

February 7, 2012

**APPROVED MINUTES**  
**VERNON TOWN COUNCIL REGULAR MEETING**  
**TOWN HALL - 14 PARK PLACE - 3<sup>rd</sup> Floor**  
**VERNON, CONNECTICUT**

**February 7, 2012 – 7:30 PM**

Mayor George Apel called the meeting to order at 7:30 PM

**A) PLEDGE OF ALLEGIANCE:**

**B) ROLL CALL:**

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

**Absent:**

**Entered During Meeting:**

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

Council Member Motola, seconded by Council Member Russell made a motion to move executive session items #1, 2 and 3 to the end of the agenda before approving the minutes. Motion carried unanimously. Mayor Apel pulled executive session item #4 from the agenda.

**C) CITIZEN'S FORUM**

James Krupienski, 59 Deerfield Dr – spoke about the Vernon Arts Center lease moving forward, he also spoke about his concerns regarding the new recycling policy, NB#3, the lack of progression regarding the intermodal site, and the lack of information regarding the assistant town administrator appointment.

Citizen's forum closed at 7:40 PM

**E.) PUBLIC HEARING**

There were no public hearings.

**F.) PRESENTATIONS**

Mayor George F. Apel to make a presentation to the Town Council on various topics.

- Mayor Apel spoke about being shadowed by a senior a RHS, Tyler Anderson
- Attended several ribbon cuttings and has several upcoming ribbon cuttings
- Attended the annual fireman banquet last weekend
- Attended the Board of Education legislative breakfast at RHS for region 3
- Is holding Department head meetings in smaller groups for those Department Heads with similar interests
- The Assistant Town Administrator interviews are completed and the candidate will be presented this evening, the Mayor thanked Council Members Herbst, Motola, Kopec, Town Administrator Ward, Mr. Dinnie and Mr. Slobodien
- The Ad hoc Committee regarding the Mayor's compensation consisting of Council Members Winkler, Motola, Campbell and Gingras met and reviewed documents and are formatting a report
- Closing taking place at 55 Lawrence Street, checks were handed over and passed down to the Finance Dept.
- The Board of Education budget is being delivered to the Mayor's office this Friday

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- The ordinance review committee are presently reviewing all ordinances and has met twice and are continuing to meet.
- Meetings are being held with the Emergency Management Director and State Emergency Management person will be at the Town to help move forward on rewriting policies and procedures to be presented to the Town Council, the policies and procedures will include a drill for those employees trained in emergency management and will be tailored to the Town of Vernon and their needs.
- 6 contracts are under negotiation

Presentation by Parks and Recreation Director Bruce Dinnie and Mayor George F. Apel to the ***Vernon Greenway Volunteers*** for two cleanup days. On November 12, 2011 volunteers from Petal Power Bike Shop and the Vernon Greenway Volunteers completed 1.25 miles of trail from Regan Road to Route 30 and on November 19, 2011 the Vernon Greenway Volunteers cleared the trails behind VCMS that are used for cross country meets and hiking. Presentation by Parks and Recreation Director Bruce Dinnie and Mayor George F. Apel to the ***Annual Parks and Recreation Awards*** recipients: ***Outstanding Service Award – Hans Peterson; Outstanding Service Award – Don Bellingham; Outstanding Coach Award – Art Wheelock; and Outstanding Service Award – Hidden Dragon Karate.***

Mayor Apel and Bruce Dinnie presented the Outstanding Service Awards.

Rockville Downtown Association Presentation – ***Lighting the Falls***. David Lee will have a power point presentation summarizing the RDA efforts to recapture the river as it enters the downtown district and touches on future prospects for the area.

#### G.) **CONSENT AGENDA ITEMS**

Council Member Motola, seconded by Council Member Herbst made a motion to approve the consent agenda items as presented. Council Member Motola pulled consent agenda item # 4 for discussion. Motion carried unanimously to approve the consent agenda items 1, 2, 3, 5, and 6 as presented.

- 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 January 30, 2012 is included in the Council packet.)

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY APPROVES ONE (1) OVERPAYMENT FOR THE PRIOR YEAR IN THE AMOUNT OF \$171.93 AND TEN (10) OVERPAYMENTS OF THE CURRENT YEAR IN THE AMOUNT OF \$1689.01 AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED JANUARY 30, 2012.

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

- C 2. **Request the Town Council approve Mayor George F. Apel's appointment of Joan O'Donnell, (D), 124 Brookview Drive, Vernon, Connecticut as a regular member of the Human Services Advisory Commission for a term to begin February 8, 2012 and expires on June 30, 2013.** (A copy of Ms. O'Donnell's resume is included for Council review.)

**PROPOSED MOTION:**

PURSUANT TO CHARTER CHAPTER XV, SEC. 3, 05-02-1989 TOWN RESOLUTION VOL. 24, PAGE 382 AS AMENDED /VOL. 37 PAGE 266 AND TOWN COUNCIL

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RESOLUTION DATED 02-19-2002, THE TOWN COUNCIL HEREBY APPROVES MAYOR GEORGE F. APEL'S APPOINTMENT OF JOAN O'DONNELL (D), 124 BROOKVIEW DRIVE, VERNON, CONNECTICUT, AS A REGULAR MEMBER OF THE HUMAN SERVICES ADVISORY COMMISSION FOR A TERM BEGINNING FEBRUARY 8, 2012 AND EXPIRES ON JUNE 30, 2013.

Council Member Motola, seconded by Council Member Herbst made the above motion to approve the Mayor's appointment of Joan O'Donnell as a regular member of the Human Services Advisory Commission for a term of 2/8/2012 through 6/30/2013. Motion carried unanimously.

- C 3. **Request the Town Council approve Mayor George F. Apel's appointment of Ronald J. Scussel, (D), 345 Lake Street, Vernon, Connecticut as an alternate member of the Planning and Zoning Commission, said term to commence on February 8, 2012 and expires on December 31, 2013.** (A copy of Mr. Scussel's resume is included for Council review.)

**PROPOSED MOTION:**

PURSUANT TO THE VERNON TOWN CHARTER, CHAPTER VIII, SEC. 1 & 6, AND CONNECTICUT GENERAL STATUTES SEC. 8-4a & b, THE TOWN COUNCIL HEREBY APPROVES MAYOR GEORGE F. APEL'S APPOINTMENT OF RONALD J. SCUSSEL, (D), 345 LAKE STREET, VERNON, CONNECTICUT, TO ALTERNATE MEMBER OF THE PLANNING AND ZONING COMMISSION FOR A TERM COMMENCING ON FEBRUARY 8, 2012 AND EXPIRES DECEMBER 31, 2013.

Council Member Motola, seconded by Council Member Herbst made the above motion to approve the Mayor's appointment of Ronald Scussel as an alternate member of the Planning and Zoning Commission for a term of 2/8/2012 through 12/31/2013. Motion carried unanimously.

- C 5. **Request the Town Council approve Social Services Block Grant contract amendment #2 in the amount of \$10,218.00 for six months for a total of \$40,872.00 for October 1, 2010 – September 30-2012.** (See cover memo from Marina Rodriguez, Social Services Director to the Town Council and Grant Amendment Packet 146-SBG-35/10DSS5002BG Amendment A2).

**PROPOSED RESOLUTION:**

BE IT RESOLVED, THAT THE TOWN COUNCIL EMPOWERS MAYOR GEORGE F. APEL TO ENTER INTO AND AMEND CONTRACTUAL INSTRUMENTS IN THE NAME AND ON BEHALF OF THE TOWN OF VERNON WITH THE DEPARTMENT OF SOCIAL SERVICES OF THE STATE OF CONNECTICUT FOR A SOCIAL SERVICES BLOCK GRANT AND AFFIX THE CORPORATE SEAL.

Council Member Motola, seconded by Council Member Herbst made the above motion to approve the Social Services Block Grant contract amendment #2. Motion carried unanimously.

- C 6. **Request the Town Council approve Mayor George F. Apel's appointment of Michael Guminiak, (R), 19 Duncaster Lane, Vernon, Connecticut as a regular member of the Design Review Advisory Commission for a term that commences February 8, 2012 and expires on December 31, 2013.** (A copy of Mr. Guminiak's resume is included for Council review.)

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**PROPOSED MOTION:**

PURSUANT TO ORDINANCE #268, TOWN CODE SEC. 10-105 - 10-108 THE TOWN COUNCIL APPROVES MAYOR GEORGE F. APEL'S APPOINTMENT OF MICHAEL GUMINIAC, (R) , 19 VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE DESIGN REVIEW ADVISORY COMMISSION, SAID TERM TO COMMENCE FEBRUARY 8, 2012 AND EXPIRES ON DECEMBER 31, 2013.

Council Member Motola, seconded by Council Member Herbst made the above motion to approve the Mayor's appointment of Michael Guminiak as a regular member of the Design Review Advisory Commission for a term of 2/8/2012 through 12/31/2013. Motion carried unanimously.

H.) **DISCUSSION OF PULLED CONSENT ITEMS**

- C 4. **Request the Town Council approve a bid waiver for the Fire Department to purchase an American Airworks compressor and equipment.** (See documents from Chief William Call attached for your review.)

**PROPOSED MOTION:**

THE TOWN OF VERNON WAIVES THE BIDDING PROCESS FOR AIR COMPRESSOR AND EQUIPMENT, AND ALLOWS THE IMMEDIATE PURCHASE OF THE EQUIPMENT FROM AMERICAN AIRWORKS OF SOPHIA, WEST VIRGINIA IN THE AMOUNT OF \$27,700.73.

Council Member Motola, seconded by Council Member Herbst made the above motion to approve the bid waiver for the Fire Department to purchase an American Airworks compressor and equipment. Motion carried unanimously.

I.) **PENDING BUSINESS**

J.) **NEW BUSINESS**

1. **Request the Town Council approve the appointment of Mayor George F. Apel's candidate for the position of Assistant Town Administrator.** (Due to time limitations the candidate and supporting information will be presented at the Town Council meeting.)

**PROPOSED MOTION:**

THE TOWN COUNCIL, PURSUANT TO CHAPTER X, SEC. 3 AND CHAPTER XI, SEC. 4 OF THE VERNON TOWN CHARTER APPROVES THE MAYOR'S APPOINTMENT OF DAWN MASELEK AS ASSISTANT TOWN ADMINISTRATOR FOR THE TOWN OF VERNON.

Council Member Motola, seconded by Council Member Herbst made the above motion to approve the Mayor's appointment of Dawn Maselek for the position of Assistant Town Administrator. Discussion took place. Motion carried, Council Member Winkler opposed.

2. **Request the Town Council authorizes George F. Apel, Mayor to sign any and all documents relative to the replacement agency for Hockanum Industries known as Tri-County Arc.** (See memorandum from John D. Ward, Town Administrator to Mayor George F. Apel and the Vernon Town Council dated February 2, 2012.)

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**PROPOSED MOTION:**

THE VERNON TOWN COUNCIL HEREBY AUTHORIZES MAYOR GEORGE F. APEL OR HIS DESIGNEE TO MODIFY ITS AGREEMENT WITH HOCKANUM INDUSTRIES, AS FOLLOWS: THE PARTY KNOWN AS TRI-COUNTY ARC, INC., WILL BE SUBSTITUTED INTO THE AGREEMENT FOR HOCKANUM INDUSTRIES, INC., AND THE REVERSION DATE WILL BE FEBRUARY 1, 2060 RATHER THAN FEBRUARY 1, 2020.

Council Member Motola, seconded by Council Member Herbst made the above motion to authorize the Mayor to sign any and all documents relative to the replacement agency for Hockanum Industries known as Tri-County ARC. Discussion took place. Town Administrator Ward and Members of the Board for TRI-County ARC were available to answer questions. Motion carried unanimously.

3. **Request the Town Council waives the bid and authorize Mayor George F. Apel to sign any and all documents to enter into an agreement with NSI Total Care for Data Processing technical support.** (See memorandum from John D. Ward, Town Administrator to Mayor George F. Apel and the Vernon Town Council dated February 1, 2012, relative to the same.)

**PROPOSED MOTION:**

RESOLVED, THE TOWN COUNCIL CONSISTENT WITH THE CHARTER, CHAPTER 12, SECTION 9, DEEMS IT IS AGAINST THE BEST INTEREST OF THE TOWN OF VERNON TO INVITE SEALED BIDS FOR THE PURCHASE OF HELP DESK SERVICE, VIRTUAL CIO SERVICE, AND HARDWARE INFRASTRUCTURE ASSISTANCE, AND HEREBY WAIVES THE BID PROCEDURE AND AUTHORIZES THE PURCHASE OF SAID SERVICES FOR AN AMOUNT NOT TO EXCEED FORTY FIVE THOUSAND DOLLARS (\$45,000.00), FOR A TERM NOT TO EXCEED SIX (6) MONTHS.

Council Member Motola, seconded by Council Member Peterson made the above motion to approve the bid waiver and authorize the Mayor to sign any and all documents to enter into an agreement with NSI Total Care for Data Processing technical support. Discussion took place. Mayor Apel explained the need for the technical support. Motion carried unanimously.

4. **Request the Town Council authorize Mayor George F. Apel or his designee to execute the lease for the Kindergarten Building with the Vernon Community Arts Center, LLC.** (See memorandum from John D. Ward, Town Administrator to Mayor George F. Apel and the Vernon Town Council dated February 2, 2012 relative to same.)

**PROPOSED MOTION**

THE VERNON TOWN COUNCIL HEREBY AUTHORIZES MAYOR APEL OR HIS DESIGNEE TO EXECUTE THE LEASE FOR THE KINDERGARTEN BUILDING WITH THE VERNON COMMUNITY ARTS CENTER, LLC ON THE TERMS AS PRESENTED.

Council Member Motola, seconded by Council Member Herbst made the above motion to authorize the Mayor or his designee to execute the lease for the Kindergarten building with the Vernon Community Arts Center, LLC. Discussion took place. Council Member Campbell, seconded by Council Member Winkler made a motion to amend the current motion to require all changes to the lease be subject to the approval by the Town Council. Motion to amend carried, Council Members Herbst and Gingras opposed.

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Council Member Peterson, seconded by Council Member Herbst made a motion to amend the contract to expire on 2/28/2017, Motion carried unanimously.  
Motion as amended carried unanimously.

K.) **INTRODUCTION OF ORDINANCES**  
None

L.) **ACTION ON ORDINANCES PREVIOUSLY PRESENTED**  
None

M.) **IDENTIFICATION/ADOPTION OF ADDITIONAL AGENDA ITEMS**  
None

N.) **DISCUSSION OF ADDITIONAL ITEMS AND INFORMATIONAL ITEMS**  
None

O.) **ADOPTION OF MINUTES**  
THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF JANUARY 17, 2012 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Herbst, seconded by Council Member Weissberger made a motion to waive the reading of and approve the minutes of the January 17, 2012 regular Town Council meeting. Mayor Apel changed page 2 of 8 (f) regarding the AdHoc Committee for mayoral compensation which includes Council Members Winkler, Motola, Gingras and Campbell. Page 1 of 8, change James Krupinski's address to 59 Deerfield Dr. Motion to approve amended minutes carried unanimously.

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 BEIRN VS TOWN OF VERNON, FURTHER, THE TOWN COUNCIL INVITES JOHN D. WARD, TOWN ADMINISTRATOR, AND EDWARD F. O'DONNELL OF THE FIRM SIEGEL O'CONNOR, O'DONNELL AND BECK PC., TO ATTEND.

Motion carried unanimously.

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

MOTION:  
THE TOWN COUNCIL MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS THE DOCUMENT COVERED BY ATTORNEY CLIENT PRIVILEGE, PURSUANT TO CONNECTICUT GENERAL STATUTES SECTION 1-210(10).

Motion carried unanimously.

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 INCONNECTICUT GENERAL STATUTES § 1-200(6) (B), HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO

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DISCUSS PENDING LITIGATION RELATIVE TO CASE NO. 1140070 JONAS VS. TOWN OF VERNON AND INVITES THE FOLLOWING INDIVIDUALS TO ATTEND: JOHN D. WARD, TOWN ADMINISTRATOR; AND ATTORNEY EDWARD F. O'DONNELL, JR., SIEGEL, O'CONNOR, O'DONNELL AND BECK, PC

Motion carried unanimously.

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

MOTION:

THE TOWN COUNCIL HEREBY MOVES TO AUTHORIZE THE SETTLEMENT OF THE PENDING CHRO LITIGATION, JONAS V TOWN OF VERNON CASE NO. 1140070 UPON THE TERMS AND CONDITION AS DISCUSSED IN EXECUTIVE SESSION AND AUTHORIZES THE TOWN ADMINISTRATOR TO EXECUTE ALL NECESSARY DOCUMENTATION TO EFFECTUATE THE SETTLEMENT.

Motion carried, Council Member DiDio abstained.

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 RELATIVE TO DOCKET NO.100122068, MARK COLLINS VS TOWN OF VERNON AND INVITES THE FOLLOWING INDIVIDUALS TO ATTEND: JOHN D. WARD, TOWN ADMINISTRATOR; AND ATTORNEY RICHARD BARTLETT OF MCGANN, BARTLETT AND BROWN, LLC

Motion carried unanimously.

Council Member Motola, seconded by Council Member Weissberger amended the above motion to include Pat Litke in the Executive Session. Motion carried unanimously.

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

MOTION:

THE TOWN COUNCIL HEREBY MOVES TO AUTHORIZE THE SETTLEMENT OF WORKER'S COMPENSATION CLAIM BROUGHT BY MARK COLLINS AGAINST TOWN OF VERNON DOCKET NO. 100122068 UPON THE TERMS AND CONDITION AS DISCUSSED IN EXECUTIVE SESSION AND AUTHORIZES THE TOWN ADMINISTRATOR TO EXECUTE ALL NECESSARY DOCUMENTATION TO EFFECTUATE THE SETTLEMENT. DETAILS OF THE SETTLEMENT WILL BE MADE PUBLIC UPON ACCEPTANCE BY ALL THE PARTIES AND APPROVAL BY THE WORKERS' COMPENSATION COMMISSIONER.

Motion carried unanimously.

P.) **INFORMATIONAL ITEMS**

1. Town of Vernon, Capital Improvements Meeting dates as prepared by James Luddecke, Finance Officer .
2. Monthly Activity Report – December, 2011 for the Building Department as prepared by Harry Dan Boyko, Building Official.

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3. Monthly Report – December 2011 for the Youth Services Bureau, as prepared by Alan Slobodien, Director.
4. Monthly Report – December 2011 for the Vernon Police Department as prepared by Captain Stephen M. Clark.
5. Monthly Report – October, 2011 for the Town Clerk's Office as submitted by Bernice Dixon, Town Clerk.
6. Monthly Report – November, 2011 for the Town Clerk's Office as submitted by Bernice Dixon, Town Clerk.
7. Monthly Report – December, 2011 for the Town Clerk's Office as submitted by Bernice Dixon, Town Clerk.

**Adjourn (9:50 PM)**

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

Received: February 10, 2012

Approved: February 21, 2012

Respectfully Submitted,

Jill Kentfield  
Recording Secretary

Karen C. Daigle, CCTC  
Assistant Town Clerk