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

October 2, 2012 – 7:30 PM

Deputy Mayor Motola called the meeting to order at 7:31 PM

A) **PLEDGE OF ALLEGIANCE:**

B) **ROLL CALL:**
Present: Council Members Bill Campbell, Thomas DiDio, Virginia Gingras, John Kopec, Brian Motola, Steven Peterson, Thomasina Russell, Daniel Sullivan, Adam Weissberger, and Michael Winkler
Absent: Judy Hany, Marie Herbst
Entered During Meeting:
Also Present: Town Administrator John Ward, Recording Secretary Jill Kentfield

C) **CITIZEN'S FORUM**
There were no speakers at citizen's forum.

Citizen's forum closed at 7:33 PM

D.) **EXECUTIVE SESSION**
Council Member Weissberger, seconded by Council Member Campbell made the following motion to go into Executive Session:

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 A POTENTIAL SETTLEMENT ON DOCKET NO. CV-12-6005115-S VERCONN ASSOCIATES VS BOARD OF ASSESSMENT APPEALS TOWN OF VERNON AND INVITES THE FOLLOWING INDIVIDUALS TO ATTEND: DAVID WHEELER, TOV ASSESSOR; ASSISTANT TOWN ATTORNEY MARTIN BURKE, AND TOWN ADMINISTRATOR JOHN D. WARD.

Motion carried unanimously.

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

TOWN COUNCIL APPROVES THE PROPOSED STIPULATED JUDGMENT IN THE MATTER OF VERCONN ASSOCIATES LLC VS TOWN OF VERNON BOARD OF ASSESSMENT APPEALS DOCKET NO. CV-12-6005115-S. THE PROPERTY KNOWN AS 695 TALCOTTVILLE ROAD, VERNON, CT MAY BE ASSESSED AT $4,550,000.00 OR $6,500,000.00 AT FAIR MARKET VALUE FOR THE GRAND LIST OF OCTOBER 1, 2011, AND WILL CONTINUE AT THAT VALUE UNTIL THE NEXT RE-EVALUATION, EXCEPT FOR MILL RATE FLUCTUATIONS.

Motion carried unanimously.

E.) **PUBLIC HEARING**
None

F.) **PRESENTATIONS BY THE ADMINISTRATION**

Presentation of Proclamation from Mayor George F. Apel to Ray Walker, Town of Vernon Fire Marshal for ***"Fire Prevention Week".***

Deputy Mayor Motola presented the proclamation to Ray Walker.

G.) **CONSENT AGENDA ITEMS**

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

C 1. **Request for Tax Refunds for Prior and Current Year.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward, Town Administrator September 24, 2012 is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES SIX (6) OVERPAYMENTS OF PRIOR YEAR TAXES IN THE AMOUNT OF $689.35 AND THIRTY ONE (31) OVERPAYMENTS FOR CURRENT YEAR TAXES IN THE AMOUNT OF $6567.09 AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED SEPTEMBER 24, 2012.

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

C 2. **Request the Town Council approve and execute the necessary forms for application relative to the State Department of Education School Readiness Grant Program used by Hockanum Valley Child Day Care.** (See memorandum from Alan M. Slobodien, Director of YSB to John D. Ward, Town Administrator dated October 2, 2012 relative to same.)

PROPOSED RESOLUTION

BE IT RESOLVED THAT THE TOWN COUNCIL HEREBY AUTHORIZES GEORGE F. APEL, MAYOR OF THE TOWN OF VERNON TO EXECUTE THE NECESSARY DOCUMENTS TO MAKE APPLICATION FOR AND RECEIVE SCHOOL READINESS ENHANCEMENT FUNDS FOR FISCAL YEAR 2012-2013 IN THE AMOUNT OF $4000.00.

Council Member Weissberger, seconded by Council Member Kopec made the above motion to approve and execute the necessary forms for an application relative to the State Department of Education School Readiness Grant Program used by Hockanum Valley Child Day Care. Motion carried unanimously.

C 5. **Request the Town Council approve Mayor George F. Apel's appointment of Donald S. Schubert (R), 22 Wildwood Road, Vernon, Connecticut, as a regular member of the Zoning Board of Appeals, said term to commence on October 3, 2012 and expires on June 30, 2013.** (A copy of Mr. Schubert's resume is included for Council review.)

(Mr. Schubert is completing the unexpired term of David Clough who resigned on June 26, 2012.)

PROPOSED MOTION:

PURSUANT TO VERNON'S CHARTER CHAPTER VIII, SEC. 2 & 6; THE TOWN COUNCIL APPROVES MAYOR GEORGE F. APEL'S APPOINTMENT OF DONALD S. SCHUBERT (R), 22 WILDWOOD ROAD, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE ZONING BOARD OF APPEALS, SAID TERM TO BEGIN ON OCTOBER 3, 2012 AND EXPIRES JUNE 30, 2013.

Council Member Weissberger, seconded by Council Member Kopec made the above motion to approve the Mayor's appointment of Donald Schubert as a regular member of the Zoning Board of Appeals for a term of 10/3/2012 through 6/30/2013. Motion carried unanimously.

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

C 3. **Request the Town Council approve budget amendment #9 for fiscal year 2012-2013 as provided by Finance Officer James M. Luddecke.** (Included for Council review is a copy of Mr. Luddecke's submission.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT REQUEST #9 FOR FISCAL YEAR 2012-2013 AS OUTLINED IN THE BUDGET AMENDMENT FORM PROVIDED BY FINANCE OFFICER JAMES M. LUDDECKE.

Council Member Weissberger, seconded by Council Member Campbell made the above motion to approve budget amendment #9 for FY 2012-2013. Discussion took place. Motion carried unanimously.

C 4. **Request the Town Council approve the bid waiver for Information Technology Management Services.** (See memorandum dated September 27, 2012 from John D. Ward, Town Administrator to Mayor George F. Apel and the Town Council relative to same.)

PROPOSED MOTION:

THE TOWN COUNCIL, HEREBY RESOLVES IN ACCORDANCE WITH CHAPTER TWELVE (XII) SECTION NINE (9) OF THE TOWN CHARTER, THAT IT IS IN THE BEST INTEREST OF THE TOWN TO: (1) WAIVE THE TRADITIONAL SEALED BID REQUIREMENTS FOR CONSULTING SERVICES FOR THE VDPC, NOT TO EXCEED FIFTEEN THOUSAND DOLLARS ($15,000) AND NOT TO EXTEND BEYOND JUNE 30, 2013 AND; (2) AUTHORIZE THE TOWN ADMINISTRATOR AS THE MAYOR'S DESIGNEE TO EXECUTE ON BEHALF OF THE TOWN OF VERNON ANY INSTRUMENT(S) TO THAT EFFECT.

Council Member Weissberger, seconded by Council Member Gingras made the above motion to approve the bid waiver for Information Technology Management Services. Discussion took place.

Council Member Winkler, seconded by Council Member DiDio made a motion for an amendment to reduce the amount not to exceed $9,000.00. Discussion took place. Motion to amend carried, Council Member Sullivan abstained.

Motion as amended carried unanimously.

FINAL MOTION AS AMENDED:

THE TOWN COUNCIL, HEREBY RESOLVES IN ACCORDANCE WITH CHAPTER TWELVE (XII) SECTION NINE (9) OF THE TOWN CHARTER, THAT IT IS IN THE BEST INTEREST OF THE TOWN TO: (1) WAIVE THE TRADITIONAL SEALED BID REQUIREMENTS FOR CONSULTING SERVICES FOR THE VDPC, NOT TO EXCEED NINE THOUSAND DOLLARS ($9,000) AND NOT TO EXTEND BEYOND JUNE 30, 2013 AND; (2) AUTHORIZE THE TOWN ADMINISTRATOR AS THE MAYOR'S DESIGNEE TO EXECUTE ON BEHALF OF THE TOWN OF VERNON ANY INSTRUMENT(S) TO THAT EFFECT.

I.) **PENDING BUSINESS**

1. **Discussion and action relative to 13 Morrison Street.** (See memorandum dated September 26, 2012 from John D. Ward, Town Administrator to Mayor George F. Apel and the Vernon Town Council relative to same.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES TOWN ADMINISTRATOR JOHN D. WARD TO SELL 13 MORRISON STREET VIA SEALED BID, WITH A MINIMUM BID OF $_____.

Council Member Weissberger, seconded by Council Member Campbell made the above motion to approve the action relative to the sale of 13 Morrison Street. Discussion took place.

Council Member Campbell, seconded by Council Member Winkler made a friendly amendment to include a minimum bid of $50,000.00. Discussion took place.

Council Member Peterson, seconded by Council Member Sullivan made a motion for an amendment for a minimum bid of $80,000.00 and to assign the property to a realtor which will be selected by Administration. Discussion took place.

Council Member Weissberger, seconded by Council Member Winkler made a motion to amend the amendment with the following motion: The Town Council hereby authorizes the Town Administrator, John D. Ward to sell 13 Morrison Street and assign the listing to a Real Estate Agent. Discussion took place.

Council Member Winkler seconded by Council Member Weissberger called the amendment to the amendment. Motion carried, Council Member Peterson opposed.

Town Council Members voted on the amendment to the amendment, motion carried, Council Member Peterson opposed.

Motion as amended carried unanimously.

Final Motion as amended:

THE TOWN COUNCIL HEREBY AUTHORIZES THE TOWN ADMINISTRATOR, JOHN D. WARD TO SELL 13 MORRISON STREET AND ASSIGN THE LISTING TO A REAL ESTATE AGENT.

J.) **NEW BUSINESS**

1. **Resolution of support relative to the Skinner Road Safe Roads to School Grant.** (See documents provided by Terry McCarthy, Town Engineer relative to same.)

PROPOSED RESOLUTION:

BE IT RESOLVED, THAT THE VERNON TOWN COUNCIL HEREBY ENDORSES A RESOLUTION ENTITLED "SKINNER ROAD SCHOOL GRANT – SAFE ROUTES TO SCHOOL INFRASTRUCTURE PROGRAM, AS PROVIDED IN THIS COUNCIL PACKET.

Council Member Weissberger, seconded by Council Member Campbell made the above resolution to endorse the Skinner Road Safe Roads to School Infrastructure Program grant. Town Engineer McCarthy, Superintendent Conway, Judy Manfree, Charlie Chatterton, and Shireen Rhoades, were in attendance to answer questions. Discussion took place.

Council Member Winkler moved to call the question, motion carried with 6 votes in favor and 4 opposed.

Motion carried, Council Member Campbell abstained.

K.) **INTRODUCTION OF ORDINANCES**

Request the Town Council schedule two public hearings relative to "An Ordinance Regulating the Collection of Solid Waste" and "An Ordinance Regulating Source Separation of Designated Recyclable Material" at the October 16, 2012 meeting.

PROPOSED MOTION #1:
THE TOWN COUNCIL HEREBY SCHEDULES A PUBLIC HEARING TO HEAR COMMENT AND ANSWER QUESTIONS RELATIVE TO A PROPOSED ORDINANCE ENTITLED **"AN ORDINANCE REGULATING THE COLLECTION OF SOLID WASTE",** ON OCTOBER 16, 2012 AT 7:35 PM, THIRD FLOOR, MEMORIAL BUILDING, 14 PARK PLACE, VERNON, CONNECTICUT.

Council Member Weissberger, seconded by Council Member Campbell made the above motion to schedule a public hearing on October 16, 2012 at 7:35 PM regarding the proposed ordinance "An Ordinance Regulating the Collection of Solid Waste". Discussion took place. Motion carried unanimously.

PROPOSED MOTION #2:
THE TOWN COUNCIL HEREBY SCHEDULES A PUBLIC HEARING TO HEAR COMMENT AND ANSWER QUESTIONS RELATIVE TO A PROPOSED ORDINANCE ENTITLED **"AN ORDINANCE REGULATING SOURCE SEPARATION OF DESIGNATED RECYCLABLE MATERIAL",** ON OCTOBER 16, 2012 AT 7:40 PM, THIRD FLOOR, MEMORIAL BUILDING, 14 PARK PLACE, VERNON, CONNECTICUT.

Council Member Weissberger seconded by Council Member Peterson made the above motion to schedule a public hearing on October 16, 2012 at 7:40 PM regarding the proposed ordinance "An Ordinance Regulating Source Separation of Designated Recyclable Material". Motion carried unanimously.

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 TOWN COUNCIL MEETING SEPTEMBER 18, 2012 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Weissberger, seconded by Council Member Campbell made a motion to waive the reading of and approve the minutes of the September 18, 2012 regular Town Council meeting. Discussion took place.

Council Member Gingras, seconded by Council Member Winkler made a motion for an amendment to include in the minutes, Council Member Gingras' discussion about the Mayor's appointment of Meghan Scranton of Coventry as a regular member of the Economic Development Commission for a term of 9/19/2012 through 6/30/2017. Council Member Gingras asked Mayor Apel the reason why Ms. Scranton was appointed to the Commission when she doesn't reside in Vernon. Mayor Apel responded that other Boards and Commissions have members that do not live in Vernon. Motion carried, Council Members Weissberger and Kopec opposed.

Motion to approve the minutes as amended carried, Council Members Weissberger and Kopec opposed.

P.) **INFORMATIONAL ITEMS**

1. Monthly Activity Report – August, 2012 by the Building Official, Harry Dan Boyko.
2. Small Cities Grant Award SC1214601 in the amount of $300,000.00 for Town-wide Housing Rehabilitation Program from DECD to Mayor George F. Apel dated September 19, 2012.
3. Memorandum from John D. Ward, Town Administrator to Mayor George F. Apel and the Vernon Town Council Members dated September 26, 2012 relative to the Covanta Refuse and Recycling Contract.

Adjourn (9:31 PM)
Council Member Weissberger, seconded by Council Member Peterson made a motion to adjourn. Motion carried unanimously.

Received:

Approved:

Respectfully Submitted,

Jill Kentfield, Recording Secretary