

**MINUTES  
PLAINVILLE TOWN COUNCIL  
COUNCIL CHAMBERS – MUNICIPAL CENTER  
REGULAR MEETING  
JULY 25, 2016 – 7:00p.m.**

- I.    PRESENTATIONS:**                   **Fire Company-Update on Plans for  
Balloon Festival**
- II.   PUBLIC HEARING**
- III.   MINUTES OF PREVIOUS MEETING**  
Minutes of June 20, 2016 Regular Meeting
- IV.   ANNOUNCEMENTS – REPORTS**
- V.    APPOINTMENTS/RESIGNATIONS**
1. Police Officer Appointment
  2. Police Sergeant Appointment
  3. Fire Department
  4. Capital Projects Building Committee Resignation
  5. 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. Paderewski Pond – Assessment & Alternatives Analysis
  2. Concrete Foundation Issue Discussion
  3. Land Record Indexing and Microfilming
  4. Sidewalk Construction Discussion
  5. Property Maintenance Update
  6. Happenings
- IX.   PUBLIC COMMENTS**

**X. OLD BUSINESS**

**XI. NEW BUSINESS**

1. Consider Proposed Code Adoption Ordinance
2. Bid #2016-33E, Sidewalk Construction
3. Bid #2017-01, Land Record Indexing and Microfilming
4. Bid #2017-02, Buildings & Grounds F250 Pickup Truck
5. Tax & Sewer User Refunds - Addendum

**XII. OTHER DISCUSSIONS OF INTEREST**

**XIII. MATTER APPROPRIATE FOR EXECUTIVE SESSION**

1. Personnel Matter

**XIV. ADJOURNMENT**

Councilwoman Pugliese called the meeting to order at 7:00pm in the Council Chambers of the Municipal Center, One Central Square. Also present were Vice Chairman Saunders, Council members Wazorko, Morante, Christopher, Tompkins and Carrier, Town Manager Lee, Intern Colby and Town Clerk Skultety.

Councilwoman Tompkins led the Pledge of Allegiance

**I. PRESENTATIONS:**

James Lenois, Chairman of the Balloon Festival stated that in an effort to respond to the numerous suggestions and recommendations the Fire Company has received, the committee has made some changes for the upcoming 32<sup>nd</sup> Annual Plainville Fire Company Hot Air Balloon Festival to be held August 26, 27 and 28. Those changes include:

- There will be no public parking allowed in Norton Park with the exception of Handicapped Parking, motorcycles, vendor/crafter parking and event staff parking.
- Parking and bussing will be available from Robertson Airport, Carlingswitch and the Plainville High School beginning at 4:30pm on Friday, August 26. Parking will be available from 10am until 9pm Saturday, August 27, at all four locations.
- Robertson airport/Carlingswitch bus line is the RED line. Busses to/from there will be marked with a RED sign.
- Plainville High School bus line is the BLUE line. Busses to/from there will be marked with a BLUE sign.

- GE parking lot bus line is the GREEN line. Busses to/from there will be marked with a GREEN sign.
- Food service areas have been expanded and new equipment purchased along with a new tent.
- The number of portable restroom facilities has been increased.
- Traffic and bus routes have been developed with the assistance of the Plainville Police Department and other Town departments.
- There will be a portable Verizon Tower in the park for enhanced communications between police and fire departments.
- There will be increased security.
- There will be mutual aid provided by surrounding town during the festival.
- Flyers will be hand delivered by Company members to surrounding Norton Park neighbors.

Residents and visitors are encouraged to find further updates on the Fire Department's website [www.plainvillefireco.com](http://www.plainvillefireco.com)

## **II. PUBLIC HEARING**

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

**Councilwoman Tompkins motioned to approve the minutes of June 20, 2016 Regular Meeting. The motion was seconded by Vice Chairman Saunders and passed 6-0.**

## **IV. ANNOUNCEMENTS – REPORTS**

## **V. APPOINTMENTS/RESIGNATION**

### **1. Police Sergeant Appointment**

**Vice Chairman Saunders motioned to appoint Police Officer Shane Murphy to the position of Police Sergeant. The motion was seconded by Councilwoman Tompkins and passed 7-0.**

### **2. Police Officer Appointment**

**Vice Chairman Saunders motioned to appoint Mark Zaza to the position of Police Officer conditional upon passing all employment offer requirements and with a start date effective after notice has been given to current employer. The motion was seconded by Councilwoman Tompkins and passed 7-0.**

### **3. Fire Department**

a. Vice Chairman Saunders motioned to appoint Brian Desjardins, 57 Milton Road, Bristol, as a probationary firefighter to the Plainville Fire Department. The motion was seconded by Councilwoman Tompkins and passed 7-0.

b. Vice Chairman Saunders motioned to accept with regret the resignation of Dana Corriveau from the Plainville Fire Department. The motion was seconded by Councilwoman Christopher and passed 7-0.

c. Vice Chairman Saunders motioned accept with regret the resignation of Alex Frac from the Plainville Fire Department. The motion was seconded by Councilwoman Tompkins and passed 7-0.

d. Vice Chairman Saunders motioned to remove Michael Smith from the rolls of the Plainville Fire Department due to moving outside the maximum distance allowance. The motion was seconded by Councilwoman Christopher and passed 7-0.

### **4. Capital Projects Building Committee**

Councilman Carrier motioned to accept with regret the resignation of Lee Toffey from the Capital Projects Building Committee. The motion was seconded by Vice Chairman Saunders and passed 7-0.

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

## **VII. REPORT OF TOWN ATTORNEY**

No Report

## **VIII. REPORT OF TOWN MANAGER**

Town Manager Lee presented and discussed the following topics:

- **Paderewski Pond – Assessment & Alternatives Analysis**

The Conservation Commission has been discussing the Paderewski Pond on a regular basis since the fish kill last September. Both the Commission and Town staff feel that it is important to get more information about the existing condition of the pond in order to determine what, if anything, can be done to improve the water quality and decrease the possibility for future fish kills.

The Town Council budgeted \$10,000 in the FY17 Capital Improvement Plan to hire a consultant to conduct an assessment of the environmental conditions at Paderewski Pond.

Loureiro of Plainville has submitted a proposal to conduct such an assessment. The cost for the assessment is \$9,991. The Conservation Commission has been provided a copy of the proposal.

Town staff believes that it is important to move forward with the study during the mid-summer months before the anniversary of last year's fish kill.

It is recommended that the Town Council add an item under **New Business** that the Town Manager be authorized to move forward with the Loureiro proposal in the amount of \$9,991.

- **Concrete Foundation Issue Discussion**

In eastern Connecticut many communities are experiencing crumbling foundations due to the presence of pyrrhotite in the concrete. It is estimated that the quarry supplied as many as 20,000 homes with this concrete. The cost to correct the crumbling foundations can run from \$110k to \$200k.

Potential remediation costs could be as much as \$2B. The total magnitude is completely uncertain at this time.

With the unknown number of houses affected, the potential impact to the regional economy could be very large. The CROG Policy Board has been asked to consider adopting a resolution regarding the possible state actions that could be taken regarding this situation.

The CROG Policy Board is also suggesting that individual communities may wish to consider sending a similar letter to Governor Malloy in support of the towns that have seen direct impacts at this point.

It was the consensus of the Town Council to draft a letter of support to Governor Malloy from the Town.

- **Land Record Indexing and Microfilming**

In 2009, the Town Council authorized a 4-year agreement with Cott Systems to provide computers and software for the indexing of documents on the land records. Due to an oversight, the contract was renewed by Town staff without Town Council approval for a second 4-year period in January of 2014.

Due to the oversight, Town staff is recommending correcting the mistake by having the Town Council authorize, in arrears, the contract with Cott Systems. The cost of the contract has been incorporated into the Town Clerk's budget since 2009. The annual contract price is \$19,860.

- **Sidewalk Construction Discussion**

Seven bids were recently received for sidewalk reconstruction in two locations. The first location is on the north side of New Britain Ave. between Williams Street and Rockwell Ave. The second location is various section of sidewalk at the Senior Center.

The low bid was submitted by Martin Laviero Construction in the amount of \$32,950 for the New Britain section and \$18,100 for the Senior Center work. (total amount = \$51,050)

It is proposed that the funds to pay for this work would come from two sources - \$41,000 from the CIP and \$14,500 from the remaining funds in the Senior Center Parking Lot Grant.

- **Property Maintenance Update**

Town staff has spent a considerable amount of time and effort over the last several months enforcing the Property Maintenance Ordinance that was adopted by the Town Council last year. Intern Scott Colby continued by giving an update on the Property Maintenance Enforcement efforts and results.

For the months of June and July the Town has been busy with code enforcement. Beginning on June 2, 2016 staff began gathering a list of properties that were in the foreclosure process. There were 118 properties that were on this list. By June 16, 2016 all 118 properties were checked to ensure that they were in compliance.

It was then discovered that 21 properties were in need some property maintenance. Citation letters were mailed out to the residents of the property, owners of the property if they resided at another address, and the property maintenance group responsible for the care of properties once they go into the foreclosure. Some property maintenance groups are situated across the county with hundreds of thousands properties to maintain. In order for these property maintenance groups to follow up with these properties calls were made every day, send emails and messages left.

On a regular basis Intern Colby drove to these properties monitoring them and continuously following up with residents, owners, and the property maintenance group. As of July 19, 2016 all properties we had on file were in compliance for any vegetation issues. Currently there are two properties not in compliance that the Town is working with for other issues.

A total of 11 letters were sent to properties who were in violation of the Total Recycling and Solid Waste Handling Ordinance for placing bulky waste at the curb without having arranged any pickup. A total of 4 letters were sent out for properties in violations with their motor vehicles. A total of 26 letters were sent out for properties in violation of the Property Maintenance Ordinance- Section 5 Removal of Weeds and Vegetation. A total of 119 letters were sent to from the town to properties. For the month of April, 5 letters were sent out and for the month of May, 6 letters were sent out. From June 1 – July 20 Town staff had visually inspected 165 properties. The Town has hired a contractor to cut the lawns of 6 properties who failed to achieve compliance by their specific date, which as of this date has been billed a total of \$822.50. The Town has been reimbursed \$225.00 as of today. If residents have any questions, they are encouraged to contact Intern Scott Colby at (860)793-0221 Ext. 204.

- **Storm Damage**

Last week a severe thunderstorm impacted the northern portion of Plainville. Numerous trees were uprooted and power was interrupted for a period of time.

The damage required that the public works department spend 52 overtime hours clearing the trees that blocked several streets. A tree service also had to be hired to take down some of the damaged trees as well. The police department also incurred some overtime costs as well.

Public Works overtime is estimated to be \$2,200. Tree service work from Holcomb Tree Service is estimated to be approximately \$5,500. The Police Department also incurred about five hours of overtime. A tree also damaged the fence behind Wheeler School and will have to be repaired. Total cost of the storm damage could be in the \$10,000 range.

In addition, the Public Works Department spent approximately 144 hours on the storm clean-up as part of their regular daily work. I want to thank both the Roadways and Buildings & Grounds Departments for their quick response to this storm.

- **Happenings**

Intern Colby reported on activities and events within and including the Tax/Assessor's Office, Senior Center, Library and Berner Pool. For more information on programs and activities residents are encouraged to visit the Town's website [www.plainvillect.com](http://www.plainvillect.com).

## **IX. PUBLIC COMMENTS**

Roberta Lauria, 18 Perron Rd stated her area was hit hard by the recent storm and thanked the Police Department, Fire Department and Roadways and Buildings & Grounds Departments for their quick response and assistance with various issues. She went on to thank Councilwoman Morante and Town Manager Lee for their help with the Paderewski Park concerns.

Joanne Edman, 166 West Main St offered a prayer and spoke about the feral cat problem in Town.

John Kisluk, 65 Unionville Ave questioned if any action has been taken by the Town Council regarding the Tilcon proposal and for the dollar amount the Town has received from the Chung property for accepting materials from the construction site. He continued to comment on the deconstruction of Old Linden Street School and the questioned where the piles of material rubble are going.

Lou Frangos, 10 Fairbanks St requested an activity update for the Chung property and suggested a special day to be set aside to honor the Plainville Police Department. Perhaps an open house.

Robert Mercer, 215 Unionville Ave spoke regarding the breaking noise on Unionville Ave at all hours of the day and night as trucks begin to head into the Phoenix Soil facility. He also expressed the need to preserve the natural resources around the Tilcon Property.

Richard Ireland, Jr, 21 East Maple St suggested having a booth at the Balloon Festival to promote the Town.

## **X. OLD BUSINESS**

## **XI. NEW BUSINESS**

**\*Vice Chairman Saunders motioned to add New Business item:**

### **5. Paderewski Pond Analysis**

**The motion was seconded by Councilman Wazorko and passed 7-0.**

**1. Consider Proposed Code Adoption Ordinance – See Addendum**

Vice Chairman Saunders motioned to adopt an ordinance entitled “Proposed Code Adoption Ordinance”. The motion was seconded by Councilwoman Tompkins and passed 7-0.

**2. Bid #2016-33E, Sidewalk Construction**

Councilwoman Tompkins motioned to award Bid #2016-33E, Sidewalk Construction, to Martin Laviero Contractors, Bristol, CT in the amount of \$51,050. The motion was seconded by Councilman Carrier and passed 7-0.

**3. Bid #2017-01, Land Record Indexing and Microfilming**

Councilwoman Christopher motioned to waive the bid process for Bid #2017-01, Land Record Indexing and Microfilming, and award to Cott systems, Inc., Columbus, OH for an annual amount not to exceed \$19,860 for the Town Clerk’s Records Management System Agreement ending 12/31/2017. The motion was seconded by Vice Chairman Saunders and passed 7-0.

**4. Bid #2017-02, Buildings & Grounds F250 Pickup Truck**

Vice Chairman Saunders motioned to award Bid #2017-02, Buildings & Grounds F250 Pickup Truck w/plow, under State Contract #10PSX0239 Supplement #41 to Crowley Ford, Plainville, CT in the amount of \$31,918.60. The motion was seconded by Councilwoman Christopher and passed 7-0.

**5. \*Paderewski Pond Analysis**

Councilwoman Morante motioned to authorize Town Manager Lee to move forward with the Loureiro proposal in the amount of \$9,991, to conduct an assessment of the environmental conditions at Paderewski Pond. The motion was seconded by Vice Chairman Saunders and passed 7-0.

**6. Tax Refunds – See Addendum**

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

**XII. OTHER DISCUSSIONS OF INTEREST**

Town Manager Lee spoke about the Gap Study Closure plan.

The Capitol Region Council of Governments (CRCOG), the Connecticut Department of Transportation (Department), the Town of Plainville (Plainville), the Town of Southington (Southington), the City of New Britain (City) and the Plainville Greenway Alliance (PGA) have initiated this study to evaluate the feasibility of potential alignments and infrastructure needs for the Farmington Canal Heritage Trail (FCHT) through Plainville and into Southington and a connection to New Britain's bicycle network and CTfastrak station.



This study will have two distinct objectives:

1. Close the Gap in the FCHT through Southington and Plainville and
2. Identify a connection to the CTfastrak station in New Britain.

The FCHT runs from New Haven, CT to Northampton, MA, covering approximately 84 miles. Of these 84 miles, the only Gap in the trail is through the Town of Plainville and into Southington, all other sections are either completed, or in design or construction. The Plainville section has not been completed due largely to an active rail line being present within the FCHT corridor.

The recent opening of CTfastrak in Connecticut includes a new multi-use trail for central Connecticut. The next logical step is to connect the FCHT to the CTfastrak station in New Britain and its adjacent multi-use trail to further enhance the bicycle and pedestrian amenities in the region. Since all CTfastrak buses are equipped with bicycle racks, this connection can greatly extend the distance a cyclist can travel to get to their destination.

To follow updates and meetings residents are encouraged to visit the website at [www.gapstudyclosure.com](http://www.gapstudyclosure.com).

### **XIII. MATTER APPROPRIATE FOR EXECUTIVE SESSION**

1. Personnel Matter

**At 8:20pm Vice Chairman Saunders motioned to enter into Executive Session. The motion was seconded by Councilwoman Tompkins and passed 7-0.**

All seven Town Council members were present for the executive session along with Town Manager Lee and Assistant Town Manager Osle. Discussion follow regarding a personnel matter. A motion was made, seconded and unanimously passed to end the executive session. No further action was taken.

### **XIV. ADJOURNMENT**

**At 8:45pm Councilman Carrier motioned to adjourn. The motion was seconded by Councilwoman Tompkins and unanimously passed.**

Respectfully submitted by,

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

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**Code Adoption Ordinance  
Town of Plainville**

§ 1-6. Adoption of Code.

The compilation of the ordinances of the Town of Plainville, codified and consolidated into chapters, articles and sections in the form attached hereto and made a part hereof, and consisting of Chapters 1 through 374, is hereby approved, adopted, ordained and enacted as the "Code of the Town of Plainville, Connecticut," hereinafter called the "Code." All provisions contained in the compilation provided for herein and known as the "Code of the Town of Plainville" shall be in force and effect on and after the effective date of this ordinance.

§ 1-7. Continuation of existing provisions.

The provisions of the Code, insofar as they are substantively the same as those ordinances in force immediately prior to the enactment of the Code by this ordinance, are intended as a continuation of such ordinances and not as new enactments, and the effectiveness of such provisions shall date from the date of adoption of the prior ordinance. All such provisions are hereby continued in full force and effect and are hereby reaffirmed as to their adoption by the Town.

§ 1-8. Repealer.

- A. All ordinances or parts of ordinances of the Town of Plainville of a general and permanent nature in force on the date of the adoption of this ordinance which are inconsistent with any provisions of the Code are hereby repealed from and after the effective date of this ordinance.
- B. The adoption of this Code and the repeal of ordinances provided for in Subsection A of this section shall not affect the Town Zoning and Subdivision Regulations, which are hereby expressly saved from repeal.
- C. The following ordinances are specifically repealed:
  - 1) Ordinance No. 4, adopted January 24, 1956: Bylaws Prohibiting the Throwing or Placing of Waste Materials in the Highways of the Town of Plainville, Regulating the Disposal of the Same, and Providing a Penalty for Violating Thereof.
  - 2) Ordinance No. 9, adopted September 26, 1960: Ordinance Regarding Town of Plainville Participation in Regional Planning.
  - 3) Ordinance No. 10, adopted July 10, 1961: Ordinance Regarding Pollution of Water in the Town of Plainville.

- 4) Ordinance No. 11, adopted July 16, 1962: Ordinance Regarding the Department of Public Works.
- 5) Ordinance No. 12, adopted October 15, 1962: An Ordinance Relating to the Obstruction or Pollution of Any River, Stream, Brook or Watercourse in the Town of Plainville.
- 6) Ordinance No. 21, adopted July 7, 1969: Specifications for Street Construction Within the Town of Plainville.
- 7) Ordinance No. 33, adopted June 2, 1975: Ordinance Relating to Installation, Repair and Maintenance of Sidewalks.
- 8) Ordinance No. 36, adopted June 21, 1976: Ordinance Establishing the Youth Commission.
- 9) Ordinance No. 37, adopted May 16, 1977: An Ordinance Concerning Property Tax Exemption for Solar Energy Systems.
- 10) Ordinance No. 42, adopted October 6, 1980: An Ordinance Concerning Property Tax Exemption for Buildings Equipped With A Passive Solar System.

§ 1-9. Severability.

If any clause, sentence, paragraph, section, article or part of this ordinance or of any ordinance appearing in the Code or included in this Code through supplementation, or the application thereof to any person or circumstances, shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof or the application thereof to other persons and circumstances but shall be confined in its operation to the clause, sentence, paragraph, section, article or part thereof and the persons and circumstances directly involved in the controversy in which judgment shall have been rendered.

§ 1-10. Copy of Code on file.

A copy of the Code has been filed in the office of the Town Clerk of the Town of Plainville and shall remain there for use and examination by the public until final action is taken on this ordinance; and, if this ordinance shall be adopted, such copy shall be certified to by the Town Clerk of the Town of Plainville, and such certified copy shall remain on file in the office of said Town Clerk to be made available to persons desiring to examine the same during all times while said Code is in effect. The enactment and publication of this ordinance, coupled with the availability of a copy of the Code for inspection by the public, shall be deemed, held and considered to be due and legal publication of all provisions of the Code for all purposes.

§ 1-11. Amendments to Code.

Any and all additions, deletions, amendments or supplements to any of the ordinances in the Code of the Town of Plainville, or any new ordinances, when enacted or adopted in such form as to indicate the intention that they be a part thereof, shall be deemed to be incorporated into such Code so that reference to the Code shall be understood and intended to include such additions, deletions, amendments or supplements.

§ 1-12. Code to be kept up-to-date.

It shall be the duty of the Town Clerk to keep up-to-date the certified copy of the Code of the Town of Plainville required to be filed in the office of the Town Clerk for use by the public. All changes in said Code and all ordinances adopted by the Town subsequent to the enactment of this ordinance in such form as to indicate the intention that they be a part of said Code shall, when finally enacted or adopted, be included therein by temporary attachment of copies of such changes until such changes are included as supplements to said Code book.

§ 1-13. Sale of Code book; supplementation.

Copies of the Code, or any chapter or portion of it, may be purchased from the Town Clerk of the Town of Plainville or an authorized agent of the Town Clerk upon the payment of a fee to be set by the Town Council. The Town Clerk may also arrange for procedures for the periodic supplementation thereof.

§ 1-14. Penalties for tampering with Code.

Any person who, without authorization from the Town Clerk, changes or amends, by additions or deletions, any part or portion of the Code of the Town of Plainville, or who alters or tampers with such Code in any manner whatsoever which will cause the legislation of the Town of Plainville to be misrepresented thereby, or who violates any other provision of this ordinance, shall, upon conviction thereof, be subject to a fine as provided in § 1-5 of the Code.

§ 1-15. Changes in previously adopted ordinances.

- A. In compiling and preparing the ordinances for publication as the Code of the Town of Plainville, no changes in the meaning or intent of such ordinances have been made, except as provided in Subsections B and C of this section. Certain grammatical changes and other minor nonsubstantive changes were made in one or more of said ordinances. It is the intention of the Town Council that all such changes be adopted as part of the Code as if the ordinances had been previously formally amended to read as such.
- B. The following changes are made throughout the Code: the term "Chairman" is amended to "Chairperson"; the title "Director of Public Safety" is amended to "Director of Safety"; the title "Finance Director" is amended to "Director of Finance"; and the title "Tax Collector" is amended to "Revenue Collector."
- C. The amendments as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this ordinance. (Chapter

and section number references are to the ordinances as they have been renumbered and appear in the Code.)

§ 1-16. When effective.

This ordinance shall take effect upon passage and publication as required by law.

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**Refunds 7/25/2016**

	<b>Current Year</b>	<b>Amount</b>
1	Ayotte, Danny, 15 Arcadia Ave	\$19.42
2	Ayotte, Danny, 15 Arcadia Ave	\$22.13
3	O'Sullivan, William, Bristol, CT	\$33.76
4	Primeau, Paula, 15 Bel Aire Dr	\$9.00

**Total \$84.31**

**Prior Year**

1	Casey, Daren, 32 Woodside La	\$11.14
2	Ortner, Ginger, 124 Shuttlemeadow Rd	\$22.95
3	Sharkey, Dana or David, 35 Merline Ave	\$223.45
4	Spegal, Michael, 79 Dallas Ave	\$228.40

**Total \$485.94**

**Sewer User**

1	Marcuccio, Pietro & Mary, St Cloud, FL	\$89.88
2	Venturo, Sherry, 2 Unionville Ave	\$254.78

**Total \$344.66**