

**MINUTES  
PLAINVILLE TOWN COUNCIL  
COUNCIL CHAMBERS – MUNICIPAL CENTER  
SPECIAL MEETING  
JANUARY 4, 2016 – 6:30pm**

**6:30pm WORK SSESSION:**

**Capital Projects Building Committee-  
School Projects**

Councilwoman Pugliese called the special meeting to order at 6:30pm in the Council Chambers of the Municipal Center, One Central Square. Also present were Vice Chairman Saunders, Council members Morante, Christopher, Tompkins and Carrier, Town Manager Lee, Intern Colby and Town Clerk Skultety. Councilman Wazorko was absent.

Superintendent Kitching and Board of Education Chairwoman Saunders reviewed a list of proposed architectural, maintenance, mechanical upgrades and site work projects at the Wheeler Elementary School and Middle School of Plainville. These projects would address primarily maintenance work and updates without increasing the existing space or any new construction. Some of the suggested projects would be eligible for partial reimbursement only.

Kaestle Boos Associates, Inc. has been working with the Board of Education for approximately two years and has estimated the combined projects costs to be \$12,832,413. Dr. Kitching went on to comment on proposed capital improvement projects at the high school. Those projects are estimated at \$480,000.

Discussion followed further describing some of the projects and the potential of moving forward and presenting the proposal to the voters at a referendum in the fall. Town Manager Lee commented the majority of projects are maintenance related and this proposal is modest as compared to other school projects. If approved the funding would be in line with the debt service schedule, interest rates are down, delaying the projects may increase the costs and the Town's financial position is strong.

**MINUTES  
PLAINVILLE TOWN COUNCIL  
COUNCIL CHAMBERS – MUNICIPAL CENTER  
REGULAR MEETING  
JANUARY 4, 2016 – 7:00p.m.**

**I. PRESENTATIONS:**

**II. PUBLIC HEARING**

- Additional Appropriation to the Capital Improvement Plan

- III. MINUTES OF PREVIOUS MEETING**  
Minutes of December 21, 2015 Special and Regular Meetings
- IV. ANNOUNCEMENTS – REPORTS**
- V. APPOINTMENTS/RESIGNATIONS**
1. Conservation Commission Re-appointments
  2. Conservation Commission Resignation
  3. Fire Department Appointments
  4. Fire Company Officers
  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. Town Council/BOE Joint Budget Meeting – January 7, 2016
  2. State of the Town – January 21<sup>st</sup>
  3. “Getting the Best Bang for Your Tax Dollars” – January 21<sup>st</sup>
  4. WPC On-call Services
  5. Granger Lane Lease – HQ Dumpsters
  6. Happenings
- IX. PUBLIC COMMENT (up to 30 Minutes)**
- X. OLD BUSINESS**
- XI. NEW BUSINESS**
1. Consider Additional Appropriation
  2. WPC On-Call Service Agreement
  3. Settlement and Release Agreement
  4. Tax Refunds
- XII. OTHER DISCUSSIONS OF INTEREST**
- XIII. PUBLIC COMMENTS (con’t.)**

**XIV. MATTER APPROPRIATE FOR EXECUTIVE SESSION**

**XV. 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 Morante, Christopher, Tompkins and Carrier, Town Manager Lee, Intern Colby, Town Attorney Mastrianni and Town Clerk Skultety.

The Pledge of Allegiance was led by Councilwoman Christopher.

**\*Vice Chairman Saunders motioned to ratify the establishment of a public hearing on Monday, January 4, 2016, in the Municipal Center, One Central Square to hear public comment on an additional appropriation to the Capital Improvement Plan. The motion was seconded by Councilman Carrier and passed 6-0.**

**I. PRESENTATIONS:**

**II. \*PUBLIC HEARING**

- Additional Appropriation of \$542,853 to the Capital Improvement Plan

Town Clerk Skultety read the following legal notice:

LEGAL NOTICE  
TOWN OF PLAINVILLE  
TOWN COUNCIL PUBLIC HEARING  
JANUARY 4, 2016

NOTICE IS HEREBY GIVEN that the Plainville Town Council will hold a public hearing at 7:00 p.m. on Monday, January 4, 2016 in the Council Chambers of the Municipal Center, One Central Square in Plainville to hear public comment on the following:

1. Consider an additional appropriation of \$542,853 to the Capital Improvement Plan

Dated at Plainville, Connecticut this 31<sup>st</sup> day of December 2015.

Chairwoman Pugliese opened the hearing for public comments.

Joanne Edman, 166 West Main St questioned what the money was being spent on and if there has been approval by the voters.

Domenick D'Onofrio, 11 Tyler Ave hopes there is not a big tax increase with any of the projects and asked the Town Council to go over the budget carefully and consider cuts if possible.

Hearing no further comments the hearing was closed.

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

Councilwoman Tompkins motioned to approve the minutes of the December 21, 2015 Special and Regular Meetings. The motion was seconded by Vice Chairman Saunders and passed 6-0

### **IV. ANNOUNCEMENTS – REPORTS**

No announcements

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

#### **1. Conservation Commission Re-Appointments**

Councilwoman Morante motioned to ratify Town Manager Lee's reappointment Roberta Lauria (R), 18 Perron Rd and Marguerite Burris (D), 2 Mountain View Dr to the Conservation Commission for the new term 1/15/16 – 1/15/20. The motion was seconded by Councilwoman Christopher and passed 6-0.

#### **2. Conservation Commission Resignation**

Councilwoman Morante motioned to accept with regret the resignation of Leslie Sundell from the Conservation Commission. The motion was seconded by Councilwoman Christopher and passed 6-0.

#### **3. Fire Department Chaplin Appointment**

Vice Chairman Saunders motioned to reappoint Reverend Elvin Clayton, 10 Wendy Road, Trumbull, CT as a Plainville Fire Company Chaplain. The motion was seconded by Councilwoman Tompkins and passed 6-0.

#### **4. Fire Department Appointments**

- A. Vice Chairman Saunders motioned to appoint Michael Burbige, 78 Carol Drive, as a probationary firefighter of the Plainville Fire Department. The motion was seconded by Councilwoman Tompkins and passed 6-0.
- B. Vice Chairman Saunders motioned to appoint Andrew Perbeck, 74 Williams Street, as a probationary firefighter of the Plainville Fire Department. The motion was seconded by Councilwoman Tompkins and passed 6-0.
- C. Vice Chairman Saunders motioned to appoint Michael Smith, 185 East Main Street, Bristol, as a probationary firefighter of the Plainville Fire Department. The motion was seconded by Councilwoman Tompkins and passed 6-0.
- D. Vice Chairman Saunders motioned to appoint Robert Planeta as 2<sup>nd</sup> Assistant Chief for the term 1/4/16 – 1/9/17. The motion was seconded by Councilwoman Tompkins and passed 6-0.

**5. Fire Company Officers**

Vice Chairman Saunders motioned to acknowledge the Fire Company's Elected Officers for 2016 and recognize the Fire Company Captain and Lieutenants as Company Officers of the Fire Department:

Captain	Kurt Plourde
1 <sup>st</sup> Lieutenant	David Massey
Lieutenant	Timothy Lennon
Lieutenant	Michael Dietrich
Lieutenant	William Gammon
Lieutenant	John Myska
Treasurer	Mark Cahill
Assistant Treasurer	Raymond Moreau
Secretary	Allyn Kall
Assistant Secretary	Phillip Brousseau

The motion was seconded by Councilwoman Tompkins and passed 6-0.

**6. Inland Wetlands Commission**

- A. Councilwoman Christopher motioned to reappoint Steven Emmendorfer (R), 109 Pinnacle Road, as a regular member to the Inland Wetlands Commission for the new term 1/7/16 – 1/7/18. The motion was seconded by Vice Chairman Saunders and passed 6-0.
- B. Councilwoman Christopher motioned to reappoint Robert Michalic (U), 626 Camp Street, as a regular member to the Inland Wetlands Commission for the new term 1/7/16 – 1/7/18. The motion was seconded by Vice Chairman Saunders and passed 6-0.

**7. Downtown Beautification Commission**

- A. Councilman Carrier motioned to reappoint Frances Rose (R), 24 Woodside Lane to the Downtown Beautification Commission for the new term 12/31/15 – 12/31/18. The motion was seconded by Councilwoman Tompkins and passed 6-0.
- B. Councilman Carrier motioned to reappoint Kristine Dargenio, (U), 16 Dewy Avenue to the Downtown Beautification Commission for the new term 12/31/15 – 12/31/18. The motion was seconded by Councilwoman Tompkins and passed 6-0.

**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:

- **Town Council/Board of Education Joint Meeting – January 7<sup>th</sup>**

The Joint meeting between the Town Council and the Board of Education to discuss the Town budget expectations for FY17 will be held this Thursday at the Peter F. Chase Auditorium in the Plainville Library beginning at 6:30 pm. At this meeting, Town and BOE staff will review the current year's budget operations and give updates on next year's budget projections.

- **State of the Town – January 21<sup>st</sup>**

The Plainville Chamber of Commerce is hosting a "State of the Town" Program on Thursday morning, January 21<sup>st</sup>. This event will be held at the Peter F. Chase Auditorium at the Plainville Public Library beginning at 7:45 am until 9:30 am.

Speakers at this event will include Jeff Kitching, Supt. of Schools; Town Council Chairwoman Kathy Pugliese; John Bossi, Director of Technical Services; Mark DeVoe, Director of Planning & Economic Development and Town Manager Lee.

- **"Getting the Best Bang for Your Tax Dollars" – January 21<sup>st</sup>**

On Thursday evening, January 21<sup>st</sup> there will be a program entitled "Getting Your Best Bang for Your Buck". This will be a program is intended to help Plainville residents get a better understanding of where their tax dollars are being spent. The program will also discuss how one can compare tax rates from one community to another. There will be plenty of opportunities to ask questions.

The program will be held at the Peter F. Chase Auditorium in the Plainville Public Library beginning at 6:00 pm. Both Jeff Kitching and Town Manager Lee will give presentations and then open the floor to those in attendance.

- **WPC On-call Services**

Three years ago the Town solicited quotes from local contractors to be the on-call emergency service provider for the Water Pollution Control Department. American Excavating & Septic, Inc. of Plainville was chosen to perform this work. Over the last three years they have been very responsive to the needs of the Department and they have done good work repairing sewer lines in emergency situations.

American Excavating & Septic, Inc. has submitted a proposal to extend the current arrangement with the sewer department for an additional two years at their current pricing for labor and machinery.

Superintendent Joe Alosso is recommending that the proposal to extend the contract for another two years be approved by the Town Council.

- **Granger Lane Lease – HQ Dumpsters**

Earlier this year the Town of Plainville purchased a building on Grainger Lane from HQ Dumpsters for future use by the Public Works Department. HQ Dumpsters plans were to lease the Grainger Lane building from the Town while they built a new facility in Southington. The agreement called from HQ to move out of the town building no later than December 31<sup>st</sup>.

HQ has been somewhat delayed in moving into their new facility and asked if they could extend their lease arrangement with Plainville for one additional month through January 31<sup>st</sup>. The Public Works Department does not have any issues with this request. No action is required by the Town Council at this time.

- **Happenings**

Intern Colby reported on activities and events at and within the Registrar of Voters, Food Pantry, Recreation Department, Senior Center, Library, Roadways, Historical Center and Tax & Assessing.

- **Almost Home**

Town Manager Lee continued

Almost Home moved into a facility that was not zoned for this use. They told the landlord that they anticipated an average 4-5 dogs at any one time. In September, when told by Town officials that the use was not allowed in the zone, they stated that an application to Planning & Zoning would be made within 2-3 weeks. It has now been over three months since that meeting and no application has been made. Instead of submitting an Application to P&Z, Almost Home made plans to expand the illegal use in the zone.

ACO staff attempted to work with Almost Home for the mutual benefit of the rescue shelter and the animals in conformance with the ACO's mission to place animals in good homes. ACO staff helped clean the shelter and made recommendations to improve sanitary and humane conditions. Almost Home either ignored or refused to take the ACO's guidance in the spirit which it was intended - that being to improve the conditions for the animals and staff. The ACO continued to try to help Almost Home right up until the search and seizure warrant was served.

Almost Home leaders ignored complaints from their own volunteer staff regarding the cleanliness and sanitary conditions within the shelter forcing the volunteers to make sworn statements/complaints to the police department in order to protect what they viewed as mistreatment of the animals. Unsanitary conditions, lack of a ventilation system and overcrowding of facility was verified on numerous occasions by the ACO. 20 dogs and 23 cats were confiscated by the Town in early December.

Shortly after the animals were seized and were then taken to the Ragged Mountain Animal Hospital for a wellness check Almost Home pronounced on their web page that "all of the animals passed with flying colors". This turned out to be a totally false statement as Ragged Mountain found that many of the animals had serious health and sanitary issues, verifying the complaints made by the former volunteers and ACO.

Almost Home then attempted to discredit Dr. Kimm, a well-respected Veterinarian with over 25 years serving the Plainville community, on the Plainville Talks Facebook page. Almost Home

backed off their campaign when an overwhelming amount of people, lashed back on their attempt to impinge on Dr. Kimm's abilities and his service to the pets in Plainville.

Almost Home then deliberately misled the police department, the media, the public and their supporters by stating that they were expecting 400 people to attend their demonstration before the December 21<sup>st</sup> Town Council meeting. Only 12 people turned out for the demonstration. Almost Home then went on to publicly criticize the Police Department for not sending information to Almost Home "within 98 hours as required by law". When pointed out that there is no such "98 hour statutory requirement", they backed off this statement. Almost Home then accuses the Town of having a "uncertified Animal Control Officer with minimal experience" when, in fact, the ACO is certified and fully trained and has been working for the Town for over five years.

Almost Home then publicly criticizes the Town for not bringing the confiscated animals to VCA Old Canal Animal Hospital because this is the vet that Almost Home used to check on their animals. When Town staff inquired with VCA, they provided documentation for only four of the 43 cats and dogs that were confiscated. In other words, Almost Home, despite having some of these animals for several months, only took four of the 43 animals to a Veterinarian at VAC. The documents confiscated by the Town confirm that only four of the 43 animals seized were ever taken to a vet after being acquired by Almost Home.

Almost Home has publicly criticized the Town Council and especially the Town Council Chair, for their actions during the December 21<sup>st</sup> meeting when, in fact, the Council and the Chair went way beyond being reasonable and cooperative by allowing many out-of-town residents to get up and berate the Council and Town staff regarding the confiscation of the animals.

Almost Home has publicly stated that they have moved into their new garage bays at 311 East Street, when they were told by the landlord several weeks ago that they could not re-occupy his building "until Almost Home straightened out the zoning issue with the Town". Despite pleas made by the Town, Almost Home has made no effort to work with the Town to find loving homes for any of the confiscated animals. Instead they continue to demand that their "fur babies" be returned to them.

Almost Home would have everyone, including their supporters, believe that they are the only ones who care about these animals. But that is simply not true. Everyone who has been involved in the confiscation of the animals including the ACO, Police Department, former shelter volunteers and the staff at Ragged Mountain, truly care about these animals as well. Additionally, both the Town Council members and Town Manager Lee have owned and cared for pets over many years. There is nothing associated with this situation that would benefit anyone who has been involved with the seizure in any way except for the health and welfare for these animals. The easiest thing that we could have done – is to have done nothing.

In conclusion, Almost Home leaders have been consistent in releasing inaccurate information, attacking their former volunteers, criticizing the Police Department and Animal Control Officer, and denigrating the Town Council and the Town Manager and anyone else who would support the efforts of the Town to protect the animals that were previously held at the shelter. They have deliberately attempted to convince everyone that the action by the Plainville Police Department is part of a conspiracy against Almost Home rather than trying to do what is best for the animals. They have presented no evidence of such a conspiracy or why the Town would proceed to confiscate the animals for no good reason at all. It is unfortunate that they have chosen this path but speaks volumes about who they are and what they represent.



The reason for the confiscation of the animals is simple – the Police Department received numerous complaints about the sanitary conditions at the Almost Home Facility; Town staff verified that this was true, confiscated the animals, and a good number of which were found to be in need of immediate Veterinarian care – some of whom are still under vet care today. The Town will strive to resolve this situation as expeditiously as possible for the betterment of the animals.

At today's hearing the judge set a mediation session for this Friday, January 8<sup>th</sup> at 2:00 pm in New Britain. The hope is that the parties can agree in mediation how to resolve this issue without going through a full—blown hearing.

## **IX. PUBLIC COMMENTS**

Joanne Edman, 166 West Main St offered a prayer and questioned the conditions that the animals are living in now. She expressed her disappointment that no Town Council members had visited the shelter prior to the seizure.

Alexandria Edman Caswell, 36 Ledge Rd expressed her love of the animals and as a volunteer feels some of the reports are exaggerated. She is interested in hearing the facts and will make judgment accordingly. Ms. Caswell went on to express her support for Meda and her efforts.

Candace Hall, 113 Shuttlemeadow Rd spoke in support for Almost Home.

Barbara Robertson 12 Woodland St spoke in support of Almost Home.

Christopher Robertson, 12 Woodland St expressed his disappointment with comments made on social media regarding Almost Home.

Andre Plourde 280 Manor Rd, Southington as a volunteer wants to make sure all of the animals are adopted out to good homes and spoke in support of Meda and her intentions.

Laurie Romano, Vice President of Almost Home 100 Winter Park Rd, Southington commented on Meda's intentions and those of the volunteers who do not live in Town.

Donna Oaks, 144 Fall Mountain Rd, Bristol comments included her support for Meda's intentions.

Amy Lynn Gentile, 15 Chiswick Ln. Barkhamsted, as a volunteer for Almost Home commented on the care the animals received especially the ones that needed extra attention.

Lynn Johnson 140 Pheasant Run, Southington commented on the professionalism Town Officials have shown during the issues surrounding Almost Home. Ms. Johnson was a volunteer at the shelter and chose to be a voice for the animals. She feels the conditions that got out of hand were not intentional but the outcome was the same, unnecessary suffering. Her hope that the truth comes out and that the outcome will ultimately be in the best interest of the animals.

Denise Theriault, 424 Prospect St., Southington is a certified veterinarian assistant and volunteered at Almost Home. She spoke about the conditions in the shelter, conditions of the

animals and lack of information that was available for the animals. Her main goal is to do what is best for the animals and will continue being an advocate for them.

Vice Chairman Saunders commented on the inappropriate actions of some of the speakers and mentioned the Town Council and Town staff have all been advised by the Town Attorney that this is a legal matter and is out of the control of the Council members.

**X. OLD BUSINESS**

**XI. NEW BUSINESS**

**1. Consider Additional Appropriation**

Councilwoman Tompkins motioned to appropriate \$542,853 from Account #0100-840-55511-0000, General Fund, Fund Balance, to the Capital Improvement Budget. The motion was seconded by Vice Chairman Saunders and passed 6-0.

**2. WPC On-call Service Agreement**

Councilman Carrier motioned to extend the Agreement with American Excavating & Septic, Inc. Plainville, CT, for on-call emergency sewer main and lateral repairs for two years through December 31, 2017 for the current labor and machinery pricing. The motion was seconded by Councilwoman Tompkins and passed 6-0.

**3. Settlement and Release Agreement**

Councilwoman Christopher motioned to authorize Town Manager Lee to execute the Settlement and Release Agreement with Waste Transfer Technologies, LLC. The motion was seconded by Vice Chairman Saunders and passed 6-0.

**4. Tax Refunds – See Addendum**

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

**XII. OTHER DISCUSSIONS OF INTEREST**

**XIII. PUBLIC COMMENTS (cont'd.)**

Sue Holcomb, 51 West Broad St clarified what she went through when she was offered and adopted her dog from Meda Talley when she found out it wasn't Meda's to give away.

Paul Skonieczny 20 Raising Trail Ct, Middletown is a volunteer at Almost Home questioned if there was an inventory for everything that was seized and if Plainville is a "no kill facility".

Gayle Black, 4 Cianci Ave expressed her concerns for the animals and when the time is right, is willing to help find good homes for the animals.

Richard Ireland, 21 E. Maple St asked the Town Council to see what can be done to bring more business to the center of town and expressed his disappointment when some of the businesses were not participating in the tree lighting ceremony.

**XIV. MATTER APPROPRIATE FOR EXECUTIVE SESSION**

**XV. ADJOURNMENT**

**Vice Chairman Saunders motioned to adjourn at 8:35pm. The motion was seconded by Councilman Tompkins and unanimously passed.**

Respectfully submitted by,

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

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**Refunds**

**1/4/2016**

	<b>Current Year</b>	<b>Amount</b>
1	Daybreak at Farmington, Waterbury, CT	\$299.20
2	Gibson, Kayla, New Britain, CT	\$42.87
3	JW Green Company Inc, Box 67	\$281.70
4	McNamara, Lawrence & Heather, 34 Maria Rd	\$115.55
5	Merchants Automotive Group, Hooksett, NH	\$73.37
6	Voisine, Robert J III, 119 Diamond Ave	\$10.25
7	Zajackowski, Jan, 27 Carol Dr	\$62.71

<b>Total</b>	<b>\$885.65</b>
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	<b>Prior Years</b>	<b>Amount</b>
1	Daybreak at Farmington, Waterbury, CT	\$397.86
2	Daybreak at Farmington, Waterbury, CT	\$321.96
3	Daybreak at Farmington, Waterbury, CT	\$314.11
4	Jakova, Tefe, 76 Rockwell Ave	\$257.00
5	Poulos, Alice, Berlin, CT	\$79.45
6	VW Credit Leasing LTD, Libertyville, IL	\$107.32

7	VW Credit Leasing LTD, Libertyville, IL	\$59.78
8	West, Nicole, 122 Williams St	\$265.82
9	Zajackowski, Jan, 27 Carol Dr	\$65.27

<b>Total</b>		<b>\$1,868.57</b>
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#### Sewer User Refunds

1	Contaldi, Daniel & Nellie, 13 Lena Ave	\$350.34
2	Contaldi, Daniel & Nellie, 13 Lena Ave	\$310.68
3	Contaldi, Daniel & Nellie, 13 Lena Ave	\$466.02
4	Dibenigno, Angelo, 44 Bank St	\$328.45
5	RM Realty LLC I, c/o125 New Britain Ave	\$181.55
6	Wesoly, Marc & Megan, 13 Kristin La	\$119.32

<b>Total</b>		<b>\$1,756.36</b>
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