

January 5, 2010

APPROVED MINUTES
VERNON TOWN COUNCIL REGULAR MEETING
TOWN HALL - 14 PARK PLACE - 3rd Floor
VERNON, CONNECTICUT

January 5, 2010 7:00 PM

Mayor Jason L. McCoy called the meeting to order at 7:02 PM

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL:

Present: Council Members Bill Campbell, Daniel Champagne, Mark Etre, Judy Hany, Marie Herbst, James Krupienski, Brian R. Motola, Sean O'Shea, Pauline Schaefer, Michael A. Winkler

Absent: Harry D. Thomas

Entered During Meeting: Daniel Anderson (7:07 PM)

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

Council Member Etre, seconded by Council Member Herbst made a motion to suspend Roberts Rules in order to accommodate the Lt. Governor's presentation. Motion carried unanimously.

PRESENTATION

Lt. Governor Fedele presented a proclamation to the Vernon Fire and Rescue Department from the Hon. Governor M. Jodi Rell for their rescue of a citizen from Risley Reservoir on December 27, 2009.

Lt. Governor Fedele presented information regarding the status of the state budget. He also answered questions from Mayor McCoy, Town Council Members and Department Heads.

Recess (8:11 PM)

Reconvene (8:25 PM)

C. CITIZENS FORUM

Vernon Riley, 75 Hockanum Blvd. spoke about his motor vehicle tax appeal. Discussion of the procedures for the Board of Assessment Appeals will take place under section L, "Discussion of Additional Agenda Items".

Citizen's forum closed at 8:34 PM

D. PUBLIC HEARINGS

None

E. PRESENTATIONS BY THE ADMINISTRATION (CONT.)

Update by Alan Slobodien, Director, and Vernon Youth Services on the progress of the Drug and Alcohol Council.

Mr. Slobodien presented information regarding the latest activities of the Drug and Alcohol Council including grants they received to help the community understand their mission and provide information regarding Public Act 06-112. Information regarding this public act has been sent to parents of High School and Middle School Students. Mr. Slobodien provided a hand-out to Town Council Members with information describing PA 06-112.

F. ACTION ON CONSENT AGENDA

Mayor McCoy removed Consent Agenda Item #4 from the agenda. Council Member Motola, seconded by Council Member Etre made a motion to approve the consent agenda items excluding #4 as presented. Council Member Herbst requested to pull consent agenda item # 9, and Council Member Champagne pulled #7 for further discussion. Motion carried unanimously to approve the consent agenda items 1, 2, 3, 5, 6, 8 and 10 as presented.

- C 1. Request for Tax Refunds Prior Years and Current Year.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward, Town Administrator dated December 23, 2009 is included in the Council packet.) **Appendix A**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES TWO (2) TAX REFUNDS TOTALING \$ 723.84 FOR PRIOR YEARS AND FIVE (5) TAX REFUNDS TOTALING \$ 366.13 FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED DECEMBER 23, 2009.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the request for tax refunds prior years and current year. Motion carried unanimously.

- C 2. Request the Town Council approve the Mayor's appointment of Carl H. Slusarczyk, (R), 72 Frederick Road, Vernon, Connecticut as a regular member of the Zoning Board of Appeals, said term to begin on January 6, 2010 and expires on June 30, 2014.** (A copy of Mr. Slusarczyk's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO VERNON'S CHARTER CHAPTER VIII, SEC. 2 & 6; THE TOWN COUNCIL APPROVES THE MAYOR'S APPOINTMENT OF CARL H. SLUSARCZYK, (R), 72 FREDERICK ROAD, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE ZONING BOARD OF APPEALS, SAID TERM TO BEGIN ON JANUARY 6, 2010 AND EXPIRES ON JUNE 30, 2014.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the Mayor's appointment of Carl H. Slusarczyk as a regular member of the Zoning Board of Appeals for a term of January 6, 2010 through June 30, 2014. Motion carried unanimously.

- C 3. Request the Town Council approve the Mayor's appointment Daniel Robertson (D), 3 Saddlegate Lane, Vernon, Connecticut as a regular member of the Design Review Advisory Commission, said term to begin January 6, 2010 and expires on December 31, 2012.** (A copy of Mr. Robertson's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE #268, TOWN CODE SEC. 10-105 – 10-108 THE TOWN COUNCIL APPROVES THE MAYOR'S APPOINTMENT OF DANIEL ROBERTSON (D), 3 SADDLEGATE LANE, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE DESIGN REVIEW ADVISORY COMMISSION, SAID TERM TO BEGIN ON JANUARY 6, 2010 AND EXPIRES ON DECEMBER 31, 2012.

January 5, 2010

Council Member Motola, seconded by Council Member Etre made the above motion to approve the Mayor's appointment of Daniel Robertson as a regular member of the Design Review Advisory Commission for a term of January 6, 2010 through December 31, 2012. Motion carried unanimously.

C 4. This item was removed from the consent agenda.

C 5. Request the Town Council approve the appointment of Adam B. Weissberger, (R), 75 Hockanum Blvd, Unit 3313, Vernon, Connecticut as a regular member of the Design Review Advisory Commission, said term to commence January 6, 2010 and expires on December 31, 2013. (A copy of Mr. Weissberger's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE #268, TOWN CODE SECTIONS 10-105 – 10-108 THE TOWN COUNCIL APPROVES THE MAYOR'S APPOINTMENT OF ADAM B. WEISSBERGER, (R), 75 HOCKANUM BLVD, UNIT 3313, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE DESIGN REVIEW ADVISORY COMMISSION, SAID TERM TO COMMENCE ON JANUARY 6, 2010 AND EXPIRES ON DECEMBER 31, 2013.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the appointment of Adam B. Weissberger as a regular member of the Design Review Advisory Commission for a term of January 6, 2010 through December 31, 2013. Motion carried unanimously.

C 6. Request the Town Council approve the appointment of James Sendrak, (U), 34 Snipsic Street, Vernon, Connecticut as a regular member of the Economic Development Commission, said term to begin January 6, 2010 and expires on June 30, 2012. (A copy of Mr. Sendrak's resume is included for the Council's review.)

PROPOSED MOTION:

PURSUANT TO C.G.S. § 7-136 AND ORDINANCE NO. 15; TOWN CODE SECTION 10-81 AND 82, THE TOWN COUNCIL HEREBY APPROVES THE APPOINTMENT OF JAMES SENDRAK (U), 34 SNIPSIC STREET, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE ECONOMIC DEVELOPMENT COMMISSION, SAID TERM TO BEGIN JANUARY 6, 2010 AND EXPIRES ON JUNE 30, 2012.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the appointment of James Sendrak as a regular member of the Economic Development Commission for a term of January 6, 2010 through June 30, 2012. Motion carried unanimously.

C 7. This item was removed from the consent agenda.

C 8. Request the Town Council pass a resolution regarding the School Building Advisory Commission and the Rockville High School Roof Project. (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and

January 5, 2010

Town Council Members dated December 23, 2009 is included for the Council's review.)
Appendix B

PROPOSED RESOLUTION:

BE IT RESOLVED, THAT THE VERNON TOWN COUNCIL HEREBY AUTHORIZES THE VERNON BOARD OF EDUCATION TO APPLY TO THE COMMISSIONER OF EDUCATION AND TO ACCEPT OR REJECT A GRANT FOR THE ROOF REPLACEMENT PROJECT TMP-146-RFVZ AT ROCKVILLE HIGH SCHOOL,

Council Member Motola, seconded by Council Member Etre made the above motion to authorize the Vernon Board of Education to apply and accept or reject a grant from the CT Department of Education for the roof replacement at Rockville High School. Motion carried unanimously.

AND, BE IT FURTHER RESOLVED THAT THE TOWN OF VERNON SCHOOL BUILDING ADVISORY COMMISSION, ESTABLISHED BY RESOLUTION OF THE VERNON TOWN COUNCIL ON MAY 17, 2005, IS HEREBY AUTHORIZED AS THE BUILDING COMMITTEE WITH REGARD TO THE ROOF REPLACEMENT PROJECT TMP-146-RFVZ AT ROCKVILLE HIGH SCHOOL,

Council Member Motola, seconded by Council Member Etre made the above motion to authorize the Vernon School Building Advisory Commission as the Building Committee for the roof replacement project at Rockville High School. Motion carried unanimously.

AND, BE IT FURTHER RESOLVED THAT THE VERNON TOWN COUNCIL HEREBY AUTHORIZES THE PREPARATION OF SCHEMATIC DRAWINGS AND OUTLINE SPECIFICATIONS FOR THE ROOF REPLACEMENT PROJECT TMP-146-RFVZ AT ROCKVILLE HIGH SCHOOL.

Council Member Motola, seconded by Council Member Etre made the above motion to authorize the preparation of schematic drawings and outline specifications relating to the roof replacement project at Rockville High School. Motion carried unanimously.

C 9. This item was removed from the consent agenda.

C 10. Request the Town Council approve the disposal and demolition of the fixed asset known as 35 Hale Street, Vernon, Connecticut. (A copy of a memorandum dated December 23, 2009 from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council is included for Council's review.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE DISPOSAL AND DEMOLITION OF THE FIXED ASSET KNOWN AS 35 HALE STREET, VERNON, CONNECTICUT.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the disposal and demolition of the fixed asset known as 35 Hale Street, Vernon, CT. Motion carried unanimously.

G. IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS

Council Member Motola, seconded by Council Member Campbell made a motion to discuss Informational item #4 under section L "Additional Agenda Items". Motion carried unanimously.

H. PENDING BUSINESS

I. NEW BUSINESS

1. **Request by Council Member Mark Etre to discuss the parking situation at Maple Street School and surrounding areas.** (A copy of Council Member Etre's request is included for Council's review.)

PROPOSED MOTION:

NONE

Discussion took place regarding a letter provided to Town Council Members by Council Member Etre written by Mr. Smith on the subject of parking issue at Maple Street School. Council Member Etre, seconded by Council Member Herbst made a motion to request the Town Administrator, Board of Education and Town Engineer review the letter from Mr. Smith and work together to present a plan to deal with the issues in regards to the lack of parking at Maple Street School at the next Town Council Meeting. Motion carried unanimously.

Discussion took place with Council Members and Chief Kenny regarding parking issues on Union Street, specifically residents are parking on the sidewalks since they the curbing is very low, which in turn is damaging the sidewalk and curbing. Chief Kenny encouraged Council Members to contact the PD if they see someone in violation. Since this is a state road, curbs would need to be fixed by the State Dept of Transportation, per Mayor McCoy the curbs are scheduled to be fixed in 2011, however since it is a state road he is unable to guarantee the fix will take place. Mayor McCoy will write a letter to the State Department of Transportation informing them of the situation regarding the curbs being too low, which allows for residents to park on them and cause damage. Also, the situation can become dangerous as residents try to walk around the vehicle blocking the sidewalk and may get hurt. Mayor McCoy will present his findings at the next Town Council Meeting.

J. INTRODUCTION OF ORDINANCES

None

K. ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED

None

L. DISCUSSION OF ADDITIONAL AGENDA ITEMS, Pulled consent items from (f) and pulled items from (o) informational items, etc.

- C 7. Request the Town Council auction surplus items. (A copy of a memorandum dated December 24, 2009 from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council Members is included for the Council's review and a memorandum dated December 21, 2009 from Robert Kleinhans, Director of Public Works to Mayor Jason L. McCoy and John D. Ward, Town Administrator regarding same.)**

January 5, 2010

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE SALE BY AUCTION OR BY DIRECT SALE; OR DISPOSAL OF THE FIXED ASSETS LISTED ON THE FORM DATED JANUARY 5, 2010, AS REQUESTED BY THE DEPARTMENT OF PUBLIC WORKS.

Council Member Champagne, seconded by Council Member Krupienski made the above motion to approve the Department of Public Works request for the sale of fixed assets listed in the form dated January 5, 2010. Discussion took place. Council Member Champagne requested the DPW pull the "International Fire Truck" from the list of items until such time as the \$600.00 part can be installed in order to make the vehicle drivable which bring the value of the vehicle up considerably. Council Member Winkler requested the DPW enter the mileage of vehicles listed on future requests. Motion carried, Council Member Herbst abstained.

- C 10. Request the Town Council schedule a public hearing regarding an amendment to Ordinance #279 "AN ORDINANCE ESTABLISHING PROCEDURE AND FEES FOR LICENSING AND PERMITS FOR WORK PERFORMED WITHIN A PUBLIC RIGHT OF WAY". Appendix C**

PROPOSED MOTION:

THE TOWN COUNCIL CONSISTENT WITH CHAPTER V, SECTION SIX OF THE VERNON TOWN CHARTER, ENTITLED "PUBLIC HEARING ON AND PUBLICATION OF ORDINANCES," HEREBY SCHEDULES A PUBLIC HEARING REGARDING AN ORDINANCE ENTITLED "**AN ORDINANCE AMENDING ORDINANCE #279 AN ORDINANCE ESTABLISHING PROCEDURE AND FEES FOR LICENSING AND PERMITS FOR WORK PERFORMED WITHIN A PUBLIC RIGHT OF WAY**", AT 7:05 PM ON TUESDAY, JANUARY 19, 2010 LOCATED AT THE COUNCIL CHAMBERS, THIRD FLOOR, 14 PARK PLACE, VERNON, CONNECTICUT TO RECEIVE COMMENTS AND ANSWER QUESTIONS RELATIVE TO THE PROPOSED ORDINANCE.

Council Member Herbst, seconded by Council Member Etre made the above motion to schedule a public hearing regarding an amendment to Ordinance #279 for Tuesday, January 19, 2010 at 7:05 PM. Discussion took place. Council Member Krupienski requested page 4 of the ordinance be amended to include the correct language as follows:

Title: Ordinance Establishing Procedures and Fees for Licensing and Permits for Work Performed within a Public Right of Way.

Last paragraph:

A permit application must be submitted and approved by the Town Engineer prior to performance of any work by a licensed contractor within the public right of way in the Town of Vernon. Each permit application must be approved by the Town Engineer or his designated agent. No work shall be commenced or be continued unless the approved permit is posted by or in the possession of the licensee or his/its agent at the location of the work performed. A fee of One Hundred dollars (\$100.00) will be charged for each permit application and license issued. No work shall be performed until the permit application is approved.

Motion as amended carried, Council Member Anderson opposed.

January 5, 2010

Informational item #4: Discussion took place with Deputy Town Assessor Christine Clarke regarding the Board of Assessment appeals process.

9:30 PM Council Member Etre left the table
9:37 PM Council Member Champagne left the table
9:38 PM Mayor McCoy left the table

Discussion continued

9:39 PM Council Member Champagne returned to the table
9:43 PM Mayor McCoy returned to the table
9:56 PM Council Member Etre returned to the table.

No action was taken regarding this issue.

M. ADOPTION OF MINUTES

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF DECEMBER 15, 2009 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Motola, seconded by Council Member Krupienski made a motion to approve the minutes of the December 15, 2009 Regular Town Council meeting. Motion carried unanimously.

N. EXECUTIVE SESSION

None

Council Member Schaefer requested Mayor McCoy provide information to Town Council Members regarding the cost of filling the pool for the polar splash.

O. INFORMATIONAL ITEMS, Petitions, communications, correspondence, reports, etc. not requiring action

1. Monthly Report, November 2009 for the Youth Services Bureau as submitted by Alan Slobodien, Director.
2. Letter to Mayor Jason L. McCoy, congratulating the Town of Vernon on behalf of the Connecticut Department of Public Health and American Heart Association as a "HeartSafe Community".
3. Update of the POCD from Town Planner Len Tundermann.
4. Packet of information delivered by Vernon T. Riley, 75 Hockanum Blvd, Unit #827, Vernon, Connecticut 06066.
5. Monthly Report for October and November 2009 for the Town Clerk's Office as submitted by Bernice Dixon, Town Clerk.
6. Invitation to the Hockanum Valley Community Council "Open House" on January 12, 2010.

Adjourn (9:59 PM)

January 5, 2010

Council Member Etre, seconded by Council Member Schaefer made a motion to adjourn. Motion carried unanimously.

Received: January 7, 2010

Approved: January 27, 2010

Respectfully Submitted,
Jill Kentfield
Recording Secretary

Karen C. Daigle
Assistant Town Clerk

January 5, 2010

Appendix A



TOWN OF VERNON

8 PARK PLACE, VERNON, CT 06066
Tel: (860) 870-3660
Fax: (860) 870-3585

OFFICE OF THE
COLLECTOR OF REVENUE

TO: John Ward, Town Administrator
FROM: Terry Hjarne, Collector of Revenue
DATE: December 23, 2009
SUBJECT: Refunds for Town Council Approval

PRIOR YEARS:

MAC-WAL of Vernon Inc	426.49
Taxpayer paid too much	
Toyota Motor Credit Corp	297.35
Assessor's Correction- Sold Vehicle	

CURRENT YEAR:

Bryant Anita F	5.43
Assessor's Correction- Sold Vehicle	
DCFS Trust.....	100.86
Assessor's Correction- Sold Vehicle	
Frankowicz Richard	35.55
Assessor's BAA Adjustment	
Franzia Joseph J D.....	92.02
Assessor's Correction- out of State	
Honda Lease Trust.....	132.27
Assessor's Correction- Sold Vehicle	

(2) Prior Overpayments.....	\$723.84
(5) Current Overpayments	\$366.13

Cc: James Luddecke

January 5, 2010

Appendix B



TOWN OF VERNON

14 PARK PLACE, VERNON, CT 06066
Tel: (860) 870-3662
Fax: (860) 870-3583
E-mail: town.clerk@ci.vernon.ct.us

OFFICE OF TOWN CLERK
BERNICE K. DIXON, CCTC
REGISTRAR OF VITAL STATISTICS
CLERK OF THE TOWN COUNCIL

TOWN OF VERNON

RESOLUTION REGARDING THE SCHOOL BUILDING ADVISORY COMMISSION AND THE ROCKVILLE HIGH SCHOOL ROOF PROJECT

RESOLUTION:

BE IT RESOLVED, THAT THE VERNON TOWN COUNCIL HEREBY AUTHORIZES THE VERNON BOARD OF EDUCATION TO APPLY TO THE COMMISSIONER OF EDUCATION AND TO ACCEPT OR REJECT A GRANT FOR THE ROOF REPLACEMENT PROJECT TMP-146RFVZ AT ROCKVILLE HIGH SCHOOL,

AND, BE IT FURTHER RESOLVED THAT THE TOWN OF VERNON SCHOOL BUILDING ADVISORY COMMISSION, ESTABLISHED BY RESOLUTION OF THE VERNON TOWN COUNCIL ON MAY 17, 2005, IS HEREBY AUTHORIZED AS THE BUILDING COMMITTEE WITH REGARD TO THE ROOF REPLACEMENT PROJECT TMP-146-RFVZ AT ROCKVILLE HIGH SCHOOL,

AND, BE IT FURTHER RESOLVED THAT THE VERNON TOWN COUNCIL HEREBY AUTHORIZES THE PREPARATION OF SCHEMATIC DRAWINGS AND OUTLINE SPECIFICATIONS FOR THE ROOF REPLACEMENT PROJECT TMP-146-RFVZ AT ROCKVILLE HIGH SCHOOL.

Adopted by the Town of Vernon on January 5, 2010.

TO WHOM IT MAY CONCERN:

I, Diane P. Sullivan, Assistant Town Clerk of the Town of Vernon, hereby certify that the foregoing MOTIONS were adopted by the Vernon Town Council at its regular meeting of January 5, 2010 as outlined in the Draft Minutes of such meeting.

I FURTHER CERTIFY that said action has not been modified nor rescinded, and that it remains in full force and effect.

VERNON TOWN COUNCIL
Diane P. Sullivan
Diane P. Sullivan
Assistant Town Clerk Office

Dated at Vernon, Connecticut, this 12th day of January, 2010.

January 5, 2010

Appendix C

ORDINANCE

AN ORDINANCE AMENDING ORDINANCE 279 AN ORDINANCE ESTABLISHING PROCEDURES AND FEES FOR WORK PERFORMED WITHIN A PUBLIC RIGHT OF WAY

Amendment to Ordinance No. 279 codified in Vernon town Code of Ordinances Chapter 11, Article II, Section 11-21, entitled "Construction"

Ordinance No. 279 is amended as follows:

The last line of Section (b) I (d) will now read

"A fee of One Hundred dollars (\$100.00) for each license issued."

Section (b) II will now read:

A permit application must be submitted and approved by the Town Engineer prior to performance of any work by a licensed contractor within the public right of way in the Town of Vernon. Each permit application must be approved the Town Engineer or his designated agent. No work shall be commenced or be continued unless the approved permit is posted by or in the position of the licensee or his/its agent at the location of the work to be performed. A fee of One Hundred dollars (\$100.00) will be charged for each permit application and license issued". No work shall be performed until the performed until the permit application is approved.

Except as amended above, Ordinance 279 remains in full force and effect.

This Ordinance shall be effective for a period of not more than ten (10) years from the date of not more than ten (10) years from the date of adoption. If the Town Council does not act or renew this Ordinance, it shall be deemed repealed.

INTRODUCED: January 5, 2010

ADVERTISED:

PUBLIC HEARING:

COUNCIL ACTION:

ADVERTISED:

EFFECTIVE DATE: