

AGENDA
VERNON TOWN COUNCIL
TOWN HALL - 14 PARK PLACE - 3rd Floor
VERNON, CONNECTICUT

TUESDAY, DECEMBER 16, 2008
7:30 P.M.

A.) PLEDGE OF ALLEGIANCE

ROLL CALL

CITIZEN'S FORUM

B.) PUBLIC HEARING (7:35 PM)

PUBLIC HEARING TO RECEIVE COMMENTS AND QUESTIONS REGARDING THE PROPOSAL OF AN ORDINANCE ENTITLED "AN ORDINANCE RENEWING ALL PREVIOUS ORDINANCES OF THE TOWN OF VERNON". (A copy of a memorandum dated November 24, 2008 from John D. Ward, Interim Town Administrator to Mayor Jason L. McCoy, and Vernon Town Council Members, and a draft copy of the proposed ordinance are included in the Council packet.)

- MAYOR MCCOY CALLS THE PUBLIC HEARING TO ORDER TO RECEIVE COMMENTS AND QUESTIONS.
- CLERK READS THE PUBLIC HEARING NOTICE.
- RECEIVE PUBLIC COMMENT.
- ADJOURN PUBLIC HEARING.
- RETURN TO REGULAR MEETING.

C.) PRESENTATIONS

1. Presentation of Mayoral Citation to Michelle Prairie, Marshall Scholar.
The Marshall Scholarships are one of the most prestigious awards a graduating American undergraduate can receive.
2. Parks and Recreation Recognition Awards, presented by Steve Krajewski, Assistant Director, Parks and Recreation Department.
 - a. Outstanding Organization - Price Chopper
 - b. Outstanding Individual - Don Bellingham
 - c. Outstanding Coaches - Marge and Myles McCurry

D.) CONSENT AGENDA ITEMS

- C 1. Request for Tax Refunds for Prior Years and Current Year.** (A copy of the memorandum from Carol S. Nelson, Collector of Revenue to John Ward, Interim Town Administrator dated December 8, 2008 is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES SEVEN (7) TAX REFUNDS TOTALING \$3,302.36 FOR PRIOR YEARS, AND FOUR (4) TAX REFUNDS TOTALING \$400.89 FOR THE CURRENT FISCAL YEAR, AS OUTLINED IN THE MEMORANDUM FROM THE COLLECTOR OF REVENUE DATED DECEMBER 8, 2008 TO THE INTERIM TOWN ADMINISTRATOR.

- C 2. Request that the Town Council approve budget amendment # 7, for fiscal year 2008-2009, as provided by James Luddecke, Finance Officer.** (A copy of budget amendment requests #7 is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT REQUEST # 7 FOR FISCAL YEAR 2008-2009, AND AS OUTLINED IN BUDGET AMENDMENT FORMS PROVIDED BY THE FINANCE OFFICER.

- C 3.** Request that the Town Council Approve the Mayor's appointment of Walter Mealy, 125-273 South Street, (R), as regular member of the Planning and Zoning Commission, replacing Richard Guttman (U) whose term expires December 31, 2008, for a term effective January 1, 2009 and expiring December 31, 2011. (A copy of Mr. Mealy's resume is included in the Council packet.)

PROPOSED MOTION:

PURSUANT TO VERNON TOWN CHARTER, CHAPTER VIII, Sec. 1 & 6, AND CONNECTICUT GENERAL STATUTES § 8-4a & b, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF WALTER MEALY, (R) 125-273 SOUTH STREET, AS A REGULAR MEMBER OF THE PLANNING AND ZONING COMMISSION, FOR A TERM EFFECTIVE JANUARY 1, 2009 AND EXPIRING DECEMBER 31, 2011.

- C 4.** Request that the Town Council Approve the Mayor's reappointment of Lester G. Finkle, II, 35 Miriam Drive, (D) as a regular member of the Planning and Zoning Commission, whose term expires December 31, 2008, for a term effective January 1, 2009 and expiring December 31, 2011. (A copy of Mr. Finkle's resume is included in the Council packet. Also it should be noted that an updated resume has been requested from Mr. Finkle)

PROPOSED MOTION:

PURSUANT TO VERNON TOWN CHARTER, CHAPTER VIII, Sec. 1 & 6, AND CONNECTICUT GENERAL STATUTES § 8-4a & b, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF LESTER G. FINKLE, II, (D), 35 MIRIAM DRIVE, AS A REGULAR MEMBER OF THE PLANNING AND ZONING COMMISSION, FOR A TERM EFFECTIVE JANUARY 1, 2009 AND EXPIRING DECEMBER 31, 2011.

- C 5. Request that the Town Council Approve the Mayor's re appointment of Sarah Iacobello (D) as regular member of the Planning and Zoning Commission, for a term effective January 1, 2009 and expiring December 31, 2011.** (A copy of Ms. Iacobello's resume is included in the Council packet. Also, it should be noted that an updated resume has been requested from Ms. Iacobello.)

PROPOSED MOTION:

PURSUANT TO VERNON TOWN CHARTER, CHAPTER VIII, Sec. 1 & 6, AND CONNECTICUT GENERAL STATUTES § 8-4a & b, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF SARAH IACOBELLO (D), AS A REGULAR MEMBER OF THE PLANNING AND ZONING COMMISSION, FOR A TERM EFFECTIVE JANUARY 1, 2009 AND EXPIRING DECEMBER 31, 2011.

- C 6. Request that the Town Council Approve the Mayor's reappointment of Francis O. Kaplan, (R) 344 Merline Road, as an alternate member of the Planning and Zoning Commission, for a term effective January 1, 2009 and expiring December 31, 2013.** (A copy of Mr. Kaplan's resume is included in the Council packet.)

PROPOSED MOTION:

PURSUANT TO VERNON TOWN CHARTER, CHAPTER VIII, Sec. 1 & 6, AND CONNECTICUT GENERAL STATUTES § 8-4a & b, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF FRANCIS O. KAPLAN (R), 344 MERLINE ROAD, AS AN ALTERNATE MEMBER OF THE PLANNING AND ZONING COMMISSION, FOR A TERM EFFECTIVE JANUARY 1, 2009 AND EXPIRING DECEMBER 31, 2013.

- C 7. Request that the Town Council Approve the Mayor's recommendation of David Herrmann, 521 Bolton Road, (D) as a regular member of the Board of Ethics, for a term effective January 1, 2009 and expiring November 30, 2013.** (A copy of Mr. Herrmann's resume is in the Council packet)

PROPOSED MOTION:

PURSUANT TO ORDINANCE 173 (Town Code Sec. 2-91- 2-98), THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S RECOMMENDATION OF DAVID HERRMANN (D), TO THE BOARD OF ETHICS, FOR A TERM EFFECTIVE JANUARY 1, 2009 AND EXPIRING NOVEMBER 30, 2013.

- C 8. Request that the Town Council Approve the appointment of Robert J. Murphy, 47 Hale Street, (R) as a regular member of the Homestead Revitalization Committee, for a term effective January 1, 2009 and an indefinite expiration.** (A copy of Mr. Murphy's resume is included in the Council packet.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE 277, THE TOWN COUNCIL HEREBY APPROVES ROBERT J. MURPHY (R), 47 HALE STREET, AS A REGULAR MEMBER OF THE HOMESTEAD REVITALIZATION COMMITTEE, FOR A TERM EFFECTIVE JANUARY 1, 2009 WITH AN INDEFINITE EXPIRATION.

- C 9. Request that the Town Council approve the reappointment of Victor Antico (R), 189 Great Pond Road, South Glastonbury, Connecticut to Greater Hartford Regional Tourism District to a term commencing on January 1, 2009 and expiring on December 31, 2011.**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE REAPPOINTMENT OF VICTOR ANTICO (R), 189 GREAT POND ROAD, SOUTH GLASTONBURY, CONNECTICUT TO THE GREATER HARTFORD REGIONAL TOURISM DISTRICT TO A TERM COMMENCING ON JANUARY 1, 2009 AND EXPIRING ON DECEMBER 31, 2011.

- C 10.** Pursuant to Ordinance #215 (Town Code Sec. 2-5) as amended by Ordinance #218, the Town Council is requested to approve the reappointment of Steve Wakefield, (R) 152 Brookview Drive, as Hearing Officer for the Town of Vernon, for a term to begin January 1, 2009 and continue until December 31, 2009. (A copy of Mr. Wakefield's resume is included in your packet. It should also be noted that an updated resume has been requested)

PROPOSED MOTION:

PURSUANT TO ORDINANCE #215, (Town Code Sec. 2-5)
AS AMENDED BY ORDINANCE #218, THE TOWN
COUNCIL HEREBY APPROVES THE REAPPOINTMENT OF
STEVE WAKEFIELD, (R) 152 BROOKVIEW DRIVE, AS
HEARING OFFICER FOR THE TOWN OF VERNON, FOR
A TERM TO BEGIN JANUARY 1, 2009 AND CONTINUE
UNTIL DECEMBER 31, 2009.

- C 11.** Pursuant to Charter Chapter XV, Sec. 3; 05-02-1989 Town Council Res. Vol. 24 Pg. 382; amended/Vol. 37 Pg. 266 Town Council Resolution 02-19-2002, request that the Town Council approve the reappointment of Wesley D. Shorts, 109 Hany Lane, (R), to the Human Services Advisory Commission to a term beginning on 07-01-2008 and expiring on 06-30-2010. (A copy of Mr. Short's resume is attached. It should also be noted that an updated resume has been requested.)

PROPOSED MOTION:

PURSUANT TO CHARTER CHAPTER XV, SEC. 3; 05-02-1989
TOWN COUNCIL RES. VOL. 24 PG. 382; AMENDED/VOL. 37
PG. 266 TOWN COUNCIL RESOLUTION 02-19-2002, THE
TOWN COUNCIL APPROVES THE REAPPOINTMENT OF
WESLEY D. SHORTS (R), 109 HANY LANE, TO THE HUMAN
SERVICES ADVISORY COMMISSION TO A TERM BEGINNING
ON 07-01-2008 AND EXPIRING ON 06-30-2010.

- C 12.** Pursuant to Charter Chapter XV, Sec. 3; 05-02-1989 Town Council Res. Vol. 24 Pg. 382; amended/Vol. 37 Pg. 266 Town Council Resolution 02-19-2002, request that the Town Council approve the reappointment of Jean A. Bostrom (R), 72 Country Lane, to the Human Services Advisory Commission to a term beginning on 07-01-2008 and expiring on 06-30-2010. (A copy of Ms. Bostrom's resume is attached. It should be noted that an updated resume has been requested.)

PROPOSED MOTION:

PURSUANT TO CHARTER CHAPTER XV, SEC. 3; 05-02-1989 TOWN COUNCIL RES. VOL. 24 PG. 382; AMENDED/VOL. 37 PG. 266 TOWN COUNCIL RESOLUTION 02-19-2002, THE TOWN COUNCIL APPROVES THE REAPPOINTMENT OF JEAN A. BOSTROM (R), 72 COUNTRY LANE, TO THE HUMAN SERVICES ADVISORY COMMISSION TO A TERM BEGINNING ON 07-01-2008 AND EXPIRING ON 06-30-2010.

- C 13.** Pursuant to Charter Chapter XV, Sec. 3; 05-02-1989 Town Council Res. Vol. 24 Pg. 382; amended/Vol. 37 Pg. 266 Town Council Resolution 02-19-2002, request that the Town Council approve the appointment of Lance Chernack, 50 Cubles Drive (D), to the Human Services Advisory Commission for a term beginning on 07-01-2008 and expiring on 06-30-2010 (A copy of Mr. Chernack's resume is attached. It should be noted that an updated resume has been requested.)

PROPOSED MOTION:

PURSUANT TO CHARTER CHAPTER XV, SEC. 3; 05-02-1989 TOWN COUNCIL RES. VOL. 24 PG. 382; AMENDED/VOL. 37 PG. 266 TOWN COUNCIL RESOLUTION 02-19-2002, THE TOWN COUNCIL APPROVES THE APPOINTMENT OF LANCE CHERNACK, 50 CUBLES DRIVE, (D) TO THE HUMAN SERVICES ADVISORY COMMISSION TO A TERM BEGINNING ON 07-01-2008 AND EXPIRING ON 06-30-2010.

- C 14.** Pursuant to Charter Chapter VIII, Sec. 7&8, the Town Council is requested to reappoint Steven C. Peterson (R), 117 Brookview Drive, as a regular member of the Inland Westland Commission, said term to commence on 01-01-2009 and expire on 12-31-2011. (A copy of Mr. Peterson's resume is attached. It should be noted that an updated resume has been requested.)

PROPOSED MOTION:

PURSUANT TO CHARTER CHAPTER VIII, SEC. 7 & 8, THE TOWN COUNCIL HEREBY APPROVES THE REAPPOINTMENT OF STEVEN C. PETERSON (R), 117 BROOKVIEW DRIVE, AS A REGULAR MEMBER OF THE INLAND WETLAND COMMISSION, SAID TERM TO COMMENCE ON 01-01-2009 AND EXPIRE ON 12-31-2011.

- C 15.** Pursuant to Ordinance 189 - Town Code Sec. 10-91 & 10-92; request the Town Council appoint H. Russell Kunz (R), 26 Valley View Lane, to regular member of the Conservation Commission to replace Sheryl McMullen . (Ms. McMullen is term limited off for one year). Mr. Kunz term will commence on 01-01-2009 and expire on 12-31-2011. (A copy of Mr. Kunz's resume is included in the packet. It should also be noted that an updated resume has been requested.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE 189 - TOWN CODE SEC. 10-91 & 10-92; THE TOWN COUNCIL HEREBY APROVES THE APPOINTMENT OF H. RUSSELL KUNZ (R), 26 VALLEY VIEW LANE, TO REGULAR MEMBER OF THE CONSERVATION COMMISSION TO REPLACE SHERYL MCMULLEN. (MS. MCMULLEN IS TERM LIMITED OFF FOR ONE YEAR.) MR. KUNZ TERM WILL COMMENCE ON 01-01-2009 AND EXPIRE ON 12-31-2011.

- C 16.** Pursuant to Ordinance 189 - Town Code Sec. 10-91 & 10-92; request the Town Council approve the reappointment of Thomas R. Ouellette, (D) 57 Hany Lane, to regular member of the Conservation Commission, said term to commence on 01-01-2009 and expire 12-31-2011. (A copy of Mr. Ouellette's resume is included in the packet. It should be noted that an updated resume has been requested.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE 189 - TOWN CODE SEC. 10-91 & 10-92; THE TOWN COUNCIL HEREBY REAPPOINTS THOMAS R. OUELLETTE (D), 57 HANY LANE, TO A REGULAR MEMBER OF THE CONSERVATION COMMISSION, SAID TERM TO COMMENCE ON 01-01-2009 AND EXPIRE 12-31-2011.

- C 17.** **Request the Town Council approve the award application of an equipment grant from the Department of Public Health / Office of Emergency Medical Services in the amount of \$2,999.00 by the Vernon Fire Department.** (A copy of a memorandum dated December 12, 2008 from John D. Ward, Interim Town Administrator, to Mayor Jason L. McCoy and Vernon Town Council, and a copy of the grant are included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL AUTHORIZES THE EQUIPMENT GRANT AWARD APPLICATION SUBMITTED TO THE DEPARTMENT OF PUBLIC HEALTH - OFFICE OF EMERGENCY MEDICAL SERVICES.

- C 18.** **Request the Town Council authorize the Mayor to sign all necessary documents pertaining to the submission of a Department of Environmental Protection "Municipalities for the Control of Invasive Plants" Grant in the amount of \$7,000 on behalf of the Parks and Recreation Department.** (A copy of the memorandum dated December 9, 2008 from John D. Ward to Mayor Jason L. McCoy and Vernon Town Council is included in the Council packet.)

PROPOSED MOTION

THE TOWN COUNCIL AUTHORIZES THE APPLICATION BY PARKS AND RECREATION FOR A GRANT FROM THE CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION, SAID GRANT ENTITLED "GRANT TO MUNICIPALITIES FOR CONTROL OF INVASIVE PLANTS". FURTHER, THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY TO EXECUTE ALL OF THE NECESSARY PAPERWORK FOR SAID APPLICATION.

- C 19.** Request the Town Council approve the submission of a Housing and Urban Development Grant No. B-08-SP-CT-0722 in the amount of \$196,000.00 for the Town of Vernon Amerbelle Mill Historic Restoration Initiative for exterior and interior upgrades to the historic Amerbelle Mill facility. (A copy of a memorandum dated December 9, 2008 from John D. Ward, Interim Town Administrator to Mayor Jason L. McCoy and Town Council members, and a copy of the grant are included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL AUTHORIZES THE APPLICATION BY MAYOR MCCOY AND THE INTERIM TOWN ADMINISTRATOR JOHN D. WARD, TO THE DEPARTMENT OF HOUSING AND DEVELOPMENT FOR EDI GRANT # B-08-SP-CT-0722, THE AMERBELLE MILL HISTORIC RESTORATION INITIATIVE.

- C 20.** Request the Town Council authorize the application for Emergency Operations Equipment as submitted by Emergency Management Director Michael Purcaro.

PROPOSED MOTION:

THE TOWN COUNCIL AUTHORIZES THE APPLICATION FOR EMERGENCY OPERATIONS EQUIPMENT IN THE AMOUNT OF \$1,956.50.

E.) IDENTIFICATION OF ADDITIONAL AGENDA ITEMS

F.) PENDING BUSINESS

NONE

G.) NEW BUSINESS

1. **Request the Town Council renew a resolution entitled "RESOLUTION ADOPTING REIMBURSEMENT FOR COSTS OF FIRE HYDRANTS WITHIN THE TOWN OF VERNON'S RESIDENTIAL CONDOMINIUM COMPLEXES AND PLANNED UNIT DEVELOPMENT.** (A copy of a memorandum dated December 12, 2008 from Interim Town Administrator John D. Ward to Mayor Jason L. McCoy and the Town Council along with a copy of the resolution are included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY RENEWS THE RESOLUTION ENTITLED "RESOLUTION ADOPTING REIMBURSEMENT FOR COSTS OF FIRE HYDRANTS WITHIN THE TOWN'S RESIDENTIAL CONDOMINIUM COMPLEXES AND PLANNED UNIT DEVELOPMENTS".

2. **Request the Town Council authorize Mayor Jason L. McCoy to enter into an Equipment Sharing Agreement with the Windham Region Council of Governments (WINCOG), for the purposes of regional trail maintenance for a total of five (5) years, beginning November 1, 2008 and expiring October 31, 2013.** (A copy of the Equipment Sharing Agreement is included in the Council packet, as well as a memorandum dated 12-11-2008 from John D. Ward, Interim Town Administrator to the Town Council and Mayor Jason L. McCoy)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR JASON L. MCCOY TO SIGN THE EQUIPMENT SHARING AGREEMENT FOR VERNON'S PARTICIPATION IN THE WINDHAM REGION, COUNCIL OF GOVERNMENTS, EQUIPMENT SHARING AGREEMENT FOR REGIONAL TRAIL MAINTENANCE.

H.) INTRODUCTION OF ORDINANCES

I.) ACTION ON ORDINANCES PREVIOUSLY PRESENTED

1. **“AN ORDINANCE RENEWING ALL PREVIOUS ORDINANCES OF THE TOWN OF VERNON”**. (A copy of this ordinance and the legal notice is in the Public Hearing Section of this agenda for your review)

PROPOSED MOTION:

IN ACCORDANCE WITH CHAPTER V, SECTIONS 4 AND 6 OF THE VERNON TOWN CHARTER, THE TOWN COUNCIL MOVES TO ADOPT AN ORDINANCE ENTITLED “AN ORDINANCE RENEWING ALL PREVIOUS ORDINANCES OF THE TOWN OF VERNON”.

J.) DISCUSSION OF ADDITIONAL AGENDA ITEMS

K.) ADOPTION OF MINUTES

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF DECEMBER 2, 2008 AND THAT MINUTES OF SAID MEETING BE APPROVED.

L.) EXECUTIVE SESSION

1. CONSISTENT WITH THE CONNECTICUT FREEDOM OF INFORMATION ACT, CONNECTICUT GENERAL STATUTE 1-200 (6) (B), THE TOWN COUNCIL HEREBY MOVES TO GO INTO EXECUTIVE SESSION REGARDING A CLAIM BY MR. BURHKARDT AGAINST THE TOWN OF VERNON AND THE FOLLOWING INDIVIDUALS ARE INVITED TO ATTEND: JOHN WARD, INTERIM TOWN ADMINISTRATOR, AND HAL CUMMINGS, TOWN ATTORNEY.

2. THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES §1-200(6)(B) HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION; TOWN OF NEW HARTFORD ET AL VS ROWLAND ETAL, DOCKET NO. UWY-CV-04-0184932 S AND INVITES JOHN D. WARD, INTERIM TOWN ADMINISTRATOR AND TOWN ATTORNEY HAL CUMMINGS TO ATTEND.
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M.) INFORMATIONAL ITEMS

1. October, 2008 monthly report from the Vernon Town Clerk, submitted by Bernice Dixon.
2. September, 2008 monthly report from the Vernon Town Clerk, submitted by Bernice Dixon.
3. November, 2008 monthly report from the Vernon Police Department submitted by Captain Stephen M. Clark.
4. November, 2008 monthly report from the Vernon Youth Service Bureau submitted by Alan M. Slobodien, Director.
5. Minutes of the Regular Vernon Board of Education meeting on November 24 2008.
6. Requested report requested by Council member Etre regarding the General Fund Balance. Inquiry made at the December 2, 2008 Town Council meeting.