

**MINUTES
PLAINVILLE TOWN COUNCIL
COUNCIL CHAMBERS – MUNICIPAL CENTER
SPECIAL MEETING
JANUARY 6, 2020 – 6:00p.m.**

6:00pm WORK SESSION:

**Fire Department Daytime
Coverage Proposal**

Councilwoman Pugliese called the Work Session to order at 6:00pm in the Council Chambers of the Municipal Center, One Central Square. Also present were Vice Chairwoman Tompkins, Council members Wazorko, Morante, Gnazzo, Cox and Underwood, Town Manager Lee, Assistant to the Town Manager Colby and Town Clerk Skultety

Also, in attendance were Fire Chief Toner, Deputy Fire Chief Moschini and Fire Marshal Sutherland.

Fire Marshal Sutherland began by referring to events surrounding a structure fire on May 16, 2019 and reviewing a 5-year analysis of the time of day a fire incident is likely to occur, the types of incident and the average firefighter turnout of an incident. Points stressed were response times during the day and the availability of firefighters.

Discussion ensued regarding the creation of a paid Part Time Firefighter/Driver position that would work 7:00am – 3:30pm, 20 hours per week. Ideally the position would be filled by past members that have pursued firefighting as a career and would be available during the day.

The Town Council will consider the proposal.

**MINUTES
PLAINVILLE TOWN COUNCIL
COUNCIL CHAMBERS – MUNICIPAL CENTER
REGULAR MEETING
January 6, 2020 – 7:00p.m.**

I. PRESENTATIONS:

Historical Society Rent Payment

II. PUBLIC HEARING

- III. MINUTES OF PREVIOUS MEETING**
December 16, 2019 Special & Regular Meeting
- IV. ANNOUNCEMENTS – REPORTS**
- V. APPOINTMENTS/RESIGNATIONS**
1. 2nd Assistant Fire Chief
 2. Fire Police Appointment
 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. Report on Clean Earth Fire
 2. Sale/Assignment of Tax Lien
 3. Release of a Portion of Open Space on Camp & Bradley Streets
 4. Happenings
- IX. PUBLIC COMMENTS**
- X. OLD BUSINESS**
- XI. NEW BUSINESS**
1. Consider 8-24 Referral-Release of a Portion of Open Space on Camp & Bradley Streets
 2. Sale/Assignment of Tax Lien
 3. Tax Refunds
- XII. OTHER DISCUSSIONS OF INTEREST**
- XIII. MATTER APPROPRIATE FOR EXECUTIVE SESSION**
- XIV. ADJOURNMENT**

The regular meeting was called to order at 7:00pm in the Council Chambers of the Municipal Center, One Central Square. Town Attorney Mastrianni was in attendance.

Councilman Gnazzo led the Pledge of Allegiance.

I. PRESENTATIONS: Historical Society Rent Payment

Nan Eberhardt presented Town Manager Lee with \$1.00 for the annual rent.

II. PUBLIC HEARING

III. MINUTES OF PREVIOUS MEETING

Councilwoman Tompkins motioned to approve the minutes of December 16, 2019 Special and Regular Meeting. The motion was seconded by Councilman Cox and passed 7-0.

IV. ANNOUNCEMENTS – REPORTS

No announcements were made.

V. APPOINTMENTS/RESIGNATION

1. 2nd Assistant Fire Chief

Councilman Gnazzo motioned to reappoint Kurt Plourde as 2nd Assistant Fire Chief of the Plainville Fire Department for the term 1/6/20 – 1/4/21. The motion was seconded by Councilman Wazorko and passed 7-0.

2. Fire Police

Councilman Gnazzo motioned to appoint David Mazurek as Fire Police of the Plainville Fire Department. The motion was seconded by Councilman Cox and passed 7-0.

3. Conservation Commission

Councilwoman Morante motioned to ratify Town Manager Lee's reappointment of:

- a. Marguerite Burris (R), 2 Mountain View Dr
- b. Jeffrey Sepko (D), 18 Ashford Rd
- c. James Lenois, Jr (U), 19 East Maple St

to the Conservation Commission for the new term 1/15/20 – 1/15/24. The motion was seconded by Councilman Gnazzo and passed 7-0.

4. Housing Authority

Councilman Underwood motioned to reappoint Edna Pires (D), 17 So Washington St, to the Housing Authority for the new term 1/31/20 – 2/1/25. The motion was seconded by Councilman Cox and passed 7-0.

5. Inland Wetlands Commission

Councilman Gnazzo motioned to reappoint as regular members to the Inland Wetlands Commission:

- a. Steven Emmendorfer (R), 109 Pinnacle Rd**
- b. Robert Michalic (U), 626 Camp St**
- c. Patrick Kilby (D), 12 Pershing Dr**
- d. Rejean Carrier (R), 28 Perron Rd**

for the new term 1/7/20 – 1/7/22. The motion was seconded by Councilman Cox and passed 7-0.

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

No report

VII. REPORT OF TOWN ATTORNEY

No report was offered.

VIII. REPORT OF TOWN MANAGER

Town Manager Lee presented and discussed the following topics:

- Report on Clean Earth Fire**

On December 31st at approximately 2:00 pm the police and fire departments responded to a fire at the Clean Earth Facility on North Washington Street. The Fire Marshall and the State Department of Energy & Environmental Protection also responded to this event. The facility had been in a shutdown mode since around 9:00 am that morning.

Clean Earth operates under a permit issued by the Department of Energy & Environmental Protection. Under the permit, they are required to submit a notification within five days of any potential endangerment such as a fire. This notification was received on Friday.

The cause of the fire is still under investigation. Most of the damage appears to be limited to a wet scrubber, the “continuous emissions monitor” and the stack. This wet scrubber removes any leftover impurities that results from the burning of soil. There were no injuries as a result of this incident.

Clean Earth Regional Manager Scott Miller gave a detailed report of the Soil Treatment & Recycling Facility’s operation. He stated the facility is currently closed so the fire investigation

can be completed, and repairs can be made to the damaged equipment and other areas to prevent future reoccurrences. The projection time to be back in operation is the end of February.

Mr. Scott praised the emergency responders and credited the quick response to the fire department having prior knowledge of the facility's operation and the location and types of process equipment storage.

Fire Marshall Larry Sutherland and Deputy Fire Chief Tom Moschini summarized the fire department and mutual aid's response tactics. DEEP was also notified and responded to the fire. Chief Moschini stated at no time was the public in danger and praised the firefighters and police department for their quick work and cooperation.

As a follow-up, Health Director Shane Lockwood has spoken with the Fire Chief, Fire Marshal, Town Manager Lee, DEEP and Clean Earth. He stated he spoke to DEEP again and was reassured that they do not have any concerns with the way the fire was handled, no concerns for public health going forward and credited the training and knowledge of the facility as a great example of industry and government working together.

- **Sale/Assignment of Tax Lien**

Section 12-195h of the CT General Statutes allows municipalities, through its Legislative body, to assign any and all liens filed by the tax collector to secure unpaid taxes on real property. The consideration received by the municipality shall be negotiated between the municipality and the assignee. The Legislative body for Plainville is the Town Council.

Basically, the assignment of a tax lien allows a third party the right to collect any outstanding real estate taxes after paying the municipality the negotiated price. It then becomes the lien holder's responsibility to collect and release the liens.

The advantage of assigning any tax lien is that the municipality can immediately collect a portion of or all of the outstanding amount. Additionally, the Town does not have to go through the arduous and time-consuming process of foreclosing on the property. Finally, there are instances, such as potential contamination of the property, which could cause additional liability to a Town if foreclosure was pursued.

Recently, the Town Attorney was contacted regarding whether the Town Council would be interested in assigning tax liens on two parcels of land located on Camp Street. These two parcels are owned by A. Aiudi & Sons LLC. Outstanding taxes and interest on these two properties total \$288,868.38. The potential assignee has offered to pay 100% of the amount owed.

Town Attorney Mastrianni continued stating he was contacted by Attorney Ketainek on behalf of his client Towering Oak, LLC. They currently are the mortgage holders for the 2 parcels on Camp Street. A foreclosure action has been filed in New Britain which has been stalled because of a discrepancy of the description attached to the properties. Assigning the tax liens to Towering Oak, LLC will allow them to proceed with the foreclosure. Mr. Aiudi is aware of the action being proposed.

- **Release of a Portion of Open Space on Camp & Bradley Streets**

Last summer JNS Development (now Trumbull Homes) donated a portion of land off Camp and Bradley Streets to the Town as part of their sub-division process. Trumbull Homes is requesting that a portion of this land be released to the Trumbull Home homeowner's association.

This land is located on the south side of the New Britain Water Company easement. This transfer would allow the Association to landscape a steep slope and relieve the Town from maintaining this area. The land would remain as open space in private ownership prevented from future development.

Because this land consists of a steep slope that will require attention and resources going forward by whoever owns the land, there are advantages to transferring ownership from the Town to the Association. There is an item under **New Business** that would refer this matter to the Planning & Zoning Commission under 8-24 of the CT General Statutes. The P&Z would then consider the transfer and make a recommendation back to the Town Council regarding same.

- **Happenings**

No report was offered

IX. PUBLIC COMMENTS

John Kisluk, 65 Forestville Ave commented on the Clean Earth fire, teacher's contract increase and encouraged the Town Council to take a close look at the upcoming budget.

Katherine LaBella, 50 Pierce St questioned the types of soil contaminates accepted by Clean Earth and monitoring checks.

Jodi Coulombe, 128 Bohemia St questioned the fire department's plan and knowledge of operations of other factories in town.

Joel Edman, 63 Hollyberry Ln comments included the use of the processed soil from Clean Earth and the trail.

Lou Frangos, 10 Fairbanks St comments included praise of the Volunteer Fire Department's work for the Town.

Roberta Lauria, 18 Perron Rd voiced her concerns for children's safety, spoke in opposition of Alignment C and the teacher's salary increases.

David Spencer, 127 Milford St Ext commented on property tax increases and the approved teacher's contract.

Nicole Palmieri, 20 Julie Rd encouraged residents to attend the BOE work sessions for an understanding of the budget process.

Joanne Edman, 166 West Main St comments included Alignment C and suggested dumping the trail.

State Representative Bill Petit, 132 Red Stone Hill posed questions to Scott Miller regarding the acceptance and screening types of contaminates of soil that are brought into Clean Earth.

X. NEW BUSINESS

1. Consider 8-24 Referral-Release of a Portion of Open Space on Camp & Bradley Streets

Vice Chairwoman Tompkins motioned to refer the release of a portion of Open Space on Camp and Bradley Streets as an 8-24 referral to the Planning & Zoning Commission. The motion was seconded by Councilman Cox and passed 7-0.

2. Sale/Assignment of Tax Lien

Vice Chairwoman Tompkins motioned to authorize Town Manager Lee to assign all current tax liens on certain property owned by A. Aiudi & Sons, LLC identified as Parcels 12-C-07 and 12-C-08, to Towering Oaks, LLC, for 100% of their value currently \$288,868.38, through January 31, 2020 plus reasonable attorney's fees. The motion was seconded by Councilman Cox and passed 7-0.

3. Tax Refunds-See Addendum

Vice Chairwoman Tompkins motioned to approve the tax refunds as listed on the Addendum. The motion was seconded by Councilman Cox and passed 7-0.

XI. OTHER DISCUSSIONS OF INTEREST

XII. MATTER APPROPRIATE FOR EXECUTIVE SESSION

XIII. ADJOURNMENT

The meeting adjourned at 8:55pm.

Respectfully submitted by,

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

Refunds		1/6/2020	
		Current Year	Amount
1	Ally Financial, Louisville, KY		\$214.06
2	Ally Financial, Louisville, KY		\$133.12
3	VW Credit Leasing LTD, Libertyville, IL		\$129.34
Total			\$476.52
		Prior Year	Amount
2	Toyota Lease Trust, Woburn, MA		\$314.88
3	Toyota Lease Trust, Woburn, MA		\$414.44
4	Toyota Lease Trust, Woburn, MA		\$275.22
Total			\$1,004.54
		Sewer User Fee	Amount
1	Deoliveira, Adriano, Southington, CT		\$25.62
Total			\$25.62

