

December 20, 2011

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

December 20, 2011 – 7:00 PM

Mayor George Apel called the meeting to order at 7:00 PM

A) PLEDGE OF ALLEGIANCE:

B) ROLL CALL:

Present: Council Members Bill Campbell, Thomas DiDio, Virginia Gingras, Judy Hany, Marie Herbst, John Kopec, Steven Peterson, Thomasina Russell, Daniel Sullivan, Adam Weissberger, and Michael Winkler

Absent:

Entered During Meeting: Council Member Brian Motola (7:07 PM)

Also Present: Mayor George Apel, Town Administrator John Ward, Recording Secretary Jill Kentfield

C) CITIZEN'S FORUM

Peter Olson and Jeff Farnham from the Vernon Housing Authority presented their yearly payment to the Town of Vernon in lieu of taxes.

Wayne Starkey, 26 Wolcott Lane –supports an ordinance regarding barking dogs

James Krupienski, 59 Deerfield Dr. – Spoke about informational item #2 regarding solar panels on a vacant property, he requested Town Council members go through the Energy Improvement Board and planning and zoning commission. He also spoke about New Business #1 regarding the agreement between the Board of Education and the Town of Vernon DPW for management of maintenance and custodial services.

Citizen's forum closed at 7:10 PM

Council Member Motola, seconded by Council Member Weissberger made a motion to move Executive Session until after the public hearing. Motion carried unanimously.

E.) PUBLIC HEARING

PUBLIC HEARING AND SPECIAL TOWN MEETING TO RECEIVE COMMENTS RELATIVE TO **"A RESOLUTION REGARDING AN ADDITIONAL APPROPRIATION PERTAINING TO EMERGENCY COSTS INVOLVING THE PREPARATION, RESTORATION, REPAIRS, CLEANUP AND ACTIONS TAKEN DUE TO WINTER STORM ALFRED IN THE AMOUNT OF \$562,000.00"**.

Open Public Hearing (7:11 PM)

Mayor Apel called the public hearing to order to receive comments and answer any questions from the public. The Bernice Dixon, Town Clerk read the legal notice into the record.

Public comments:

There were no public comments.

Close Public Hearing (7:13 PM)

Mayor Apel closed the public hearing.

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Mayor Apel recessed the Town Council meeting until the completion of the Special Town meeting

Mayor Apel called the Regular Town Council meeting back to order.

D.) EXECUTIVE SESSION

Council Member Motola, seconded by Council Member Weissberger made the following motion to go into executive session:

MOTION:

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 REGARDING TBF FINANCIAL VS. THE TOWN OF VERNON DOCKET NO. SCC-417545 FURTHER, THE TOWN COUNCIL INVITES JOHN D. WARD, TOWN ADMINISTRATOR, AND HAROLD CUMMINGS, TOWN ATTORNEY TO ATTEND.

Motion carried unanimously.

Council Member Motola, seconded by Council Member Herbst made the following motion:

THE TOWN COUNCIL, HEREBY APPROVES THE SETTLEMENT OF TBF FINANCIAL, LLC, VS THE TOWN OF VERNON, DOCKET NO. SCC 417545, FOR PAYMENT OF THE SUM OF \$2,000, SUBJECT TO THE TOWN RECEIVING A GENERAL RELEASE WITH RESPECT TO ALL CLAIMS UNDER ITS LEASE OF SAID COPIER AND AN ASSIGNMENT OF ALL RIGHTS PURSUANT TO SAID LEASE TO THE COPIER.

Motion carried unanimously.

F.) PRESENTATIONS BY THE ADMINISTRATION

Mayor George F. Apel to honor outgoing Council Members: Harry Thomas, Pauline Schaefer, James Krupienski, Daniel Anderson, Mark Etre, Sean O'Shea and Daniel Champagne for their outstanding service to the citizen's and taxpayers of Vernon.

Mayor Apel presented mayoral proclamations to outgoing council members.

G.) ACTION ON CONSENT AGENDA

Council Member Motola, seconded by Council Member Weissberger made a motion to approve the consent agenda items as presented. Motion carried unanimously.

- C 1. Request for Tax Refunds for Prior and Current Years.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward, Town Administrator dated December 12, 2011 is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES TWO (2) OVERPAYMENT FOR THE PRIOR YEAR TOTALLING \$ 550.56 AND NINE (9) OVERPAYMENTS FOR THE CURRENT YEAR TOTALLING \$2322.13, AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED DECEMBER 12, 2011.

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

- C 2. Request the Town Council authorize Mayor George F. Apel to execute the necessary documents to apply and receive the OPM Regional Performance Initiative Grant for Regional GIS Data Development through CRCOG.**

PROPOSED RESOLUTION:

BE IT RESOLVED THAT MAYOR GEORGE F. APEL BE AUTHORIZED BY THE TOWN COUNCIL TO EXECUTE THE NECESSARY FORMS TO ENDORSE THE CRCOG REGIONAL PERFORMANCE INITIATIVE GRANT FROM OPM FOR REGIONAL GIS DATA DEVELOPMENT.

Council Member Motola, seconded by Council Member Weissberger made the above motion to authorize the Mayor to execute the necessary documents to apply and receive the OPM Regional Performance Initiative Grant for Regional GIS Data Development through CRCOG. Motion carried unanimously.

H.) DISCUSSION OF PULLED CONSENT ITEMS

Council Member Herbst pulled informational item #2.

I.) PENDING BUSINESS

None

J.) NEW BUSINESS

- 1. Request the Town Council approve the Board of Education's request for a six month extension of the agreement between the Board of Education and the Town of Vernon for Management of Maintenance and Custodial Services.** (A copy of a letter from Superintendent Dr. Mary Conway to Mayor George Apel dated December 13, 2011 and a copy of the original agreement is included for Council review. Also included is a memorandum from Mayor George F. Apel to the Vernon Town Council dated December 14, 2011 relative to same.)

PROPOSED RESOLUTION:

WHEREAS, the Vernon Board of Education formally requested that the Mayor of the Town of Vernon ask the Vernon Town Council to adopt a resolution allowing the Town of Vernon to continue to provide management of custodial and maintenance services (the "Services") to the Vernon Board of Education through the existing position of the Town of Vernon's Director of Public Works;

WHEREAS, such request by the Vernon Board of Education is appropriately made under the Chapter XI Section 12 of the Vernon Town Charter, which allows the Town of Vernon, Department of Public Works to maintain and care for the Vernon Board of Education buildings and grounds, if requested by the Vernon Board of Education and approved by the Vernon Town Council; with the costs of such maintenance, including the Services, charged against the budget of the Vernon Board of Education;

WHEREAS, such maintenance and care responsibilities inherently encompass the organization of work through management and supervision of resources, including personnel, contracted work, purchasing and procurement activities;

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WHEREAS, the Vernon Town Council has determined that such consolidation of the Services at the Vernon Board of Education will result in a more efficient and effective delivery of custodial and maintenance services at an overall budget savings to the Town of Vernon;

NOW, THEREFORE, BE IT RESOLVED, that the Vernon Town Council hereby approves the Vernon Board of Education's request for the Town of Vernon to provide to the Vernon Board of Education the Services as outlined in the letter dated December 13, 2011 to Mayor George Apel, from the Superintendent, Dr. Mary P. Conway through the existing position of the Town of Vernon's Director of Public Works for a period of six (6) calendar months, with any extension contingent on re-adoption of the resolution by the Vernon Town Council;

FURTHER, BE IT RESOLVED, that in exchange for the Services, as set out herein before and outlined in the letter dated December 13, 2011 to Mayor George F. Apel, from the Superintendent, Dr. Mary P. Conway the Vernon Board of Education shall transfer or pay the costs to the Town of Vernon's Director of Public Works, from the budget of the Vernon Board of Education in the amount of Fifteen Thousand Dollars (\$15,000.00) for a period of six (6) calendar months, said amount to be paid or transferred using the most efficient administrative method as mutually agreed to by the Town Administration and the Board of Education Administration.

Said Resolution shall be in effect from the date of adoption by the Vernon Town Council.

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR GEORGE F. APEL OR HIS DESIGNEE TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY RELATIVE TO AN AGREEMENT WITH THE BOARD OF EDUCATION FOR MANAGEMENT OF MAINTENANCE AND CUSTODIAL SERVICES EFFECTIVE JANUARY 1, 2012 AND CONTINUING FOR SIX MONTHS AND ENDING JUNE 30, 2012.

Council Member Motola, seconded by Council Member Campbell made the above motion to authorize the Mayor or his designee to execute documents relative to the agreement with the Board of Education for management of maintenance and custodial services effective 1/1/2012 through 6/30/2012. Discussion took place. Motion carried, Council Members Winkler, Didio, Russell, Gingras and Herbst opposed.

2. **Request the Town Council authorize Mayor George F. Apel or his designee to execute the Firing Range Agreement with the Rockville Fish and Game Club.** (A copy of a memorandum from John D. Ward to Mayor George F. Apel and Vernon Town Council dated December 12, 2011, as well as a copy of the Agreement is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR GEORGE F. APEL OR HIS DESIGNEE TO EXECUTE ON BEHALF OF THE TOWN OF VERNON THE PROPOSED AGREEMENT WITH THE ROCKVILLE FISH & GAME CLUB FOR CONSTRUCTION OF AND USE OF A NEW SECTION BY THE VERNON POLICE DEPARTMENT.

Council Member Motola, seconded by Council Member Weissberger made the above motion to execute the firing range agreement with the Rockville Fish and Game Club. Discussion took place. Motion carried, Council Member Campbell abstained.

- K.) **INTRODUCTION OF ORDINANCES**
None

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L.) ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED

None

M.) IDENTIFICATION/ADOPTION OF ADDITIONAL AGENDA ITEMS

N.) DISCUSSION OF ADDITIONAL ITEMS AND INFORMATIONAL ITEMS

Discussion took place regarding Informational item #2 regarding solar panels on a vacant lot. Council Member Herbst requested Administration follow the proper procedure by sharing the item with the Energy Improvement District and ensure all approvals from Planning and Zoning are in place. Town Administrator Ward informed Council Members that the Energy Improvement District is meeting tomorrow night and this item would be on their agenda.

O.) ADOPTION OF MINUTES

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF DECEMBER 6, 2011 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Motola, seconded by Council Member Weissberger made a motion to waive the reading of and approve the minutes of the December 6, 2011 Regular Town Council meeting. Motion carried unanimously.

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

1. Memo from Mayor George F. Apel to Vernon Town Council, dated December 7, 2011 regarding Fair Housing in Vernon.
2. Letter to John D. Ward, Town Administrator from Shaun Gately, Economic Development Coordinator dated 12-08-2011 with attachments relative to Greenskies Proposal.
3. Monthly Report for the Building Department for October, 2011 as submitted by Harry Dan Boyko, Building Official.
4. Monthly Report for EMS for November, 2011 as submitted by Jean Gauthier, EMS Coordinator.
5. Monthly Report for the Police Department for November, 2011 as submitted by Captain Stephen M. Clark.

Adjourn (8:16 PM)

Council Member Herbst, seconded by Council Member Winkler made a motion to adjourn. Motion carried unanimously.

Received: December 22, 2011

Approved: January 17, 2012

Respectfully Submitted,

Jill Kentfield
Recording Secretary

Karen C. Daigle, CCTC
Assistant Town Clerk