

**November 21, 2022 – 7:00p.m.**

**State Representative William Petit, Jr.**

### III. MINUTES OF PREVIOUS MEETING

#### IV. ANNOUNCEMENTS – REPORTS

1. Police Sergeant Appointment
2. Fire Department
3. Appointments and Re-appointments to Boards and Commissions

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

## VII. REPORT OF TOWN ATTORNEY

## VIII. REPORT OF TOWN MANAGER

1. Public Works Facility Evaluation and Conceptual Design
2. Purchasing Design
3. White Oak Re-development Project Discussion
4. Discussion regarding Accessory Apartments and Parking Requirements
5. Administrative and Technical Support for Program Income Housing Rehabilitation Program
6. Utility Restoration Bid
7. Technical Services Projects – Northwest Drive Roadway Repairs and Reinstallation of Downtown Decorative Crosswalks
8. High School Boiler Discussion
9. Teachers Contract – 7/1/23 – 6/30/26
10. Charter Revision Commission
11. Emergency Management Performance Grant (EMPG) Application
12. Financial Dashboard
13. Happenings

## IX. PUBLIC COMMENTS

## X. OLD BUSINESS

## XI. NEW BUSINESS

1. RFQ 2022-18, Public Works Facility Evaluation and Conceptual Design
2. Establish public hearing regarding proposed amendments to Purchasing Ordinance
3. Tighe & Bond Agreement – Amendment #2

4. Accessory Apartments – Provisional Opt-out of Public Act 21-29, Section 6
5. Parking Requirements – Provisional Opt-out of Public Act 21-29, Section 4(d)(9)
6. RFP 2023-08, Administrative and Technical Support for Program Income Housing Rehabilitation Program
7. Bid #2023-09E, Utility Restoration
8. Bid #2023-10E, Northwest Drive Roadway Repairs
9. Bid #2023-11E, Reinstallation of Downtown Decorative Crosswalks
10. Bid #2023-01, High School Boiler
11. Agreement Between the Board of Education and Education Association – Teachers Contract
12. Charter Revision
13. Resolution regarding EMPG Application – FFY2022
14. Elect Town Council Chair and Vice-Chair
15. 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, Catanzaro, Town Manager Paulhus, Assistant Town Manager Cirioli, Town Attorney Chomick and Town Clerk Porrini.

Councilman Wazorko was absent.

Vice Chairman Underwood led the Pledge of Allegiance

### **I. PRESENTATIONS**

**State Representative William Petit, Jr.**

Chairwoman Pugliese presented former State Representative William Petit, Jr. with a proclamation and thanked him for his hard work and dedication to the Town of Plainville.

### **II. PUBLIC HEARING**

### **III. MINUTES OF PREVIOUS MEETING**

Vice Chairman Underwood motioned to approve the minutes of October 17, 2022, Special and Regular Meeting: The motion was seconded by Councilwoman Tompkins and passed 6-0.

### **IV. ANNOUNCEMENTS – REPORTS**

### **V. APPOINTMENTS/RESIGNATION**

#### **Police Department**

Councilwoman Tompkins motioned to appoint Roman Blajerski to the position as Police Sergeant effective November 22, 2022. The motion was seconded by Vice Chairman Underwood and passed 6-0.

#### **Fire Department**

- a. Vice Chairman Underwood motioned to appoint John Smedile, 134 West Main Street, Apt. 18 as a probationary firefighter for the Plainville Fire Department. The motion was seconded by Councilwoman Tompkins and passed 6-0.

- b. **Vice Chairman Underwood** motioned to accept with regret the resignation of **Jonathan Camacho** from the Plainville Fire Department. The motion was seconded by Councilwoman Tompkins and passed 6-0.

**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:

- **Public Works Facility Evaluation and Conceptual Design**

The original Request for Qualifications (RFQ) document had a deadline of March 10, 2022. Two consultants were short listed from an initial RFQ/interview process to complete a preliminary facility study for a new/renovated Roadway Facility, Weston & Sampson Consulting Engineers, and Loureiro Engineering.

Recently, a follow-up interview was conducted with each consultant. Both consultants had an opportunity to expand upon why they were the most qualified to perform the task of developing a preliminary facility study. Both firms have qualified staff and previous experience to complete the task. Loureiro Engineering having more site-specific knowledge resulting from their ongoing landfill closure work was deemed the best firm for the project.

The Department of Technical Services requests the Town Council authorize the Town Manager to negotiate and execute an agreement with Loureiro Engineering to complete a preliminary facility study for a new/renovated Roadway Facility in an amount not to exceed \$25,000.00. There is an item under New Business to award the project to Lourerio Engineering in an amount not to exceed \$25,000.

- **Purchasing Ordinance**

The Town of Plainville is required to comply with the Code of Federal Regulations (CFR) procurement standards (§200.317 – 200.327). A comparison of the CFR to the Town's procurement policies, as enumerated in the Charter and Code of Ordinances, was shared at the last meeting. The final column of the comparison chart summarizes required actions with items in green indicating compliance, and items in red indicating action required. Overall, the Town's policies and practices are aligned with the CFR. In most cases, the items in red on the comparison chart are either standards that the Town follows in practice but has not codified or standards that do not apply to the Town. In other words, the incorporation of the CFR procurement standards will not significantly change the Town's existing purchasing practices.

Upon review by Town Attorney Mastrianni, we recommend amending Chapter 106 of the Code of Ordinances to add new language (§106-11, Code of Federal Regulations Procurement Standards) to achieve compliance. There is an item under New Business to set a public hearing date for December 5, 2022.

- **White Oak Re-development Project Discussion**

Tighe & Bond has recently completed a Phase I Environmental Site Assessment (ESA) for the property located at 1 & 63 West Main Street in Plainville, Connecticut (the Site). In completing this ESA, they have identified additional Areas of Concern (AOCs) that require soil and possibly groundwater assessment beyond those that were included in their existing Agreement dated April 12, 2022.

The proposal includes additional costs for a Ground Penetrating Radar (GPR) survey to cover new locations, 1 additional day of soil borings (observation & subcontractor costs), 1 additional day of test pit observations and associated laboratory analytical costs. Tighe & Bond is quoting \$16,800. Tighe & Bond feels that money

spent for clearer delineation on the front end will save the town and state money on the back end with respect to remediation & abatement.

There is an item under New Business to approve Amendment #2. A full scope of work and rationale is attached.

- **Discussion regarding Accessory Apartments and Parking Requirements**

On October 25, 2022, the Commission opted out of two (2) requirements within Public Act 21-29 that would require the Town to: (A), Zone for detached accessory apartments in addition to the attached apartment the Town currently allows, and (B), Reduce parking requirements beyond what they felt was practical for the Town of Plainville.

Opt-out of Section 6 of the Act would otherwise require Plainville to permit detached (stand-alone) accessory apartments on all residential lots in Plainville. In doing so, the PZC noted the unique nature and makeup of Plainville's smaller lot sizes in most of the residential zones. They found that building setback, and coverage requirements would largely restrict this type of unit in Plainville. In addition, they noted that such detached units were not, by virtue of language within the Act itself, considered to be affordable housing units and therefore would not increase the number of affordable housing units in Plainville. In addition, the Commission found that the existing regulations, which already permit attached accessory apartments, have proven to be successful in meeting the needs of our residents

Opt-out of Section 4 subsection (d), subdivision 9 of the Act in accordance with Section 5 of the same that would otherwise reduce the amount of parking spaces required for certain multi-family dwellings. In doing so, the PZC noted safety concerns and other matters of practicality including the potential for two car households in one bedroom apartment units where the Act would require only one parking space per unit. There is an item under New Business to issue an affirmation of the Commissions' action, and to do so by a 2/3 [minimum] vote. Town Council action must take place before January 1, 2023, or the Act will become law, regardless of prior PZC action.

- **Administrative and Technical Support for Program Income Housing Rehabilitation Program**

The Town recently advertised for professional and technical services required to provide administrative and technical support for our Small Cities Program Income Housing Rehabilitation Loan Program. Our previous Agreement for these services expired which is why a Request for Proposal was put together at this time.

We received one response from A&E Services Group, LLC out of Cheshire, CT. A&E has been the Consultant for our Housing Rehabilitation Program for several years. They hold the certifications required by the State of CT Department of Housing to perform these services. Their fee schedule is in line with what DOH deems acceptable and the Town has been very happy with their services to date.

Staff is recommending A&E continue performing these services. There is an item under New Business to authorize the Town Manager to enter into an agreement with A&E Services Group.

- **Utility Restoration Bid**

On November 10, 2022, the Engineering Department received three (3) bid proposals for Utility Restoration. The Engineer's estimate was \$50,000. The lowest bid was \$42,200, submitted from William M. Laydon Construction of North Haven, CT. The cost of construction activities will be paid from a permit restoration fee account which such fees are collected when Street Opening Permits are issued.

The Engineering Department recommends the Town Council authorize the Town manager to execute a contract with William M. Laydon Construction in the amount of \$42,200 to complete the specified construction activities upon the submission of a proper insurance certificate and construction bonds. There is an item under New Business to authorize the Town Manager to execute the contract.

- **Technical Services Projects – Northwest Drive Roadway Repairs and Reinstallation of Downtown Decorative Crosswalks**

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In October, Eversource Gas notified the Engineering Department that they have scheduled a repair of their utility trench on Northwest Drive from Route 177 Unionville Avenue to the Americold Building. The Town had an opportunity to “piggyback” on this repair to address a deteriorated pavement section on Northwest Drive from Unionville Avenue to Cowles Road. The Town would pay Eversource’s contractor to repair the pavement surface outside the trench repair limits between Unionville Avenue and Cowles Road. The cost of this repair work would be \$22,790.00. This price was compared to similar work completed under the Bond Program and deemed fair and reasonable. Under the Town’s Purchasing Ordinance three price quotes are needed. Securing three price quotes was not practical, thus under the Town’s Purchasing Ordinance the Town Council needs to waive the requirement that three price quotes need to be secured. There is an item under new business (#8) to waive the requirement and ratify the decision to award repair work to Laydon Industries of New Haven, CT in the amount of \$22,790.

CTDOT recently completed the repaving of Route 372. This repaving eliminated the decorative crosswalks in the downtown area. The Engineering Department has been tasked to replace them. The decorative crosswalks are constructed of proprietary materials and installed by an authorized sole provider. The cost of such work is estimated to be approximately \$61,000.00. Under the Town’s Purchasing Ordinance, a project of this magnitude needs to solicit sealed bids. The practicality of soliciting sealed bids was impractical, thus, the Town Council would need to consider and approve waiving the requirement of sealed bids. There is an item under new business (#9) to waive the requirement and ratify the decision to award repaving of the crosswalks to Rocco Iadarola General Contracting Co. of Waterbury, CT in the amount of \$61,000.

- **High School Boiler Discussion**

The High School Boiler Project specifications were prepared in July (2022) and was advertised as a “Design Build” project with a budget of \$600,000. Even though this was issued as a bid it likely should have been an RFP as the Town was seeking Design Build Proposals for a boiler system. Unlike a bid where there is typically a unit price and selection are based on the lowest bid, a design build takes some analysis to compare each proposal.

The “Design Build” strategy created a conflict within our purchasing ordinance with respect to the interpretation of proposal versus bid. Thus, it was determined by staff in consultation with the Town Attorney the best course of action would be to rescind the vote and reject all bids.

- **Teachers Contract – 7/1/23-6/30/26**

The Teachers Contract was submitted to the Town Council for action as required under CT State Statute. There is an item under New Business for your consideration.

- **Charter Revision Discussion**

The Town Council has sought the interest of residents to serve on the Charter Revision Commission and has since received 14 applicants wishing to serve. In order to assist the council in the process, I have included an outline of the steps required for charter revision along with a timeline should you want to have the referendum question ready for the 2023 regular municipal election cycle.

As it stands, Step 1 – charter revision must be initiated by a 2/3 vote of the entire membership of the Town Council. There is an item under New Business to initiate the formation of a Charter Revision Commission.

Step 2- (scheduled for the December 5, 2022, meeting), addresses the appointment of members consisting of 5-15 electors, not more than 1/3 of whom may hold other public office, and not more than a bare majority of whom shall be members of any on political party. The appointments must also be approved by 2/3 vote of the entire membership.

Under Step 2 - The council may also make recommendations to the commission for items to include or amend.

- **Emergency Management Performance Grant (EMPG) Application**

This grant covers a portion of the personnel costs of the Fire Marshall who serves as the Emergency Management Director (EMD). There is an annual application process and the deadline for submission is December 1, 2022. There is an item under New Business to approve and authorize the Town Manager to submit the application for funding.

- **Financial Dashboard**

Town Manager Paulhus reviewed the Dashboard which was distributed in the meeting package and has been posted on the Town web page.

- **Happenings**

Assistant Town Manager Cirioli reported on programs and activities with Town Departments. More information can be found at [www.plainville.com](http://www.plainville.com).

## **IX. PUBLIC COMMENTS**

John Kisluk, 65 Forestville Ave., commented on various boards and commissions.

Lou Frangos, 10 Fairbanks Ave. had questions regarding the Charter Revision Commission.

## **X. OLD BUSINESS**

## **XI. NEW BUSINESS**

### **1. RFQ 2022-18, Public Works Facility Evaluation and Conceptual Design**

Vice Chairman Underwood motioned to award RFQ 2022-18, Public Works Facility Evaluation and Conceptual Design, to Loureiro Engineering Associates Inc., Plainville, CT, and authorize the Town Manager to execute an agreement in an amount not to exceed \$25,000. The motion was seconded by Councilwoman Tompkins and passed 6-0.

### **2. Establish public hearing regarding proposed amendments to Purchasing Ordinance**

Vice Chairman Underwood motioned to establish a public hearing on Monday, December 5, 2022, at 7:00pm in the Municipal Center regarding proposed amendments to General Code – Chapter 106 Purchasing. The motion was seconded by Councilwoman Tompkins and passed 6-0.

### **3. Tighe & Bond Agreement – Amendment #2**

Vice Chairman Underwood motioned to approve and authorize the Town Manager to execute Amendment #2 to the “Agreement for Environmental Assessment Services at 1 & 63 West Main Street” with Tighe & Bond in an amount not to exceed \$16,800. The motion was seconded by Councilwoman Tompkins and passed 6-0.

### **4. Accessory Apartments – Provisional Opt-out of Public Act 21-29, Section 6**

Vice Chairman Underwood motioned to ratify the Planning & Zoning Commission’s motion to opt out of Public Act 21-29, Section 6, requiring the addition of detached accessory apartments to the current local regulation that permits attached accessory apartments. The motion was seconded by Councilwoman Tompkins and passed 6-0.

### **5. Parking Requirements – Provisional Opt-out of Public Act 21-29, Section 4(d)(9)**

Vice Chairman Underwood motioned to ratify the Planning & Zoning Commission’s motion to opt

out of Public Act 21-29, Section 4(d)(9), reductions of required parking for certain residential uses. The motion was seconded by Vice Chairman Underwood and passed 6-0.

6. **RFP 2023-08, Administrative and Technical Support for Program Income Housing Rehabilitation Program**

Vice Chairman Underwood motioned to award RFP 2023-08, Administrative and Technical Support for Program Income Housing Rehabilitation Program, to A&E Services Group, Cheshire, CT for the proposed fee schedule. The motion was seconded by Councilwoman Tompkins and passed 6-0.

7. **Bid #2023-09E, Utility Restoration**

Vice Chairman Underwood motioned to award Bid #2023-09E, Utility Restoration, to William M. Laydon Construction, North Haven, CT, in the amount of \$42,200. The motion was seconded by Councilwoman Tompkins and passed 6-0.

8. **Bid #2023-10E, Northwest Drive Roadway Repairs**

Councilwoman Tompkins motioned to ratify waiving the bid process and award Bid #2023-10E, Northwest Drive Roadway Repairs, to Laydon Industries, New Haven, CT, in the amount of \$22,790. The motion was seconded by Vice Chairman Underwood and passed 6-0.

9. **Bid #2023-11E, Reinstallation of Downtown Decorative Crosswalks**

Councilwoman Tompkins motioned to ratify waiving the bid process and award Bid #2023-11E, Reinstallation of Downtown Decorative Crosswalks, to Rocco Iadarola General Contracting Co., Waterbury, CT, in the amount of \$61,000. The motion was seconded by Vice Chairman Underwood and passed 6-0.

10. **Bid #2023-01, High School Boiler**

Councilwoman Tompkins motioned to rescind the award of Bid #2023-01, Design Build High School Boiler Project, to McKenney Mechanical, Newton, CT, in the amount of \$698,000 and reject all bids received. The motion was seconded by Vice Chairman Underwood and passed 6-0.

11. **Agreement Between the Board of Education and Education Association – Teachers Contract**

Councilwoman Tompkins motioned to take no action. The motion was seconded by Vice Chairman Underwood and passed 5-1 with Councilwoman Morante voting against.

12. **Charter Revision**

Councilwoman Tompkins motioned to initiate a Charter Revision and within the next 30 days establish the charge and Charter Revision Commission membership. The motion was seconded by Vice Chairman Underwood and passed 6-0.

13. **Resolution regarding EMPG Application – FFY2022**

Councilwoman Tompkins motioned to adopt a resolution regarding the Emergency Management Performance Grant Application for Federal Fiscal Year 2022. The motion was seconded by Vice Chairman Underwood and passed 6-0.

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

Councilwoman Tompkins motioned to postpone this item to the December 5, 2022, Town Council Meeting. The motion was seconded by Councilman Rocco and passed 6-0.

**15. Tax Refunds- See Addendum**

Councilwoman Tompkins motioned to approve the tax refunds as listed on the Addendum. The motion was seconded by Vice Chairman Underwood and passed 6-0.

**XII. OTHER DISCUSSIONS OF INTEREST**

1. Boards & Commissions Openings

**XIII. MATTER APPROPRIATE FOR EXECUTIVE SESSION**

**XIV. ADJOURNMENT**

At 8:34 pm Vice Chairman Underwood motioned to adjourn. The motion was seconded by Councilwoman Tompkins and passed 6-0.

Respectfully submitted by,



Cindy A. Porrini, Town Clerk  
& Clerk of the Town Council

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**PROPOSED ORDINANCE AMENDMENT:**

Chapter 106-11 PURCHASING; Article I; PURCHASING PROCEDURES; State & Federal Funds

**§ 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).

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**4-2022            Emergency Management Performance Grant Application FY 2022**

**RESOLVED**, that the Plainville Town Council may enter with and deliver to the State of Connecticut Department of Emergency Services and Public Protection, Division of Emergency Management and Homeland Security, any and all documents which it deems to be necessary or appropriate; and

**FURTHER RESOLVED**, that Michael T. Paulhus, as Town Manager of the Town of Plainville, is authorized and directed to execute and deliver all documents on behalf of the Plainville Town Council and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents.



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**Refunds**

11/21/2022

	Current Year	Amount
1	Wentworth, Todd, 127 Diamond Ave, 2nd Fl	39.22
2	Evans, Kimberly J., 29 Maria Rd	19.30
3	Tolis, Angelo A., Jr., 17 Mt. View Dr	62.51
4	Romanow, Allison & Marc, 147 Hollyberry Ln	15.94
5	Nissan Infiniti LT LLC, Dallas, TX 75265	532.52
6	Topflight Machine & Tool Inc, 90 Robert Jackson Way	623.21
7	Topflight Machine & Tool Inc, 90 Robert Jackson Way	213.74
8	Topflight Machine & Tool Inc, 90 Robert Jackson Way	175.14
9	Morawski, Jaroslaw, 10 Eisenhower Dr	231.33
10	Morales, Eva, 69 Trumbull Ave	383.88
11	Franqui Hector & Morales Eva, 69 Trumbull Ave	552.68
12	Sharp, Dale, 210 Pheasant Run Rd, Bristol CT 06010	62.56
13	Dumais, Romeo, 34 Hobart St Apt 134, Southington, CT 06489	77.96
14	Juarez-Arango, Mario, 83 Pershing Dr	149.52
15	Ramotowski, Jacek, 56 Forestville Ave	100.50
16	AAA Refrigeration Service Inc 130 Robert Jackson Way	192.76
17	Corelogic Tax Services LLC Coppell, TX 75019-9214	1400.56
18	Bouchard, Blaire, 8 Wayne Dr	735.67

**Total**

**\$5,569.00**

**Previous Year**

1	Topflight Machine & Tool Inc, 90 Robert Jackson Way	6,101.92
2	Topflight Machine & Tool Inc, 90 Robert Jackson Way	8,297.35
3	Topflight Machine & Tool Inc, 90 Robert Jackson Way	11,528.52
4	Thompson, Amanda, 127 Northwest Dr	233.32
5	Honda Lease Trust Torrance, CA 90501-2722	466.91
6	Corelogic Tax Services LLC Coppell, TX 75019-9214	1440.64
7	Massey, Ann Marie, Edgewater, FL 32141-4511	173.92

**Total**

**\$28,242.58**

**Sewer User Refunds**

1	Gan, Daniel, 7 Trumbull Ln	\$415.92
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**Total**

**\$415.92**