

MINUTES – DRAFT
PLAINVILLE TOWN COUNCIL
COUNCIL CHAMBERS – MUNICIPAL CENTER
REGULAR MEETING
December 5, 2022 – 7:00p.m.

I. PRESENTATIONS:

II. PUBLIC HEARING

1. Proposed Amendment to Chapter 106: PURCHASING, Articles I and II, of the General Code

III. MINUTES OF PREVIOUS MEETING

November 21, 2022, Regular Meeting

IV. ANNOUNCEMENTS – REPORTS

V. APPOINTMENTS/RESIGNATIONS

1. Police Officer Appointment
2. Fire Chief Appointments
3. Appointments and Re-appointments to Boards and Commissions

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

VII. REPORT OF TOWN ATTORNEY

VIII. REPORT OF TOWN MANAGER

1. White Oak Redevelopment Project Update
2. Landfill Closure Discussion
3. Treated and Non-Treated Road Salt
4. Winter Policies
5. Happenings

IX. PUBLIC COMMENTS

X. OLD BUSINESS

XI. NEW BUSINESS

1. Proposed Amendment to Chapter 106: PURCHASING, Articles I and II, of the General Code
2. Bid #2023-12, Treated Road Salt
3. Bid #2023-13, non-Treated Road Salt
4. Resolution regarding Charter Revision
5. Elect Town Council Chair and Vice-Chair
6. Tax Refunds - Addendum

XII. OTHER DISCUSSIONS OF INTEREST

XIII. MATTER APPROPRIATE FOR EXECUTIVE SESSION

XIV. ADJOURNMENT

The regular meeting was called to order at 7:00 pm. Present were Chairwoman Pugliese, Vice Chairman Underwood, Council members Tompkins, Morante, Rocco, Wazorko, Catanzaro, Town Manager Paulhus, Assistant Town Manager Cirioli, Town Attorney Mastrianni and Town Clerk Porrini.

Councilwoman Morante led the Pledge of Allegiance

I. PRESENTATIONS

II. PUBLIC HEARING

**Town Clerk Porrini read the following legal notice:

LEGAL NOTICE TOWN OF PLAINVILLE TOWN COUNCIL PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Plainville Town Council will hold a public hearing at 7:00 p.m. on Monday December 5, 2022, in the Council Chambers of the Municipal Center, One Central Square in Plainville to hear public comments on:

1. Proposed amendments to ordinance - Chapter 106-11 PURCHASING; Articles I & II; PURCHASING PROCEDURES; STATE & FEDERAL FUNDS

The purpose of this proposed amendment is to comply with the Code of Federal Regulations Procurement Standards, Sections 200.317-200.327.

A copy of the proposed amendments is on file and available for public inspection during normal business hours in the office of the Town Clerk.

Dated at Plainville, Connecticut this 1st day of December 2022.

Chairwoman Pugliese opened the meeting to public comments. Hearing none, the public hearing was closed at 7:03 p.m.

III. MINUTES OF PREVIOUS MEETING

Vice Chairman Underwood motioned to approve the minutes of November 21, 2022, Regular Meeting: The motion was seconded by Councilwoman Tompkins and passed 7-0.

IV. ANNOUNCEMENTS – REPORTS

Councilman Wazorko mentioned the Wave to Santa event at Norton Park on Wednesday, December 6th.

V. APPOINTMENTS/RESIGNATION

Police Department

Councilwoman Tompkins motioned to appoint Matthew Moran to the position as Police Officer effective December 6, 2022, and as a condition of continued employment, he must successfully complete all aspects of the Basic Police Officer Training Program at the Connecticut Police Academy and the Plainville Police Department Field Training Program. The motion was seconded by Councilman Rocco and passed 7-0.

Fire Department

- a. **Councilwoman Tompkins motioned to postpone the Fire Chief appointments to the January 3, 2023, Town Council Meeting. The motion was seconded by Councilman Rocco and passed 7-0.**

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

VII. REPORT OF TOWN ATTORNEY

No report was given.

VIII. TOWN MANAGER

Town Manager Paulhus presented and discussed the following topics:

- **White Oak Redevelopment Project Update**

At the 11/21 meeting, the Town Council approved Tighe & Bond Contract Amendment #2, allowing for further testing and delineation of soil and ground water contamination. The amendment has been executed by the Town Manager and sent to Tighe & Bond who will begin scheduling efforts and equipment rentals as noted in the proposal. We've been told there is a two-to-three-week lead time on scheduling, but weather, outside of significant snow fall, should not be a hinderance to completion. Work will be covered and paid for under awarded grant funds.

Tighe & Bond have produced a final copy of the updated Hazardous Building Material Assessment (HBMA) report. Subsequently, Cal met with Tighe & Bond and MNR to review a plan of action for building(s) remediation according to proposed redevelopment plans. These discussions will also lay the groundwork for Tighe & Bond's updated Remedial Action Plan (RAP); a document included within their original scope of work. Tighe & Bond will be on-site Tuesday, December 6, 2022, to complete supplemental HBMA testing and assessment work. On behalf of the Town, Tighe & Bond has completed an Environmental Condition Assessment Form (ECAAF) application into the Voluntary Remediation Program (VRP). The Town's enrollment into the VRP is a requirement of the ABC program.

MNR has applied to the Abandoned Brownfield Cleanup (ABC) Program which limits the extent of investigation and remediation of contaminants to the property's boundaries. This program also significantly reduces MNR's future liability in the eyes of the State and is a paramount step in the process of the Town's purchase, and subsequent sale, of the White Oak property. Per new State guidelines limiting approvals to two years, the Town has submitted an extension request for our own ABC acceptance from DEEP. In conversations with DEEP and DECD, they would like to review and approve both applications – Town & MNR - simultaneously to align future renewal dates. The hope is we will hear back and be in place to move forward with purchase and sale of the property as outlined within the Access & Option Agreement, and LDDA, respectively, within the first quarter of 2023. An updated property title search has been completed thanks to Attorneys Mastrianni and Galske and survey work of Mike Perry. Review is underway by the MNR team and early indications are positive in there not being significant rebuttals or contests of what has been provided. This will aide in ensuring the future transfer of the site to be smooth.

Attorney Mastrianni continues review and work with DECD to finalize Financial Assistance Agreement documents. Once completed, awarded grant funds will officially be released to the Town, making it possible to seek reimbursement of eligible costs. As a reminder, the State has noted the Town can seek full reimbursement of all eligible project expenses dating back to the original grant award date of June 24, 2021.

- **Landfill Closure Discussion**

The closure process is moving forward with the approval from the State of CT Department of Energy and Environmental Protection (DEEP) on the Materials Acceptability Protocol (MAP) on November 3, 2022.

The approval of the MAP allows the town to begin accepting truckloads of acceptable material on-site as part of the capping process. With notification and approval from DEEP, trucks delivering material could begin arriving after December 5, 2022.

LEA and Town representatives met on-site to discuss the removal of stockpiled equipment and materials currently on the landfill surface. A plan is being developed to remove equipment and materials on-site to reduce any conflict with trucks delivering capping material.

The Roadways Department will be required to remove some equipment and material off-site to be stored on the airport vacant lot as part of a temporary lay-down site. LEA received notice from DEEP that the Closure Plan should be formally approved in December. If approved, the process could be completed in 2023.

- **Treated and Non-Treated Road Salt**

The Town purchases salt on an annual basis for the Roadways Department as part of their winter weather operations. As part of the operations to keep our roadways passable, the department will use both treated and non-treated salt.

Non-treated salt is (rock salt) which is typically used in warmer conditions with temperatures at or above 25°F.

Treated salt is combined with an organic enhancer for deicing and is most effective in colder conditions with temperatures at or below 25°F.

There is an item under New Business to purchase both treated and non-treated salt using existing contracts with the State of CT and Council of Governments as permitted under the purchasing ordinance.

- **Winter Policies**

As Winter approaches the town wishes to take an opportunity to remind residents of the following policies and ordinances which will be posted to our website and shared on social media:

1. A revised Mailbox Policy
2. Responsibilities to remove snow/ice from sidewalks
3. Prohibition from plowing, throwing, or putting snow or ice in a public roadway or street
4. Reminder to keep Fire Hydrants clear from snow
5. Prohibition on all-night parking from December 1-April 1

- **Happenings**

Assistant Town Manager Cirioli reported on programs and activities with Town Departments. More information can be found at www.plainville.com.

IX. PUBLIC COMMENTS

John Kisluk, 65 Forestville Ave., commented on Paderewski Park.

X. OLD BUSINESS

XI. NEW BUSINESS

1. **Proposed Amendment to Chapter 106: PURCHASING, Articles I & II, of the General Code**

Vice Chairman Underwood motioned to adopt an Amendment to CHAPTER 106, Articles I and II,

Purchasing, from General Code, to comply with the Code of Federal Regulations, procurement standards, sections 200.317 to 200.327 The motion was seconded by Councilwoman Tompkins and passed 7-0.

2. **Bid #2023 – 12, Treated Road Salt**

Vice Chairman Underwood motioned to award Bid #2023-12, Treated Road Salt, under Capitol Region Purchasing Council Bid #735 to Morton Salt, Inc., Region 5 located in New Haven, CT, in the amount of \$94.47 per ton. The motion was seconded by Councilwoman Tompkins and passed 7-0.

3. **Bid #2023 – 13, Non-Treated Road Salt**

Vice Chairman Underwood motioned to award Bid #2023-13, Non-Treated Road Salt, under State Contract #20 PSX 0085 to Morton Salt, Inc, DOT Store Area 38 located in Rocky Hill, CT, in the amount of \$67.94 per ton. The motion was seconded by Councilwoman Tompkins and passed 7-0.

4. **Resolution regarding Charter Revision**

Councilwoman Tompkins motioned to adopt a resolution entitled “Resolution Establishing and Charging a Charter Revision Commission” The motion was seconded by Councilman Rocco and passed 7-0.

5. **Elect Town Council Chair and Vice-Chair**

A. Town Council Chairperson

Councilwoman Tompkins motioned to elect Katherine Pugliese as Chairperson. The motion was seconded by Councilman Rocco and passed 7-0.

B. Town Council Vice Chairperson

Councilman Rocco motioned to elect David Underwood as Vice Chairperson. The motion was seconded by Councilwoman Tompkins and passed 7-0.

6. **Tax Refunds- See Addendum**

Vice Chairman Underwood motioned to approve the tax refunds as listed on the Addendum. The motion was seconded by Councilwoman Tompkins and passed 7-0.

XII. OTHER DISCUSSIONS OF INTEREST

XIII. MATTER APPROPRIATE FOR EXECUTIVE SESSION

XIV. ADJOURNMENT

At 7:51 pm Vice Chairman Underwood motioned to adjourn. The motion was seconded by Councilwoman Tompkins and passed 7-0.

Respectfully submitted by,

Cindy A. Porrini, Town Clerk

GENERAL CODE - CHAPTER 106: PURCHASING

Amendment #1 - The following section is added in its entirety to ARTICLE I PURCHASING PROCEDURES:

§ 106-11. State and federal funds.

Purchases involving projects approved or anticipated to be eligible for federal or state grants will conform to the specific requirements associated with the type of funding or grant. These requirements may include but are not limited to the Code of Federal Regulations (CFR) Title 2 / Subtitle A / Chapter II / Part 200 / Subpart D / Procurement Standards (200.317-200.327). Amendment #2 - The following Sections have been renumbered in ARTICLE II ENCUMBRANCES due to the addition of Amendment #1.

§ 106-12 ~~44~~. Purpose.

§ 106-13 ~~42~~. Definition.

§ 106-14 ~~43~~. Procedure for outstanding encumbrances.

5-2022

RESOLUTION ESTABLISHING AND CHARGING A CHARTER REVISION COMMISSION

Be it resolved, this fifth day of December 2022 by the Town Council of the Town of Plainville duly assembled, that a Charter Revision Commission be established, pursuant to CGS 7-190, consisting of seven (7) members as follows – Republicans and Democrats:

1. (D) Quinn Christopher	135 New Britain Avenue, #27
2. (R) Dan Ciesielski	33 Overlook Drive
3. (R) John Gasparini	7 Orchard Lane
4. (R) Patrick Kilby	12 Pershing Drive
5. (R) Jo Rosinski	190 Tomlinson Avenue, Unit 1C
6. (D) Dayna Snell	18 Newton Avenue
7. (D) Anthony Tarascio	87 Pinnacle Road

Be it further resolved, that said Charter Revision Commission shall submit its first draft of said Charter Revision to said Council on or before June 5, 2023, and;

Be it further resolved, that said Charter Revision Commission shall consider the following provisions in a revised Charter:

- Remove the residency requirement for the Town Manager position
- Increase the terms for Town Council members to four years
- Stipend for Town Council members

- Any other section or chapter they deem necessary

Refunds		12/5/2022	
		Current Year	Amount
1	Toyota Lease Trust, Woburn MA, 01801		\$347.00
2	Toyota Lease Trust, Woburn MA, 01801		\$490.82
3	Toyota Lease Trust, Woburn MA, 01801		\$227.53
4	Toyota Lease Trust, Woburn MA, 01801		\$263.05
5	Toyota Lease Trust, Woburn MA, 01801		\$283.48
6	Toyota Lease Trust, Woburn MA, 01801		\$569.38
7	Toyota Lease Trust, Woburn MA, 01801		\$284.25
8	Toyota Lease Trust, Woburn MA, 01801		\$367.34
9	Toyota Lease Trust, Woburn MA, 01801		\$441.89
10	Toyota Lease Trust, Woburn MA, 01801		\$324.42
11	ACAR Leasing Ltd, Arlington, TX, 76014		\$596.13
Total			\$4,195.29
Sewer User Refunds			
1	Newportwillow Brook Partners LLC, Plantsville, CT 06479		\$257.84
Total			\$257.84