

**AGENDA
VERNON TOWN COUNCIL
REGULAR MEETING
TOWN HALL 3RD FLOOR, COUNCIL CHAMBERS
14 PARK PLACE
TUESDAY, AUGUST 19, 2008
7:30 P.M.**

A) PLEDGE OF ALLEGIANCE:

ROLL CALL:

CITIZEN'S FORUM:

B) PUBLIC HEARING AND SPECIAL TOWN MEETING: (7:35 P.M.)

Public Hearing relative to "A Resolution Regarding an Additional Appropriation for Education in the amount of \$1,135,682.00." Mayor McCoy calls the Public Hearing to order to receive comments and recommendations relative to A Resolution Regarding an Additional Appropriation for Education in the amount of \$1,135,682.00. (Copy of Resolution is enclosed in the packet)

ADJOURN PUBLIC HEARING

MAYOR RECOMMENDS ACTION ON THE PROPOSED RESOLUTION

**TOWN COUNCIL SHALL ADJOURN ITS MEETING UNTIL COMPLETION OF
SPECIAL TOWN MEETING (7:40 P.M.)**

SPECIAL TOWN MEETING (7:40 P.M.)

TOWN CLERK TO READ LEGAL NOTICE

MAYOR CALLS FOR NOMINATIONS FOR MODERATOR

CLOSE NOMINATIONS, VOTE ON MOTION, AND DECLARE MODERATOR

MODERATOR ASKS FOR COMMENTS

PUBLIC COMMENT

VOTE ON RESOLUTION

MODERATOR WILL CALL FOR A MOTION TO ADJOURN

ADJOURN SPECIAL TOWN MEETING

C) PRESENTATION:

- 1. Mayor McCoy to present awards to Justin Holt and Tanner King. Both Justin and Tanner are interns from Rockville High School who work in the Data Processing Department for the Town of Vernon.**
- 2. Mayor McCoy to present Mayoral Citations to Officer Lucas Gallant and Sergeant Barry Foster. Both Officer Gallant and Sergeant Foster went above and beyond the call of duty on Monday July 21st 2008.**

D) CONSENT AGENDA ITEMS:

- C 1.** Request for Tax Refunds – Current and Prior Fiscal Years.
- C 2.** Request that the Town Council approve the Mayor's appointment of Bruce Kellogg, as a regular member of the Economic Development Commission.
- C 3.** Request that the Town Council appoint Ellen M. Kates, as a regular member of the Risk Management Committee.
- C 4.** Request that the Town Council approve the budget amendment(s) for Fiscal Year 2007-2008 as provided by James Luddecke, Finance Officer.

- C 5.** Request that the Town Council authorize the Re-Appropriations of Fiscal Year 2006-2007 Encumbrances.
- C 6.** Request that the Town Council authorize the designation of available funds in the Downstream Fund account in the amount of \$5,000.00.
- C 7.** Request that the Town Council authorize Mayor Jason L. McCoy to execute the necessary paperwork to receive Local Prevention Council Grant funds.
- C 8.** Request that the Town Council authorize negotiations on the Fox Hill Radio Tower Site consistent with the framework of the project proposal.

NEW BUSINESS (CONSENT ITEMS)

1. **Request for Tax Refunds – Current and Prior Fiscal Years.** (Memorandum from Carol S. Nelson, Collector of Revenue, dated August 11, 2008 to Christopher Clark, Town Administrator, is in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL APPROVES TAX REFUNDS FOR THE PRIOR YEAR IN THE AMOUNT OF \$545.21 AND TAX REFUNDS FOR THE CURRENT YEAR IN THE AMOUNT OF \$3,556.88 AS OUTLINED IN THE MEMORANDUM FROM THE COLLECTOR OF REVENUE DATED AUGUST 11, 2008 TO THE TOWN ADMINISTRATOR.

2. **Request that the Town Council approve the Mayor's appointment of Bruce Kellogg, (D), as a regular member of the Economic Development Commission, for a term to expire on August 19, 2013.** (Resume is included in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF BRUCE KELLOGG AS A REGULAR MEMBER OF THE ECONOMIC DEVELOPMENT COMMISSION FOR A TERM TO EXPIRE ON AUGUST 19, 2013.

3. Request that the Town Council appoint Ellen M. Kates, (R) , as a regular member of the Risk Management Committee, for a term to expire on August 19, 2011. (Resume is included in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF ELLEN M. KATES AS A REGULAR MEMBER OF THE RISK MANAGEMENT COMMITTEE FOR A TERM TO EXPIRE ON AUGUST 19, 2011.

4. Request that the Town Council approve the budget amendment(s) for fiscal year 2007-2008 as provided by James Luddecke, Finance Officer. (A copy of the budget amendments are in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE BUDGET AMENDMENT REQUESTS #88-#93 FOR FISCAL YEAR 2007-2008 AS OUTLINED IN BUDGET AMENDMENT FORMS AS PROVIDED BY THE FINANCE OFFICER.

5. Request that the Town Council authorize the Re-Appropriations of Fiscal Year 2006-2007 Encumbrances. (Memorandum from James Luddecke dated August 8, 2008 and also a chart with comments is included in packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES THE LIQUIDATION AND RE-APPROPRIATION OF FISCAL YEAR 2006-2007 ENCUMBRANCES IN THE AMOUNT OF \$359,691.78 TO THE FISCAL YEAR 2007-2008 BUDGET.

6. **Request that the Town Council authorize the designation of available funds in the Downstream Fund account in the amount of \$5,000.00.** (Copy of memo from James Luddecke, dated August 8, 2008 included in packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES THE DESIGNATION OF AVAILABLE FUNDS IN THE DOWNSTREAM FUND ACCOUNT IN THE AMOUNT OF \$5,000.00 AS MATCHING FUNDS FOR THE NATIONAL FISH AND WILDLIFE GRANT TO DEVELOP A TANKERHOUSEN WATERSHED MANAGEMENT PLAN.

7. **Request that the Town Council authorize Mayor Jason L. McCoy to execute the necessary paperwork to receive Local Prevention Council Grant funds.**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR JASON L. MCCOY TO EXECUTE THE NECESSARY PAPERWORK TO MAKE APPLICATION FOR AND TO RECEIVE LOCAL PREVENTION COUNCIL GRANT FUNDS FROM E.R.A.S.E IN THE AMOUNT OF \$4,245.00.

8. **Request that the Town Council authorize the Fox Hill Radio Tower Site Project proposal.** (Copies of: letter from Fire Chief William M. Call, letter from Jack Fisher, Captain, Communications, Town of Vernon Fire Department, letter from Director Chuck Regalbuto of Optasite Towers, LLC., letter from Chief James Kenny, letter from George Fetko, Director of Public Works, memorandum from Richard Parrott, Director of Plant Operations and a memorandum from Fire Chief William M. Call are included in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES THE FINANCE OFFICER, POLICE CHIEF AND FIRE CHIEF ON BEHALF OF THE TOWN OF VERNON TO NEGOTIATE THE TERMS OF AN AGREEMENT CONSISTENT WITH THE FRAMEWORK OF THE ATTACHED PROPOSAL.

E) **IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS:**

NONE

F) **PENDING BUSINESS:**

NONE

G) **NEW BUSINESS:**

- 1) **Discussion of funding for the completion of Phoenix Street and Main Street Bridges over the Tankerhoosen River. Mr. Terry McCarthy, Town Engineer and Mr. James Luddecke, Finance Director will be available to discuss funding and status of these bridges.** (Copy of relevant information and relevant history is attached.)

- 2) **Request that the Town Council approve the change in supervision for the Animal Control Department.** (A copy of the Memorandum from Christopher Clark, Town Administrator dated July 8, 2008 and copy the revised Job Descriptions are included in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE CHANGE IN SUPERVISION FOR THE ANIMAL CONTROL DEPARTMENT FROM THE TOWN ADMINISTRATOR TO THE POLICE DEPARTMENT.

- 3) Request that the Town Council approve the Rockville Downtown Association Municipality Agreement. Rockville Downtown Association members and directors will be available for discussion and updates of projects. (A copy of the agreement is included in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE MUNICIPALITY AGREEMENT BETWEEN THE TOWN OF VERNON AND THE ROCKVILLE DOWNTOWN ASSOCIATION.

- 4) Request that the Town Council authorize Mayor Jason L. McCoy to execute the necessary paperwork in order to approve an agreement for Engineering Services by and between Town of Vernon and Cardinal Engineering Associates, Inc. (A copy of a memorandum from Christopher Clark, Town Administrator dated August 4th, 2008 along with a copy of the memorandum from Terry McCarthy, Town Engineer, a copy of the Agreement for Engineering Services and an overview of the Company's services are included in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR JASON L. MCCOY TO EXECUTE THE NECESSARY PAPERWORK IN ORDER TO APPROVE AN AGREEMENT FOR ENGINEERING SERVICES BY AND BETWEEN THE TOWN OF VERNON AND CARDINAL ENGINEERING ASSOCIATES, INC. FOR ENGINEERING SERVICES, NOT TO EXCEED \$4999.00.

- 5) **Request that the Town Council adopt the proposed resolution by Mayor Jason L. McCoy, to enter into an agreement between the State of Connecticut and the Town of Vernon regarding State Project No. 146-180, Federal Project No. PENDING.** (Please see enclosed memorandum dated August 14, 2008 from Mayor Jason L McCoy to the Town Council, a copy of letter from the State of Connecticut, Resolution, Certification, a copy of the Agreement and supporting documentation are included in the packet.)

PROPOSED RESOLUTION:

BE IT RESOLVED THAT JASON L. MCCOY, MAYOR, BE AND HEREBY IS, AUTHORIZED TO SIGN THE AGREEMENT ENTITLED "AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE TOWN OF VERNON FOR THE CONSTRUCTION, INSPECTION AND MAINTENANCE OF THE TALCOTTVILLE ENHANCEMENTS UTILIZING FEDERAL FUNDS FROM THE TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION PILOT PROGRAM (TCSP),"

AND BE IT FURTHER RESOLVED THAT THE TOWN OF VERNON BY IT LEGISLATIVE BODY THE VERNON TOWN COUNCIL HEREBY ADOPT AS ITS POLICY TO SUPPORT THE NONDISCRIMINATION AGREEMENTS AND WARRANTIES REQUIRED UNDER THE CONNECTICUT GENERAL STATUTE SECTION 4a-60(a)(1) AND SECTION 4a-60a(a)(1), AS AMENDED IN THE STATE OF CONNECTICUT PUBLIC ACT 07-245 AND SECTION 9(a)(1) AND 10(a)(1) OF PUBLIC ACT 071-142.

FUTHER BE IT RESOLVED THAT SAID POLICY AS SET OUT HEREIN BEFORE HAS NOT BEEN MODIFIED, RESCINDED OR REVOKED, AND IS, AT PRESENT, IN FULL FORCE AND EFFECT.

AND BE IT FURTHER RESOLVED THAT JASON L. MCCOY, MAYOR, TOWN OF VERNON IS AUTHORIZED TO EXECUTE A NONDISCRIMINATION CERTIFICATION THAT THE VERNON TOWN COUNCIL ADOPTS AS ITS POLICY TO SUPPORT THE NONDISCRIMINATION AGREEMENT AND WARRANTIES REQUIRED UNDER THE CONNECTICUT GENERAL STATUTES AND THAT SAID CERTIFICATION BE COMPLETED.

- 6) Town Council nomination and election of Mayor Pro Tempore (Deputy Mayor) to fill the vacancy as a result of the resignation of Diane Wheelock, as the Mayor Pro Tempore.
(Copy of letter of resignation of Diane Wheelock as Mayor Pro Tempore is attached.)

H) INTRODUCTION OF ORDINANCES:

NONE

I) ACTION ON ORDINANCES PREVIOUSLY PRESENTED:

NONE

J) DISCUSSION OF ADDITIONAL AGENDA ITEMS:

NONE

K) ADOPTION OF MINUTES:

PROPOSED MOTION #1:

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF JULY 15, 2008 AND THAT MINUTES OF SAID MEETING BE APPROVED.

PROPOSED MOTION #2:

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF AUGUST 6, 2008 AND THAT MINUTES OF SAID MEETING BE APPROVED.

L) EXECUTIVE SESSION:

1. THE TOWN COUNCIL HEREBY MOVES TO GO INTO EXECUTIVE SESSION REGARDING PENDING LITIGATION AND TAX APPEAL AND THAT THE FOLLOWING INDIVIDUALS ARE INVITED TO ATTEND: JOHN WARD; INTERIM TOWN ADMINISTRATOR, DAVID WHEELER; ASSESSOR, ATTORNEY SUSAN BOYAN, AND ATTORNEY MARTIN BURKE.
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M) INFORMATIONAL ITEMS:

1. Minutes of the Board of Education Meeting from June 23, 2008.
2. Copy of the Senior Center Monthly Report for June 2008 from Penny Rand, Director of the Senior Center.
3. Copy of the Town of Vernon's Affirmative Action Plan, revised and updated November 2006.
4. A copy of the revised List of Appointed/Elected Officials, as of July 1, 2008, going forward, updates can also be found on the Town's website (www.vernon-ct.gov).
5. Copy of the Town Clerk's Monthly Report for May and June 2008 from Bernice Dixon, Town Clerk.
6. Copy of the requested legal opinion from Attorney Harold Cummings regarding Gerber Farms Approvals.
7. Copy of the Town of Windsor's 375th Anniversary Parade letter and parade application.
8. Copy of: memo from George Fetko; Director of Public Works regarding Vehicle Fuel Usage, the Town of Vernon Employee Energy Conservation Policy, the Engine Operation and Maintenance Manual, a copy of the Fuel Usage Report for Fiscal Years 2006-07; 2007-08; and 2008-09 provided by James Luddecke; Financial Officer.
9. Copy of memorandum from Christopher Clark, Town Administrator, dated July 10, 2008 regarding an update on 425 Talcottville Road (formerly Heartland).