

March 6, 2012

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

Tuesday, March 06, 2012

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

Chelsea Poloski 38 Risley Road, spoke about the school resource officer leaving due to his rotation being finished. She is in favor of him staying and asked for support from the Town Council and Mayor.

Tim Poloski 38 Risley Road, spoke about the policy in place to replace the school resource officer every 4 years. He requested that the current officer be offered the opportunity to apply for the position.

James Krupienski, 59 Deerfield Dr., spoke about minority representation with the traffic control authority; he requested the former Mayor's extra compensation be added onto the chart of mayor salaries, and requested the Town Council consider reviewing benefits for the mayor; he also requested Town Council members take into consideration while working on the budget hiring a consultant to help rewrite the planning and zoning regulations.

Citizen's forum closed at 7:43 PM

D.) EXECUTIVE SESSION

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

Session #1 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.

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

MOTION:

THE TOWN COUNCIL HEREBY MOVES TO AUTHORIZE THE TOWN TO ENTER INTO A SETTLEMENT WITH ARTHUR BEIRN UPON THE TERMS AND CONDITIONS AS DISCUSSED IN EXECUTIVE SESSION. THE TOWN ADMINISTRATOR IS AUTHORIZED TO EXECUTE ALL DOCUMENTS TO EFFECTUATE THE SETTLEMENT.

Motion carried unanimously.

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

Session #2 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.100168992, STEVE BURNELL VS TOWN OF VERNON AND INVITES THE FOLLOWING INDIVIDUALS TO ATTEND: JOHN D. WARD, TOWN ADMINISTRATOR; AND PAT LITKE OF CIRMA

Motion carried unanimously.

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

MOTION:

THE TOWN COUNCIL HEREBY MOVES TO AUTHORIZE THE SETTLEMENT OF THE WORKER'S COMPENSATION CLAIM BROUGHT BY STEVE BURNELL AGAINST THE TOWN OF VERNON, DOCKET NO 1000168992 UPON THE TERMS AND CONDITIONS AS DISCUSSED IN EXECUTIVE SESSION. DETAILS OF SETTLEMENT TO BE MADE PUBLIC UPON ACCEPTANCE BY ALL PARTIES AND APPROVAL BY THE WORKERS' COMPENSATION COMMISSIONER.

Motion carried unanimously.

E.) **PUBLIC HEARING**

None

F.) **PRESENTATIONS**

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

- Mayor Apel attended three more ribbon cuttings since the last Council meeting.
- Dawn Maselek, Assistant Town Administrator, reported for duty, Mayor Apel is holding a welcome meet and greet from 10:30 – 11:30 AM on Thursday March 8, 2012.
- The budget was sent to the Finance Office for review and comment and will be delivered to Town Council members by March 15
- The Town of Vernon defeated the Town of Manchester during the Fidelco bowling tournament, presentation of the trophy will occur during a future meeting.
- 2 unions have begun the negotiation process.
- The new group Department head meeting format is working out well.

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 to approve the consent agenda items 1, 2, 3, 4, 5, 6 and 7 as presented.

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

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES EIGHT (8) OVERPAYMENTS OF THE CURRENT YEAR IN THE AMOUNT OF \$ \$6572.46 AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED FEBRUARY 24, 2012.

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

- C. 2. Request the Town Council approve Mayor George F. Apel's reappointment of Gail L. Bernaiche (D), 40 Eleanor Drive, Vernon, Connecticut as an alternate member of the Historic Properties Commission, said term to commence on April 4, 2012 and expires April 5, 2015.** (A copy of Ms. Bernaiche's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE NO. 185 (TOWN CODE SEC. 2-122) THE TOWN COUNCIL HEREBY APPROVES MAYOR GEORGE F. APEL'S, REAPPOINTMENT OF GAIL L. BERNAICHE (D), 40 ELEANOR DRIVE, VERNON, CONNECTICUT AS AN ALTERNATE MEMBER OF THE HISTORIC PROPERTIES COMMISSION FOR A TERM TO COMMENCE ON APRIL 4, 2012 AND EXPIRES ON APRIL 3, 2015.

Council Member Motola, seconded by Council Member Weissberger made the above motion to approve the Mayor's reappointment of Gail L. Bernaiche as an alternate member of the Historic Properties Commission for a term of April 4, 2012 through April 3, 2015. Motion carried unanimously.

- C. 3. Request the Town Council approve the appointment of Mayor George F. Apel, 14 Park Place, Vernon, Connecticut as a regular member of the Bolton Lakes Regional Water Pollution Control Authority, said term to commence on March 7, 2013 and expiring on November 11, 2013.**

PROPOSED MOTION:

PURSUANT TO ORDINANCE NO. 242 THE VERNON TOWN COUNCIL HEREBY APPROVES THE APPOINTMENT OF GEORGE F. APEL, 14 PARK PLACE, VERNON, CONNECTICUT TO THE BOLTON LAKES REGIONAL WATER POLLUTION CONTROL AUTHORITY FOR A TERM COMMENCING MARCH 7, 2012 AND EXPIRING ON NOVEMBER 11, 2013.

Council Member Motola, seconded by Council Member Weissberger made the above motion to approve the appointment of George F. Apel, Mayor as a regular member of the Bolton Lakes Regional Water Pollution Control Authority for a term of March 7, 2013 through November 11, 2013. Motion carried unanimously.

- C. 4. Request the Town Council approve Mayor George F. Apel's reappointment of Carmine Pellegrino (U), 15 Lakeview Drive, Vernon, Connecticut, as a regular member of the Bolton Lakes Regional Water Pollution Control Authority, said term**

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to commence on April 22, 2012 and expires on April 21, 2015. (A copy of Mr. Pellegrino's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE NO. 242 THE VERNON TOWN COUNCIL HEREBY APPROVES MAYOR GEORGE F. APEL'S REAPPOINTMENT OF CARMINE PELLEGRINO, (U), 15 LAKEVIEW DRIVE, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE BOLTON LAKES REGIONAL WATER POLLUTION CONTROL AUTHORITY FOR A TERM COMMENCING ON APRIL 22, 2012 AND EXPIRING ON APRIL 21, 2015.

Council Member Motola, seconded by Council Member Weissberger made the above motion to approve the Mayor's reappointment of Carmine Pellegrino as a regular member of the Bolton Lakes Regional Water Pollution Control Authority for a term of April 22, 2012 through April 21, 2015. Motion carried unanimously.

- C. 5. Request the Town Council approve Mayor George F. Apel's reappointment of Daniel C. Wright (U), 44 Lakeview Drive, Vernon, Connecticut, as a regular member of the Bolton Lakes Regional Water Pollution Control Authority, said term to commence on April 22, 2012 and expires on April 21, 2015.** (A copy of Mr. Wright's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE NO. 242 THE VERNON TOWN COUNCIL HEREBY APPROVES MAYOR GEORGE F. APEL'S REAPPOINTMENT OF DANIEL C. WRIGHT (U), 44 LAKEVIEW DRIVE, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE BOLTON LAKES REGIONAL WATER POLLUTION CONTROL AUTHORITY FOR A TERM COMMENCING ON APRIL 22, 2012 AND EXPIRING ON APRIL 21, 2015.

Council Member Motola, seconded by Council Member Weissberger made the above motion to approve the Mayor's reappointment of Daniel C. Wright as a regular member of the Bolton Lakes Regional Water Pollution Control Authority for a term of April 22, 2012 through April 21, 2015. Motion carried unanimously.

- C. 6. Request the Town Council approve Mayor George F. Apel's appointment of Ronald Hussey (Managing Engineer - representing ECHN) 31 Union Street, Rockville, Connecticut as a regular member of the Energy Improvement District Board, said term to commence on March 7, 2012 and expires on June 30, 2012.** (Mr. Hussey is replacing Kate Sims, also an ECHN representative. Mr. Hussey's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO THE TOWN OF VERNON ORDINANCE # 292 AND TOWN CODE SECTION 3(A), THE TOWN COUNCIL HEREBY APPROVES MAYOR GEORGE F. APEL'S APPOINTMENT OF RONALD HUSSEY, MANAGING ENGINEERING – REPRESENTING ECHN, 31 UNION STREET, ROCKVILLE, CONNECTICUT AS A REGULAR MEMBER OF THE ENERGY IMPROVEMENT DISTRICT BOARD, SAID TERM TO BEGIN MARCH 7, 2012 AND EXPIRES ON JUNE 30, 2013.

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Council Member Motola, seconded by Council Member Weissberger made the above motion to approve the appointment of Ronald Hussey as a regular member of the Energy Improvement District Board for a term of March 7, 2012 through June 30, 2012. Motion carried unanimously.

C. 7. Request the Town Council approve a bid waiver in the amount of \$64,000 for the emergency repair of the Talcottville Road Sewage Pumping Station. (A memorandum dated February 17, 2012 to the Town Council from Dave Ignatowicz, Director, Water Pollution Control is included in the Council Packet)

PROPOSED RESOLUTION:

RESOLVED, THE TOWN COUNCIL, CONSISTENT WITH THE TOWN CHARTER, CHAPTER 12, SECTION 9, HEREBY WAIVES THE BID PROCEDURE FOR THE EMERGENCY REPAIR OF THE TALCOTTVILLE ROAD SEWAGE PUMPING STATION FORCE MAIN AND THE INSTALLATION OF PERMANENT BY-PASS PIPING AND AUTHORIZES THE DIRECTOR, WATER POLLUTION CONTROL TO EXECUTE THE REPAIR OF THE PUMP STATION BY THE FIRMS: KOVACS CONSTRUCTION CORPORATION, DANBURY, CT FOR AN AMOUNT NOT TO EXCEED \$10,500, AND VMS CONSTRUCTION, VERNON, CT FOR AN AMOUNT NOT TO EXCEED \$53,500. THE ESTIMATED TOTAL COST INCURRED FOR THE EMERGENCY REPAIR OF \$64,000.00 WILL BE FUNDED FROM THE SEWER CONNECTION ACCOUNT.

Council Member Motola, seconded by Council Member Weissberger made the above motion to approve a bid waiver in the amount of \$64,000 for the emergency repair of the Talcottville Road Sewage Pumping Station. Motion carried unanimously.

H.) **DISCUSSION OF PULLED CONSENT AGENDA ITEMS**
None

I.) **PENDING BUSINESS**
None

J.) **NEW BUSINESS**

1. **Request the Town Council readopt The Town of Vernon PILOT Elderly and Disabled Property Tax Relief Program § 12-129N to September 30, 2013.** (A memorandum dated February 28, 2012 from Mayor George Apel to the Vernon Town Council is included in Council Packet. Assessor Dave Wheeler will be present to answer any questions regarding this program.)

PROPOSED RESOLUTION:

THE TOWN COUNCIL HEREBY RESOLVES TO READOPT ITS ELDERLY AND DISABLED PROPERTY TAX RELIEF PROGRAM AUTHORIZED PURSUANT TO CONN. GEN. STAT. §12-129N, ENTITLED "OPTIONAL TAX RELIEF PROGRAM FOR CERTAIN HOMEOWNERS AGE 65 OR OVER OR WHO ARE PERMANENTLY AND TOTALLY DISABLED AS ADOPTED ON SEPTEMBER 18, 2007 FOR AN ADDITIONAL PERIOD OF TIME ENDING SEPTEMBER 30, 2013.

Council Member Motola, seconded by Council Member Peterson made the above motion to readopt The Town of Vernon PILOT Elderly and Disabled Property Tax Relief Program to September 30, 2013. Motion carried unanimously.

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2. **Request the Town Council readopt Resolution Town of Vernon PILOT Elderly Tax Relief Program PA 06-176 to September 30, 2013.** (A memorandum dated February 28, 2012 from Mayor George Apel to the Vernon Town Council is included in Council Packet. Assessor Dave Wheeler will be present to answer any questions regarding this program.)

PROPOSED RESOLUTION:

THE TOWN COUNCIL HEREBY RESOLVES TO RENEW ITS RESOLUTION TOWN OF VERNON ELDERLY FREEZE PROPERTY TAX RELIEF PROGRAM PURSUANT TO PUBLIC ACT 06-176 AS ADOPTED ON SEPTEMBER 18, 2007 AND RENEWED ON OCTOBER 6, 2009 FOR AN ADDITIONAL PERIOD OF TIME ENDING SEPTEMBER 30, 2013.

Council Member Motola, seconded by Council Member Campbell made the above motion to readopt Resolution Town of Vernon PILOT Elderly Tax Relief Program to September 30, 2013. Discussion took place. Motion carried unanimously.

3. **Discussion relative to the Town Council Ad Hoc Committee Report on Mayor's Compensation.** (A copy of *Report of the Ad Hoc Committee – Mayor's Compensation*, as submitted by Council Member Michael Winkler is included in the Council Packet.)

PROPOSED MOTION:

PURSUANT TO ARTICLE X, SECTION 1 OF THE VERNON TOWN CHARTER, THE TOWN COUNCIL HEREBY ACCEPTS THE RECOMMENDATION MADE BY THE AD HOC COMMITTEE ON MAYOR'S COMPENSATION, AND HEREBY PROPOSES THE MAYORAL COMPENSATION BE SET AT \$30,000 EFFECTIVE NOVEMBER 11, 2013.

Council Member Motola, seconded by Council Member Peterson made the above motion to accept the recommendation made by the ad hoc committee on mayor's compensation and set the mayoral compensation at \$30,000.00 effective 11/11/2013. Discussion took place. Motion carried, Council Member Weissberger opposed.

K.) **INTRODUCTION OF ORDINANCES**
None

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

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

Council Member Motola, seconded by Council Member Peterson made a motion to add the additional agenda item regarding the Historic Preservation and Museum Grant. Motion carried unanimously.

N.) **DISCUSSION OF ADDITIONAL ITEMS AND INFORMATIONAL ITEMS**

1. **Request the Town Council authorizes the Mayor George F. Apel to enter into and amend any and all contractual instruments in the name of and on behalf of the Town of Vernon with the Connecticut Department of Economic and Community Development, Division of Culture and Tourism for a Historic Preservation and Museum Grant in the amount of \$2,800.00** (see copy of a memorandum from Shaun

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Gately, Economic Development Coordinator to John D. Ward, Town Administrator dated March 5, 2012 re: same.)

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

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR GEORGE F. APEL TO ENTER INTO AND AMEND ANY AND ALL CONTRACTUAL INSTRUMENTS IN THE NAME OF AND ON BEHALF OF THE TOWN OF VERNON WITH THE CONNECTICUT DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT, DIVISION OF CULTURE AND TOURISM, HISTORIC PRESERVATION FOR A GRANT IN THE AMOUNT OF \$2800.00.

Motion carried unanimously.

O.) **ADOPTION OF MINUTES**

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 21, 2012 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 February 21, 2012 Regular Town Council meeting. Council Member Weissberger requested the spelling of the word cemetery on page 5 of 6 be corrected. Motion carried unanimously to approve amended minutes.

Council Member Herbst requested administration review the dates of the budget meetings that were voted on at the last Town Council meeting as one of them falls during holy week.

P.) **INFORMATIONAL ITEMS**

1. Monthly Report – January, 2012 for the Vernon Police Department as submitted by Stephen M. Clark, Captain.

Adjourn (9:11 PM)

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

Received: March 9, 2012

Approved: March 20, 2012

Respectfully Submitted,

Jill Kentfield
Recording Secretary

Karen C. Daigle, CCTC
Assistant Town Clerk