the energy efficient light pole. He applauded the Town Council for rejecting the arbitration contract.

VII. MINUTES OF PREVIOUS MEETING

Councilwoman Bergenty motioned to approve the minutes of the January 7, 2008 Regular Meeting. The motion was seconded by Councilman Ciotto and passed 7-0.

VIII. ANNOUNCEMENTS – REPORTS

Councilman Deegan announced the Library had 175 visitors last Sunday, Councilwoman Bergenty attended the Chamber of Commerce meeting and the Board of Education as liaison and she has asked them for a list of all unfunded mandates. Councilwoman Szach mentioned the Senior Center has a Senior Resource Guide available.

IX. APPOINTMENTS/RESIGNATIONS

- 2 Councilman Deegan motioned to appoint Jeffrey Miner, 14 Tomlinson Avenue, as a regular member of the Plainville Fire Department. The motion was seconded by Council and passed 7-0.**
- 3 Councilman Rupaka motioned to appoint Robert Bonola (D), 40 Rockwell Ave. to the Clean Energy Task Force. The motion was seconded by Councilwoman Szach and passed 7-0.**

X. OLD BUSINESS

Councilman Ciotto motioned to remove from the table approval of the minutes of the December 17, 2007 Regular Meeting. The motion was seconded by Councilwoman Szach and passed 7-0.

The minutes of the December 17, 2007 Regular Meeting as corrected were approved 7-0.

XI. NEW BUSINESS

1. Consider appropriation to Economic Development Fund

Councilman Ciotto motioned to appropriate \$10,000 from General Fund, Fund Balance, Acct. 01-32110, to the Economic Development Trust Fund, Acct. 80-49101. The motion was seconded by Councilman Rupaka and passed 7-0.

2. Disposal of Equipment

Councilman Deegan motioned to authorize the disposal of the following obsolete items from the Tax Office: 5 validators and 1 burster. The motion was seconded by Councilwoman Szach and passed 7-0.

3. Consider Sewer User Fee Adjustment

Councilwoman Szach motioned to adjust the sewer user fee for Gerald Zale, 66 Atwood Street #B4, from \$640.11 to \$504.96. The motion was seconded by Councilman Ciotto and passed 7-0.

4. Adopt "The Farmington River Watershed Conservation Compact" (See attached)

Councilman Rupaka motioned to adopt "The Farmington River Watershed Conservation Compact". The motion was seconded by Councilman Deegan and passed 7-0.

5. Accept CT Police Executive Forum payment

Councilwoman Szach motioned to accept the payment of \$1,472.47 from the now defunct Connecticut Police Executive Forum for the police Department Training Budget, Acct. 01-201-52430. The motion was seconded by Councilman Ciotto and passed 7-0.

6. Tax Assessment Fixing Agreement - Dream Maker Holdings, LLC

Councilman Ciotto motioned to authorize Town Manager Robert E. Lee to enter into a Tax Assessment Fixing Agreement with Dream Maker Holdings, LLC, subject to receiving a signed agreement, as recommended by the Economic Development Agency. The motion was seconded by Councilwoman Bergenty and passed 7-0.

7. Tax Assessment Fixing Agreement - Walker Crane & Rigging Corp.

Councilwoman Bergenty motioned to authorize the Town Manager to enter into a Tax Assessment Fixing Agreement with Walker Crane & Rigging Corporation as recommended by the Economic Development Agency. The motion was seconded by Councilman Ciotto and passed 7-0.

8. Establish public hearing for amendment to "Ordinance Providing Property Tax Relief for Certain Elderly or Disabled Homeowners"

Councilman Ciotto motioned to establish a public hearing Monday, February 4, 2008 at 7:30 p.m. in the Municipal Center to hear public comment on an amendment to an ordinance entitled "Ordinance Providing Property Tax Relief for Certain Elderly or Disabled Homeowners". The motion was seconded by Councilman Deegan and passed 7-0.

9. Waive bid process for Bid #2008-21, By-pass Pump

1/22/08

Councilwoman Szach motioned to waive the bid process for Bid #2008-21, By-pass Pump, and award the bid to Godwin Pumps, Bozrah, CT, in the amount of \$25,500. The motion was seconded by Councilman Rupaka and passed 7-0.

10. Waive bid process for Bid #2008-22

Councilman Rupaka motioned to waive the bid process for Bid #2008-22, Municipal Center Equipment Replacement and Natural Gas Line Installation, and award it to Trane, Farmington, CT per their proposal dated January 14, 2008 for the amount of \$88,519. The motion was seconded by Councilwoman Szach and passed 7-0.

11. Tax Refunds - See Addendum

Councilman Ciotto motioned to authorize tax refunds as listed on addendum. The motion was seconded by Councilwoman Szach and passed 7-0.

XII. AJOURNMENT

Councilwoman Bergenty motioned to adjourn at 9:55 p.m. The motion was seconded by Councilman Ciotto and passed 7-0.

Respectfully submitted by,

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

January 22, 2008

TAX REFUNDS

1. Chase Man Auto Fin Corp, Phoenix, AZ-\$225.48
2. Chase Man Auto Fin, Phoenix, AZ-\$265.46
3. Corcoran, Karl, 176 Broad St.-\$8.07
4. Daley, Mark, 718 Camp St.-\$284.17
5. Erickson, Donald, Lake Villa, IL-\$37.99
6. Gilberto, Rachel, 12 Roseleah Ave.-\$136.16
7. Knucklehead Realty LLC, 1 Townline Rd.-\$142.99
8. Pires, Antonio & Eugenia, 57 E. Maple St.-\$85.03
9. Sasso, Gary, 36 Ashford Rd.-\$29.84
10. Stafford, Christina, 32 Hemingway St.-\$3.71
11. Thomasen, Barry, 61 Twining St.-\$35.67
12. Whelan, Kenneth, Dana Point, CA-\$430.25