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

October 16, 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

C) CITIZEN'S FORUM
Jeanine Guillano, 28 Anchorage Rd., spoke about access to Camp Newhoca she requested Administration consider opening the main entrance on Grier Road vs. the side entrance on Anchorage Rd.

James Krupienski, 59 Deerfield Dr., spoke about the latest public notice regarding Rockville Hospital discontinuing their cardiac care program; new business #2, the hotel on Kelly Road, requesting a sunset clause to the abatement; the new refuse contract; the Director of Data Processing position; and the repairs done to the road behind his.

Citizen's forum closed at 7:48 PM

D.) **EXECUTIVE SESSION**
None

E.) **PUBLIC HEARINGS**

PUBLIC HEARING #1 (7:35 PM) TO HEAR COMMENT AND ANSWER QUESTIONS RELATIVE TO A PROPOSED ORDINANCE ENTITLED **"AN ORDINANCE REGULATING THE COLLECTION OF SOLID WASTE".** (A copy of the legal notice and draft Ordinance are attached for Council review.)

Open Public Hearing (7:48 PM)
Mayor Apel called the public hearing to order to receive comments and answer any questions from the public. The clerk read the legal notice into the record.

Public comments:
James Krupienski, 59 Deerfield Dr, section 2, subsection 3 the solid waste plan is missing from the ordinance; he also asked about the date of October 26, 1990 listed in the same section.

Close Public Hearing (7:50 PM)

PUBLIC HEARING #2 (7:40 PM) TO HEAR COMMENT AND ANSWER QUESTIONS RELATIVE TO A PROPOSED ORDINANCE ENTITLED **"AN ORDINANCE REGULATING SOURCE**

SEPARATION OF DESIGNATED RECYCLABLE MATERIAL". (A copy of the legal notice and draft ordinance are attached for Council review.)

Open Public Hearing (7:51 PM)
Mayor Apel called the public hearing to order to receive comments and answer any questions from the public. The clerk read the legal notice into the record.

Public comments:
There were no public comments.

Close Public Hearing (7:52 PM)

Regular meeting reconvened.

F.) **PRESENTATIONS BY THE ADMINISTRATION**
Presentation of Proclamation from Mayor George F. Apel to Kim Doughtie, Manager of Park West Apartments for her leadership with the Summer Lunch Program.

Presentation of Proclamation from Mayor George F. Apel to Jill Miriam, President of Key Hyundai, Talcottville Road, Vernon for her contribution to the "Book Mobile" summer program.

Council Member Weissberger, seconded by Council Member Campbell made a motion for a 5 minute recess. Motion carried unanimously.

Meeting reconvened at 8:02 PM

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

- Per the mayor's request Town Administrator Ward reached out to ECHN regarding the discontinuation of cardiac services. ECHN informed him that they were discontinuing the services due to lack of demand.
- Amerbelle winterization efforts are on the way. Mayor Apel met with Congressman Courtney, DEEP Commissioner Esty and several others to discuss options moving forward. There are several agenda items on tonight's agenda pertaining to funding for Amerbelle.
- Administration re-negotiated the electricity contract and will be saving approximately $485,000 per year for the next 5 years.
- Mayor Apel has a competition going on between Departments to see who can raise the most food items to donate to HVCC during the month of October. The winners will receive a continental breakfast served by Mayor Apel on November 2, 2012. HVCC and Foodshare will also be present at the breakfast. All funds raised will be put into an account at Foodshare for HVCC to draw down upon as needed.
- Mayor Apel has pledged $500.00 to Foodshare for HVCC and challenges Town Council members to match his pledge.
- The festival of the bands is coming up this weekend at RHS
- Skinner Road School "walk to school" day was a success again this year.
- Mayor Apel received notice from DOT that Skinner Road will receive the grant they applied for.
- There are 2 additional agenda items for tonight.
- A fire broke out at Court Street Towers and it was contained to 1 apartment. Mayor Apel thanked the Fire Department and Housing Authority for their response to the emergency.
- The Board of Education and Town Council will hold a joint meeting on November 7, 2012 at the Board of Education board room to discuss the new Information Technology Department efforts.
- Winterfest kicks off on December 7 at 6:00 PM

- 4 new AED's were installed at the Town Hall, 1 at the Lottyfist building, 1 at Center 375 and 1 at the senior center

G.) **CONSENT AGENDA ITEMS**

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 Year.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward, Town Administrator October 5, 2012 is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THREE (3) OVERPAYMENTS OF PRIOR YEAR TAXES IN THE AMOUNT OF $766.55 AND FIFTEEN (15) OVERPAYMENTS FOR CURRENT YEAR TAXES IN THE AMOUNT OF $3729.70 AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED OCTOBER 5, 2012.

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

C 2. **Request the Town Council approve budget amendments #74 and #75 for fiscal year 2011-2012 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 AMENDMENTS #74 AND #75 FOR FISCAL YEAR 2011-2012 AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY FINANCE OFFICER JAMES M. LUDDECKE.

Council Member Motola, seconded by Council Member Weissberger made the above motion to approve budget amendments #74 and 75 for FY 2011-2012. Motion carried unanimously.

C 3. **Request the Town Council approve Mayor George F. Apel's appointment of Terence Monahan, (R), 95 Hockanum Blvd., Unit 6024, Vernon, Connecticut as a regular member of Design Review Advisory Commission, said term to commence on October 17, 2012 and expire on December 31, 2013.** (A copy of Mr. Monahan's resume is included for Council review.) (Mr. Monahan is completing the term vacated by Adam Weissberger.)

PROPOSED MOTION:
PURSUANT TO ORDINANCE #268, TOWN CODE SEC. 10-105 - 10-108 THE TOWN COUNCIL APPROVES THE MAYOR GEORGE F. APELS APPOINTMENT OF TERENCE MONAHAN, (R), 95 HOCKANUM BLVD., UNIT 6024, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE DESIGN REVIEW ADVISORY COMMISSION, SAID TERM TO OCTOBER 17, 2012 AND EXPIRES ON DECEMBER 31, 2013.

Council Member Motola, seconded by Council Member Weissberger made the above motion to approve the Mayor's appointment of Terence Monahan as a regular member of the Design Review Advisory Commission for a term of October 17, 2012 through December 31, 2013. Motion carried unanimously.

C 4. **Request the Town Council approve Mayor George F. Apel's reappointment of Basil Pete Hobbs, (U), 53 Meadowlark Road, Vernon, Connecticut as a Special Constable, said term to commence on November 7, 2012 and expires on December 31, 2014.** (A copy of Mr. Hobb's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO C.G.S. §7-92, THE TOWN COUNCIL HEREBY APPROVES MAYOR GEORGE F. APEL'S REAPPOINTMENT OF BASIL PETE HOBBS, (U), 53 MEADOWLARK ROAD, VERNON, CONNECTICUT AS A SPECIAL CONSTABLE, SAID TERM TO COMMENCE ON NOVEMBER 7, 2012 AND EXPIRES ON DECEMBER 31, 2014.

Council Member Motola, seconded by Council Member Weissberger made the above motion to approve the Mayor's reappointment of Basil Pete Hobbs as a special constable for a term of November 7, 2012 through December 31, 2014. Motion carried unanimously.

C 5. **Request the Town Council approve Mayor George F. Apel's reappointment of Harry Dan Boyko, 55 West Main Street, Vernon, Connecticut as a Special Constable, said term to commence on November 7, 2012 and expires on December 31, 2014.** (Mr. Boyko is presently serving as our Building Official and as such is also acting as a Special Constable when needed. A resume is not included.)

PROPOSED MOTION:

PURSUANT TO C.G.S. §7-92, THE TOWN COUNCIL HEREBY APPROVES MAYOR GEORGE F. APEL'S REAPPOINTMENT OF HARRY DAN BOYKO, 55 WEST MAIN STREET, VERNON, CONNECTICUT AS A SPECIAL CONSTABLE, SAID TERM TO COMMENCE ON NOVEMBER 7, 2012 AND EXPIRES ON DECEMBER 31, 2012.

Council Member Motola, seconded by Council Member Weissberger made the above motion to approve the Mayor's reappointment of Harry Dan Boyko, as a Special Constable for a term of November 7, 2012 to December 31, 2014. Motion carried unanimously.

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

I.) **PENDING BUSINESS**

1. **Update and discussion relative to the monthly report from Finance Director James M. Luddecke for Revenue and Expenditures – 2012-2013.**

NO MOTION REQUIRED

J.) **NEW BUSINESS**

1. **Request the Town Council endorse a resolution of support for the Capitol Region Council of Governments (CRCOG) Back Office Service Sharing Study.** (See a

memorandum from John D. Ward, Town Administrator to Mayor George F. Apel and the Vernon Town Council dated October 10, 2012 relative to same.)

PROPOSED RESOLUTION:

WHEREAS, Section 5 of Public Act 11-61 (An Act Concerning Responsible Growth) passed by the Connecticut General Assembly provides incentive grants to regional planning organizations for projects that involve shared services; and

WHEREAS, the Capitol Region Council of Governments (CRCOG) is acting as a convener and facilitator of service sharing projects around the CRCOG region; and

WHEREAS, on November 16, 2011 the Policy Board of CRCOG passed a resolution authorizing development and submittal of an application package to the State Office of Policy and Management for funding under the Regional Performance Incentive Grant Program, on behalf of the Council's member municipalities, and municipalities of other regions, which are participating in Council initiatives; and

WHEREAS, the Chief Elected Officials and municipal staff of the Capitol Region have developed a list of service sharing project proposals that will be included in this application package, to the benefit of individual municipalities and the region as a whole; and

WHEREAS, the Town of Vernon has expressed an interest in taking part in the projects proposal entitled Back Office Service Sharing Study.

NOW, THEREFORE BE IT RESOLVED that the Vernon Town Council do hereby endorse the above referenced Regional Performance Incentive Grant Program Project proposal and authorizes the Town Administrator to sign all necessary agreements and take all necessary actions to allow for the town's participation in this program.

Council Member Motola, seconded by Council Member Weissberger made the above motion to endorse a resolution of support for the Capitol Region Council of Governments (CRCOG) Back Office Service Sharing Study. Discussion took place. Motion carried unanimously.

2. **Request the Town Council approve the seven (7) year tax abatement for construction of Candlewood Suites Hotel at 355, 359 and 361 Kelly Road.** (See documents provided by Economic Development Coordinator Shawn Gately included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE REDUCTION IN FUTURE ASSESSMENT INCREASES AS A RESULT OF THE PROPOSED HOTEL CONSTRUCTION ON 355, 359 AND 361 KELLY ROAD, IN ACCORDANCE WITH STATE STATUTES CHAPTER 203 SEC 12-65b. FURTHER THE TOWN COUNCIL AUTHORIZES MAYOR GEORGE F. APEL TO ENTER INTO AN AGREEMENT WITH TRUE HOSPITALITY GROUP LLC, IN COMPLIANCE WITH THE ABOVE REFERENCED CONNECTICUT GENERAL STATUTES, AND TOWN TAX ABATEMENT GUIDELINES.

Council Member Motola, seconded by Council Member Weissberger made the above motion to approve the seven year tax abatement for construction of Candlewood Suites Hotel at 355, 359 and 361 Kelly Road. Discussion took place.

Council Member Winkler, seconded by Council Member Herbst made a motion to amend the tax abatement as follows: year 1 same, year 2 same, year 3 50%, year 4 75%, and year 5 actual assessment value. Discussion took place.

Council Member Peterson requested an amendment to include end dates for the tax abatement. Motion failed as there was no second.

Discussion continued. Council Member Herbst requested a report from Mr. Gately when the groundbreaking takes place. Council Member Winkler withdrew his motion.

Original motion carried unanimously.

3. **Request the Town Council authorize Mayor George F. Apel or his designee to apply for EPA Brownfields Assessment Grant in the amount of $200,000.00.** (See memorandum dated October 10, 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 MAYOR GEORGE F. APEL OR HIS DESIGNEE TO APPLY FOR AN EPA BROWNFIELDS **ASSESSMENT** GRANT IN THE AMOUNT OF $200,000 FOR THE ASSESSMENT OF AMERBELLE MILL AND FURTHER AUTHORIZES MAYOR GEORGE F. APEL OR HIS DESIGNEE TO EXECUTE THE FORMS NECESSARY FOR THE APPLICATION.

Council Member Motola, seconded by Council Member Weissberger made the above motion to authorize the Mayor or his designee to apply for the EPA Brownfields Assessment Grant. Discussion took place. Motion carried unanimously.

4. **Request the Town Council authorize Mayor George F. Apel to apply for an EPA Brownfields Community Wide Assessment Grant in the amount of $200,000 for the Assessment of the Amberbelle Mill.** (A copy of a memorandum dated October 10, 2012 from John D. Ward, Town Administrator to Mayor George F. Apel and the Vernon Town Council is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR GEORGE F. APEL OR HIS DESIGNEE TO APPLY FOR AN EPA BROWNFIELDS **COMMUNITY WIDE ASSESSMENT GRANT** IN THE AMOUNT OF $200,000 AND FURTHER AUTHORIZES MAYOR GEORGE F. APEL OR HIS DESIGNEE TO EXECUTE THE FORMS NECESSARY FOR THE APPLICATION.

Council Member Motola, seconded by Council Member Weissberger made the above motion to authorize the Mayor or his designee to apply for an EPA Brownfields Community Wide Assessment Grant for the assessment of the Amerbelle Mill. Motion carried unanimously.

5. **Request the Town Council authorize Mayor George F. Apel to apply for an EPA Brownfields Clean Up Grant in the amount of $200,000 for Amerbelle Mill.** (A copy

of a memorandum dated October 10, 2012 from John D. Ward, Town Administrator to Mayor George F. Apel and the Vernon Town Council is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR GEORGE F. APEL OR HIS DESIGNEE TO APPLY FOR AN EPA BROWNFIELDS **CLEANUP GRANT** IN THE AMOUNT OF $200,000 FOR CLEANUP ACTIVITIES ASSOCIATED WITH THE AMERBELLE MILL COMPLEX AND FURTHER AUTHORIZES MAYOR GEORGE F. APEL OR HIS DESIGNEE TO EXECUTE THE FORMS NECESSARY FOR THE APPLICATION.

Council Member Motola, seconded by Council Member Weissberger made the above motion to authorize the Mayor or his designee to apply for an EPA Brownfields Clean Up grant for Amerbelle Mill. Discussion took place. Motion carried unanimously.

6. **Request the Town Council authorize Mayor George F. Apel to apply for an EPA Areawide Planning Grant in the amount of $200,000 for Amerbelle Mill.** (A copy of a memorandum dated October 10, 2012 from John D. Ward, Town Administrator to Mayor George F. Apel and the Vernon Town Council is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR GEORGE F. APEL OR HIS DESIGNEE TO APPLY FOR AN EPA BROWNFIELDS **AREAWIDE PLANNING GRANT** IN THE AMOUNT OF $200,000 AND FURTHER AUTHORIZES MAYOR GEORGE F. APEL OR HIS DESIGNEE TO EXECUTE THE FORMS NECESSARY FOR THE APPLICATION.

Council Member Motola, seconded by Council Member Weissberger made the above motion to authorize the Mayor or his designee to apply for an EPA Areawide Planning Grant for Amerbelle Mill. Discussion took place. Motion carried unanimously.

7. **Request the Town Council approve the establishment of a Blight Special Revenue Fund.** (See memorandum from George F. Apel, Mayor to the Vernon Town Council Members dated October 10, 2012.)

PROPOSED RESOLUTION:

THE TOWN COUNCIL HEREBY RESOLVES TO ESTABLISH A "BLIGHT REDUCTION FUND".

Council Member Motola, seconded by Council Member Weissberger made the above motion to approve the establishment of a Blight Special Revenue Fund. Motion carried unanimously.

8. **Request the Town Council approve Mayor George F. Apel's appointment of the new Director of Information and Communication Technology.** (Additional information will be provided as soon as it is available.)

PROPOSED MOTION:

THE TOWN COUNCIL, PURSUANT TO CHAPTER X, SEC. 3 AND CHAPTER XI, SEC. 3 OF THE VERNON TOWN CHARTER, APPROVES MAYOR GEORGE F. APEL'S

APPOINTMENT OF ROBERT SIGAN AS DIRECTOR OF INFORMATION AND COMMUNICATION TECHNOLOGY FOR THE TOWN OF VERNON.

Council Member Motola, seconded by Council Member Campbell made the above motion to approve Mayor George F. Apel's appointment of Robert Sigan as the new Director of Information and Communication Technology. Discussion took place.

Council Member Winkler, seconded by Council Member Motola made a motion to amend the motion to include "a training program or bachelors degree" to the Director of Information and Communication Technology job description. Motion carried unanimously.

Motion as amended carried unanimously.

K.) **INTRODUCTION OF ORDINANCES**
None

L.) **ACTION ON ORDINANCES PREVIOUSLY PRESENTED**

1. ***"AN ORDINANCE NO. __, AN ORDINANCE REGULATING THE COLLECTION OF SOLID WASTE".*** (Legal Notice is in the Public Hearing Section of this agenda along with a copy of the proposed ordinance for your review.)

PROPOSED MOTION:

IN ACCORDANCE WITH CHAPTER V, SECTIONS 4 AND 6 OF THE VERNON TOWN CHARTER, THE TOWN COUNCIL MOVES TO ADOPT AN ORDINANCE ENTITLED " ***AN ORDINANCE NO. __, AN ORDINANCE REGULATING THE COLLECTION OF SOLID WASTE".***

Council Member Motola, seconded by Council Member Weissberger made a motion to adopt an ordinance entitled "An Ordinance No ___, An Ordinance Regulating the Collection of Solid Waste."

Council Member Motola made a friendly amendment to page 7, section 17 of the ordinance to change the ordinance effective date of January 1, 2013 to "ordinance will take effect after publication as required by law" Discussion took place. Mr. Burke and Mr. Kleinhans were available to answer questions. Motion as amended carried unanimously.

2. ***"AN ORDINANCE NO ___, AN ORDINANCE REGULATING SOURCE SEPARATION OF DESIGNATED RECYCLABLE MATERIAL".*** (Legal Notice is in the Public Haring Section of this agenda along with a copy of the proposed ordinance for your review.)

PROPOSED MOTION:

IN ACCORDANCE WITH CHAPTER V, SECTION 4 AND 6 OF THE VERNON TOWN CHARTER, THE TOWN COUNCIL MOVES TO ADOPT AN ORDINANCE ENTITLED "***AN ORDINANCE NO. ___, AN ORDINANCE REGULATING SOURCE SEPARATION OF DESIGNATED RECYCLABLE MATERIAL.***

Council Member Motola, seconded by Council Member Weissberger made a motion to adopt an ordinance entitled "An Ordinance No ___, An Ordinance Regulating Source Separation of Designated Recyclable Material."

Council Member Motola made a friendly amendment to include the following to the ordinance:

Section 1 was amended by adding (e) as follows: (e) There is hereby established a program for the collection and disposal of recyclables from all occupants of residential dwelling units, senior citizen age-restricted condominiums and stand alone residential units as defined in Ordinance 241 located within this municipality. With the exception of residential condominiums said program shall not apply to residential dwelling units of more than six (6) units, apartments, or business, commercial and industrial establishments.

The word "recyclables" replaces the words "solid waste".

Section 2 (p) was amended by replacing the words "Section 1(e)" for the words "Section 2".

Discussion took place. Motion as amended carried unanimously.

M.) **IDENTIFICATION/ADOPTION OF ADDITIONAL AGENDA ITEMS**

Council Member Motola, seconded by Council Member Weissberger made a motion to add additional agenda item #1. Motion carried unanimously.

Council Member Motola, seconded by Council Member Weissberger made a motion to add additional agenda item #2. Motion carried unanimously.

N.) DISCUSSION OF ADDITIONAL ITEMS AND INFORMATIONAL ITEMS

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

THE TOWN COUNCIL AUTHORIZES THE COMMITMENT OF AVAILABLE FUNDS IN THE EDUCATION RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURE ACCOUNT IN THE AMOUNT OF $100,000.00 FOR THE COSTS RELATING TO PHASE II OF THE STABILIZATION BRICKWORK, LINING AND CAPPING OF THE VERNON CENTER MIDDLE SCHOOL CHIMNEY.

Motion carried unanimously.

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

THE TOWN COUNCIL HEREBY AUTHORIZES THE TRANSFER OF AVAILABLE FUNDS, IN THE AMOUNT OF $50,404.00 FROM THE BOARD OF EDUCATION FISCAL YEAR 2011-2012 GENERAL FUND BUDGET TO THE EDUCATION RESERVE FOR CAPITAL AND NON RECURRING EXPENDITURES ACCOUNT, AS REQUESTED BY THE BOARD OF EDUCATION AND IN PURSUANT WITH THE RESOLUTION TO ESTABLISHED FOR THE EDUCATION RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT.

Motion carried unanimously.

O.) **ADOPTION OF MINUTES**

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR TOWN COUNCIL MEETING OCTOBER 2, 2012 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Motola, seconded by Council Member Campbell made a motion to waive the reading of and approve the minutes of the October 2, 2012 regular Town Council meeting. Motion carried unanimously.

P.) **INFORMATIONAL ITEMS**

1. Monthly Activity Report – EMS for September, 2012 as submitted by Jean Gauthier, EMS Coordinator.

Adjourn (9:27 PM)

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

Received:

Approved:

Respectfully Submitted,

Jill Kentfield
Recording Secretary