

November 6, 2008
**APPROVED MINUTES
VERNON TOWN COUNCIL
SPECIAL MEETING
TOWN HALL - 14 PARK PLACE - 3rd Floor
VERNON, CONNECTICUT
THURSDAY, NOVEMBER 6, 2008 7:30 P.M.**

A.) PLEDGE OF ALLEGIANCE

ROLL CALL:

Present: Daniel Anderson, Bill Campbell, Daniel Champagne, Mark Etre, Bill Fox, Marie Herbst, Nancy Herold, Brian Motola, Sean O'Shea, Pauline Schaefer, Harry Thomas, Michael Winkler

Absent:

Entered During Meeting:

Also Present: Mayor Jason L. McCoy, Interim Town Administrator John Ward, Recording Secretary Jill Kentfield

CITIZEN'S FORUM

Mr. Frank Plant, 61 Vernon Center Heights spoke about the petition sent to the Mayor's office requesting a meeting regarding property issues in the Vernon Center Heights neighborhood and passing an ordinance regarding the height of grass. Mayor McCoy informed Mr. Plant that they had already met with Mr. Polequin and the Town is taking appropriate corrective actions.

Citizen's Forum closed 7:35PM

B.) PUBLIC HEARING

None

C.) PRESENTATION

None

D.) CONSENT AGENDA ITEMS

C **1.** Request for Tax Refunds - Fiscal Year 2008-2009.

C **2.** Request the Town Council to approve the Mayor's appointment of Basil (Pete) Hobbs, 53 Meadowlark Road (U), to serve as Special Constable for the Town of Vernon.

C **3.** Request the Town Council approve the disposal or sale of fixed assets from Public Works Department.

Council Member Motola, seconded by Council Member Champagne made a motion to approve the consent agenda items as presented. Council Member Winkler pulled consent agenda item #2. Motion to approve consent agenda items 1 and 3 as presented carried unanimously.

C **1.** Request for Tax Funds Prior Years and Current Year. (A copy of the memorandum from Carol S. Nelson, Collector of Revenue to John Ward, Interim Town Administrator dated October 29,2008 is included in the Council packet)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES ONE (1) TAX REFUND TOTALLING \$55.62 FOR PRIOR YEARS, AND TWELVE (12) TAX REFUNDS TOTALLING \$1069.83 FOR THE CURRENT FISCAL YEAR, AS OUTLINED IN THE MEMORANDUM FROM THE COLLECTOR OF REVENUE DATED OCTOBER 29, 2008 TO THE INTERIM TOWN ADMINISTRATOR.

Council Member Motola, Seconded by Council Member Champagne made a motion to approve the request for tax refunds for the current and prior fiscal years. Motion carried unanimously.

C **2.** Request the Town Council to approve the Mayor's appointment of Basil (Pete) Hobbs, 53 Meadowlark Road (U), to serve as Special Constable for the Town of Vernon. (A copy of Mr. Hobbs' resume is included in the Council packet).

PROPOSED MOTION:

PURSUANT TO CONNECTICUT GENERAL STATUTES § 7-92, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF BASIL (PETE) HOBBS AND HARRY BOYKO TO SERVE AS SPECIAL CONSTABLE FOR THE TOWN OF VERNON FOR A TERM TO COMMENCE NOVEMBER 7, 2008 AND EXPIRE NOVEMBER 6, 2010.

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Council Member Winkler, Seconded by Council Member Motola made a motion to approve the Mayor's appointment of Basil (Pete) Hobbs and Harry Boyko to serve as Special Constable for the Town of Vernon. Discussion took place. Motion carried unanimously.

- C 3.** Request the Town Council approve the disposal or sale of fixed assets from Public Works Department. (A copy of memorandum from James Luddecke, Finance Officer dated October 29, 2008 to John D. Ward, Interim Town Administrator is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE DISPOSAL OR SALE OF FIXED ASSETS LISTED ON THE FORM DATED OCTOBER 29, 2008 AS REQUESTED BY THE DEPARTMENT OF PUBLIC WORKS.

Council Member Motola, Seconded by Council Member Champagne made a motion to approve the disposal or sale of fixed assets from the Public Works Department. Motion carried unanimously.

E.) IDENTIFICATION OF ADDITIONAL AGENDA ITEMS

F.) PENDING BUSINESS

- 1.** Discussion of the Vernon Center Heights Neighborhood Petition. (A copy of the petition dated 08-23-08; a copy of a letter to the Mayor from Kenneth Poliquin dated 09-23-08; Agenda request from Marie A. Herbst, Town Council member, dated 10-01-08; a copy of a letter to Marie Herbst, Town Council member from John D. Ward, Interim Town Administrator dated 10-03-08 are included in the Council packet.)

PROPOSED MOTION

NONE

Discussion took place. Mayor McCoy provided information regarding a meeting that took place with the Mayor, Town Building Official, Town Administrator, Police Chief, Assistant Director of Parks and Recreation, Director of Public Works and Mr. Polequin concerning the properties in the Vernon Center Heights neighborhood. A survey of the property was completed to determine where the Town and State property lines were. Once the survey was completed a letter was sent to the State Department of Transportation requesting lawn cutting on State land, home owners were cited for violations and cars were removed from town owned property. Council Member Etre provided information regarding the Town of Vernon's adoption of the International Property Maintenance Code which has provisions for overgrown lawns. He will provide a copy of this section to Mr. Plant.

G.) NEW BUSINESS

- 1.** Discussion of Governor Rell's October 23, 2008 meeting with municipal leaders, regarding economic concerns, strategy. (A copy of the October 23, 2008 press release from the Office of Governor, M. Jodi Rell entitled "**Governor Rell, Municipal Leaders Discuss Economic Concerns, Strategy**", a copy of the October 21, 2008 press release from the Office of Governor M. Jodi Rell entitled "**Governor Rell Announces Deficit Mitigation Plan**", and a copy of **Deficit Mitigation Plan for Fiscal Year 2008-2009** dated October 21, 2008, are included in the Council packet.)

PROPOSED MOTION:

NONE

- 2.** Request an amendment to the Classification Plan as it relates to the Community and Economic Development Director/Assistant Town Planner position, and adopt the job descriptions of Assistant Town Planner and Community and Economic Development Coordinator as presented. (A copy of memorandum dated October 31, 2008 from John D. Ward, Interim Town Administrator to Mayor Jason L. McCoy, and a copy of a memorandum from John D. Ward, Interim Town Administrator to Vernon Town Council, dated November 3, 2008 are included in the Council packet.)

PROPOSED MOTION #1:

THE TOWN COUNCIL, CONSISTENT WITH THE TOWN OF VERNON PERSONNEL RULES AND REGULATIONS SECTION 4.0 ENTITLED "CLASSIFICATION," AND SECTION 4.1(C) ENTITLED "RECLASSIFICATION OF POSITIONS", AND PURSUANT TO CHAPTER XI, SECTION 4(A) OF THE VERNON TOWN CHARTER, "ADMINISTRATIVE DEPARTMENTS AND OFFICERS RESPONSIBLE TO THE MAYOR", SECTION 4 "QUALIFIED OFFICERS WITHIN THE CLASSIFIED SERVICE" HEREBY APPROVES THE PLACEMENT OF THE POSITION OF THE ASSISTANT TOWN PLANNER AS A QUALIFIED OFFICER WITHIN THE CLASSIFIED SYSTEM.

PROPOSED MOTION #2:

THE TOWN COUNCIL, CONSISTENT WITH THE TOWN OF VERNON PERSONNEL RULES AND REGULATIONS, SECTION 4.0 ENTITLED "CLASSIFICATION," AND SECTION 4.1 (B) ENTITLED "JOB DESCRIPTIONS" AND SECTION 4.1 (C) ENTITLED "RECLASSIFICATION OF POSITIONS" THE TOWN COUNCIL ADOPTS THE JOB DESCRIPTION OF ASSISTANT TOWN PLANNER AS PRESENTED.

PROPOSED MOTION #3:

THE TOWN COUNCIL, CONSISTENT WITH THE TOWN OF VERNON PERSONNEL RULES AND REGULATIONS, SECTION 4.0 ENTITLED "CLASSIFICATION," AND SECTION 4.1 (B) ENTITLED "JOB DESCRIPTIONS" AND SECTION 4.1 (C) ENTITLED "RECLASSIFICATION OF POSITIONS" THE TOWN COUNCIL ADOPTS THE JOB DESCRIPTION OF COMMUNITY AND ECONOMIC DEVELOPMENT COORDINATOR AS PRESENTED.

Mayor McCoy pulled this item from the agenda.

Council Member Anderson left the table (8:25PM)

H.) INTRODUCTION OF ORDINANCES

- 1.) **Request the Town Council to schedule a Public Hearing for November 18, 2008 to receive comments and questions regarding the establishment of an Ordinance entitled "TOWN OF VERNON ENERGY IMPROVEMENT DISTRICT AND ENERGY IMPROVEMENT DISTRICT BOARD".** (A copy of a memorandum dated October 30, 2008 from John D. Ward, Interim Town Administrator to Mayor McCoy and the Vernon Town Council, and the proposed ordinance are included in the Council packet.)

PROPOSED MOTION

THE TOWN COUNCIL, CONSISTENT WITH CHAPTER V OF THE VERNON TOWN CHARTER, SEC. 6, ENTITLED "PUBLIC HEARING ON AND PUBLICATION OF ORDINANCES," HEREBY SCHEDULES A PUBLIC HEARING REGARDING AN ORDINANCE ENTITLED "TOWN OF VERNON ENERGY IMPROVEMENT DISTRICT AND ENERGY IMPROVEMENT DISTRICT BOARD" AT 7:35 PM ON TUESDAY, NOVEMBER 18, 2008 LOCATED AT THE COUNCIL CHAMBERS, THIRD FLOOR, 14 PARK PLACE, VERNON, CT TO RECEIVE COMMENTS AND QUESTIONS RELATIVE TO THE PROPOSED ORDINANCE.

Council Member Etre, Seconded by Council Member Campbell made a motion to schedule a public hearing for November 18th, 2008 to receive comments and questions regarding the establishment of an Ordinance entitled "Town of Vernon Energy Improvement District and Energy Improvement District Board." Gary Hale from Halloran and Sage Law Firm provided information regarding Public Act 07-242, An Act Concerning Electricity and Energy Efficiency. The goal behind enacting this legislation is to allow towns to make use of green technologies such as fuel cells, hydro power, geo thermal and wind power. Towns create Energy Improvement Districts and Boards to govern these districts to create their own power source while working with CL&P to send power over the wires to the town buildings.

Council Member Thomas left the meeting 9:05 PM, returned 9:08 PM

Council Member Motola left the meeting 9:08 PM and returned 9:10 PM

Recess (9:40 PM)

Council Member Herbst requested a 5 minute recess.

Meeting reconvened (9:58 PM)

Council Member Motola, seconded by Council Member Thomas made a motion for an amendment to the Ordinance to remove the following sections:

Page 3, section C: Delete "x) The term "microgrid" shall mean small, locally controlled electric systems interconnected with electric distribution company facilities;"

Page 4 Section 4: Powers and Duties of the Board: delete "(2) Have a seal and alter the same;"

Page 5 Section 4: Powers and Duties of the Board: (9) Delete the words "contained in the proceedings authorizing the issuance of bonds;"

Page 5 Section 4: Powers and Duties of the Board: separate paragraph after section (12) delete "shall have the power to issue and secure Bonds as more particularly set forth in PA 07-242 and Conn. Gen. Stat Sec. 32-80a"

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Council Member Etre made an amendment to the motion to hold the Public Hearing at the next Council Meeting and have the Town Council take action at the following meeting. Discussion took place. Council Member Motola made a motion to move the question, motion failed, Council Members Schaefer, Fox, Winkler and Herbst opposed, Council Member Anderson was not present. Discussion took place. Council Member Winkler, seconded by Council Member Etre made a motion to move the question, motion carried unanimously.

Council Members voted on the original motion as amended. Motion carried unanimously, Council Member Anderson abstained.

I.) ACTION ON ORDINANCES PREVIOUSLY PRESENTED

NONE

J.) DISCUSSION OF ADDITIONAL AGENDA ITEMS

NONE

K.) ADOPTION OF MINUTES

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF OCTOBER 21, 2008 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Motola, Seconded by Council Member Champagne made a motion to approve the minutes of the October 21, 2008 regular Town Council meeting. Council Member Etre, made a corrections to amend the minutes to reflect on page 3 under New Business item 2, Council Member Etre requested the summary page of amendments with the next presentation along with on page 6 the addition of a friendly amendment to add Citizens Block to the motion to approve the solicitation of competitive bids for a fixed price contract to paint all exterior windows and doors for the Senior Center building, exterior windows and doors on the basement, first and second floors of the Vernon Town Hall to match the existing colors of the front archway of the Senior Center and new windows on the third floor of Town Hall. Motion carried, Council Members Herold and Herbst abstained.

CURFEW (10:21 PM)

Council Member Etre, seconded by Council Member Schaefer made a motion to extend curfew until the end of business. Motion carried, Council Member Herold abstained, Council Member Anderson was not present.

L.) EXECUTIVE SESSION

1. THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES §1-200(6)(D) HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS THE SALE OF TOWN-OWNED LAND WITHIN THE TOWN OF VERNON, LOCATED ON THE FOLLOWING ROADS;

- Kevin Drive
- Miller Road
- Echo Ridge Drive
- Grier Road
- High Street
- Laurel Street
- South Street
- Union Street
- Vernon Avenue

AND INVITES MARTIN BURKE, ASSISTANT TOWN ATTORNEY AND JOHN D. WARD, INTERIM TOWN ADMINISTRATOR, TO ATTEND.

Council Member Motola, Seconded by Council Member Schaefer made a motion to go into Executive Session to discuss the Sale of Town-Owned Land within the Town of Vernon. Motion carried unanimously.

Meeting reconvened (11:18 PM)

MOTION

THE TOWN COUNCIL HEREBY MOVES TO ACCEPT THE BID OF \$500.00 MADE BY MR. DAVID TUTTLE FOR THE SALE OF PROPERTY ON KEVIN DRIVE, IDENTIFIED AS PARCEL NO. (39-0073-084A2)

Council Member Motola, Seconded by Council Member Schaefer made a motion to accept the bid of \$500.00 for the sale of property located on Kevin Drive. Motion carried unanimously.

MOTION

THE TOWN COUNCIL HEREBY MOVES TO ACCEPT THE BID OF \$2,500.00 MADE BY MR. JEFF COYLE FOR THE SALE OF PROPERTY ON MILLER ROAD, PARCEL NO. (51-140E-0004)

Council Member Motola, Seconded by Council Member Schaefer made a motion to accept the bid of \$2,500.00 for the sale of property located on Miller Road. Motion carried unanimously.

MOTION

THE TOWN COUNCIL HEREBY MOVES THAT THE TOWN PROPERTY ON ECHO RIDGE DRIVE, ROAD, IDENTIFIED AS PARCEL NO. 31-0142-0221A BE SOLD FOR NO LESS THAN \$ 2,000.00

Council Member Motola, seconded by Council Member Schaefer made a motion to sell the Town Property located on Echo Ridge Drive for no less than \$2,000.00. Motion carried unanimously.

MOTION

THE TOWN COUNCIL HEREBY MOVES THAT THE TOWN PROPERTY ON SOUTH STREET, IDENTIFIED AS PARCEL NO. 42-0072-0010D BE SOLD FOR NO LESS THAN \$7,000.00

Council Member Motola, seconded by Council Member Schaefer made a motion to sell the Town Property located on South Street for no less than \$7,000.00. Motion carried unanimously.

MOTION

THE TOWN COUNCIL HEREBY MOVES THAT THE TOWN PROPERTY ON UNION STREET, IDENTIFIED AS PARCEL NO. 23-0106-00020 IS SOLD FOR NO LESS THAN \$20,000.00 WITH THE RESTRICTION THAT IT IS TO BE USED FOR PARKING ONLY

Council Member Motola, Seconded by Council Member Schaefer made a motion to sell the Town Property located on Union Street for \$20,000.00 with the restriction that is to be used for parking only. Motion carried unanimously.

M.) INFORMATIONAL ITEMS

1. Social Services Quarterly Newsletter - fall 2008.
2. Memo from George Fetko, Director of Public Works, regarding "Snow Plow Safety Rodeo" Competition.
3. Notice of Special Town Council Meeting for November 6, 2008, posted on October 23, 2008 with Town Clerk.
4. Contact Information for Mayor, Town Administrator and Town Council Members. (*Revised October 30, 2008*)
5. Letter of thanks from the Rockville United Methodist Church, dated October 15, 2008.
6. Copy of letter dated October 16, 2008 from Governor M. Jodi Rell appointing John D. Ward as a member of the Police Officer Standards and Training Council.

ADJOURNMENT (11:35)

Council Member Motola, seconded by Council Member Schaefer made a motion to adjourn the meeting. Motion carried unanimously.

Received:

Approved:

Respectfully Submitted,
Jill Kentfield
Recording Secretary


James E. Krupienski, Asst.



TOWN OF VERNON

8 PARK PLACE, VERNON, CT 06066
Tel: (860) 870-3660
Fax: (860) 870-3585
E-Mail: cnelson@vernon-ct.gov

OFFICE OF THE
COLLECTOR OF REVENUE
CAROL S. NELSON -CCMC

CONSENT #1

TO: John Ward, Interim Town Administrator
FROM: Carol S. Nelson, Collector of Revenue *CSN*
DATE: October 29, 2008
SUBJECT: Refunds for Town Council Approval

PRIOR YEARS:

Olson, Peter 55.62
Assessor's Correction – Sold Vehicle

CURRENT YEAR:

Cab East 82.66
Assessor's Correction – Sold Vehicle

Fiore, Joseph P 9.39
Assessor's Correction – Sold Vehicle

Frankowicz, Richard 202.28
Board of Assessment Appeals (2)

Karamesinis, Stergios 28.46
Assessor's Correction – Sold Vehicle

Kuc, Robert and Anna 27.22
Assessor's Correction – Sold Vehicles (2)

Larose, Ruth L 110.00
Assessor's Correction – Local Elderly Credit

Olson, Peter 67.83
Assessor's Correction – Sold Vehicle

Palen, Jeffrey R 78.42
Board of Assessment Appeals

Patel, Bhaumik J 3.63
Assessor's Correction – Sold Vehicle

Saucier, Erik R 40.57
Assessor's Correction – Sold Vehicle

Appendix A (cont)

Refunds
10/29/2008

2

Schmidt, Jeffrey K or Janet L 13.32
Assessor's Correction – Sold Vehicle

Townsend, Craig R or Jennifer L 406.05
Assessor's Correction – Continued Service

(1) Prior Overpayments \$ 55.62
(12) Current Overpayments \$ 1,069.83

CONSENT #3

Memorandum

To: John D. Ward, Interim Town Administrator
c: George A. Fetko, Director of Public Works
From: James M. Luddecke, Finance Officer and Treasurer
Date: Wednesday, October 29, 2008
Re: Request for Disposal of Fixed Assets

The Department of Public Works has requested approval for the disposition of vehicles and equipment as per the attached document. The Vac-all and Refuse Packer were traded in to reduce the cost of the newly acquired replacement vehicles. Equipment that is unable to be sold will be disposed.

Please request the Town Council to approve the following motion:

THE TOWN COUNCIL APPROVES THE DISPOSAL OR SALE OF FIXED ASSETS LISTED ON THE FORM DATED OCTOBER 29, 2008 AS REQUESTED BY THE DEPARTMENT OF PUBLIC WORKS.

If there are any questions, please do not hesitate to contact me.

