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

July 16, 2013 -7:30pm

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, Julie Clay, 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 Danielle Forand

C) CITIZEN'S FORUM
Kay Saunders, 23 Highland Avenue, expressed her concerns about 1st Alliance Lending, LLC and what she would like to see come into Vernon that would focus on family values, youth, and the diversity of cultures in the area.

Closed 7:32PM

D.) **EXECUTIVE SESSION**

Council Member Motola, seconded by Council Member Weissberger 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 TAX APPEAL SETTLEMENT CV-13-6006716S, CAPTIONED "42 WINDSOR AVE LLC VS. TOWN OF VERNON ET AL, AND INVITES JOHN D. WARD, TOWN ADMINISTRATOR;MARTIN BURKE, TOWN ATTORNEY AND DAVID WHEELER, TOWN ASSESSOR TO ATTEND.

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

"To authorize the Town Attorney to settle a tax appeal CV-13-6006716S, captioned "42 Windsor Ave LLC vs. Town of Vernon et al," for taxes on the Grand List of October 1, 2012 for the assessed value of $490,000 or the 100% fair market value of $700,000."

Motion carried unanimously.

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES §1-200(6) (A), HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS CONTRACT NEGOTIATIONS WITH JOHN D. WARD, TOWN ADMINISTRATOR.

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

The Town Council accepts a (1) on year extension of the Town Administrators contract with a (1) one percent raise. The contract with modifications will be delivered at the Town Council meeting in August.

Council Member Winkler, seconded by Council Member Herbst made the following motion to:

Include the dates of the contract to commence July 1, 2013 and continue until December 31. 2015 in the proposed motion.

Motion carried unanimously.

The motion as amended carried unanimously.

E.) **PUBLIC HEARING**
None.

F.) **PRESENTATIONS BY THE ADMINISTRATION**

- Mayor George F. Apel to make a presentation to the Town Council on various topics.
- Boy Scouts Michael J. Leonard and Zachary Kline both representing Troop 86 of Vernon were recognized with a proclamation from the Mayor for their contributions and hard work relative to the expansion and organization of the information pertaining to those individuals buried in Vernon's two oldest cemeteries located on Bamforth Road and Dobson Road. Patricia Buxton, Regent, Captain Noah Grant Chapter, and DAR also presented the Boy Scouts with an award.

G.) **CONSENT AGENDA ITEMS**

Council Member Motola, seconded by Council Member Weissberger made a motion to approve the consent agenda items as presented # C1, C3-C9 and C-11. 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 July 8, 2013 is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES SEVEN (7) OVERPAYMENTS FOR PRIOR YEAR TAXES IN THE AMOUNT OF $1485.22 AND TWO (2) OVERPAYMENTS FOR CURRENT YEAR TAXES IN THE AMOUNT OF $422.69 AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED JULY 8, 2013.

C. 3 **Request the Town Council approve Mayor George F. Apel's reappointment of William J. Gilson, (D), 95 Skinner Road, Vernon, Connecticut 06066 as a regular member of the Risk Management Advisory Committee, said term to commence on September 1, 2013 and expires on August 30, 2016.** (A copy of Mr. Gilson's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO THE TOWN COUNCIL RESOLUTION DATED NOVEMBER 18, 1986 AND TOWN CHARTER CHAPTER XV, SECTION 3, THE TOWN COUNCIL APPROVES MAYOR GEORGE F. APEL'S REAPPOINTMENT OF WILLIAM J. GILSON, (D), 95 SKINNER ROAD, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE RISK MANAGEMENT ADVISORY COMMITTEE, SAID TERM TO COMMENCE ON SEPTEMBER 1, 2013 AND ENDS AUGUST 30, 2016.

C. 4 **Request the Town Council approve Mayor George F. Apel's appointment of Burt Wheeler, (R), 27 Old Town Road, Vernon, Connecticut 06066 as a regular member of the Water Pollution Control Authority, said term to commence on July 17,2013 and expires on December 31, 2013.** (A copy of Mr. Wheeler's resume is included for Council review. It should be noted that Mr. Wheeler is completing the term of Richard Madden.)

PROPOSED MOTION:

PURSUANT TO CHARTER CHAPTER VIII, SEC. 3; AND CHARTER CHAPTER XII, SEC. 4, THE TOWN COUNCIL HEREBY APPROVES MAYOR GEORGE F. APEL'S APPOINTMENT OF BURT WHEELER, (R), 27 OLD TOWN ROAD, VERNON, CONNECTICUT, AS A REGULAR MEMBER OF THE WATER POLLUTION CONTROL AUTHORITY, SAID APPOINTMENT TO COMMENCE ON JULY 17, 2013 AND EXPIRES DECEMBER 31, 2013.

C.5 **Request the Town Council approve Mayor George F. Apel's appointment of Melissa Kracke, (U), 35 Vinetta Drive, Vernon, Connecticut as an regular member of the Conservation Commission, said term to commence on July 17, 2013 and expires on December 31, 2013.** (A copy of Ms. Kracke's resume is included for review. It should be noted that Ms. Kracke is completing the term vacated by Julie Clay.)

PROPOSED MOTION:

PURSUANT TO TOWN OF VERNON ORDINANCE # 189 – TOWN CODE SECTION 10-91 & 10-92, THE TOWN COUNCIL HEREBY APPROVES MAYOR GEORGE F. APEL'S APPOINTMENT OF MELISSA KRACKE, (U), 35 VINETTA DRIVE, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE CONSERVATION COMMISSION, SAID TERM TO BEGIN JULY 17, 2013 AND EXPIRES DECEMBER 31, 2013.

C. 6 **Request the Town Council approve Mayor George F. Apel's reappointment of Charles Ayer, (R), 42 Rambling Road, Vernon, Connecticut as a regular member of the Risk Management Advisory Committee, said term commences on September 1, 2013 and expires on August 30, 2016.** (A copy of Mr. Ayer's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO THE TOWN COUNCIL RESOLUTION DATED NOVEMBER 18, 1986 AND TOWN CHARTER CHAPTER XV, SECTION 3, THE TOWN COUNCIL APPROVES MAYOR GEORGE F. APEL'S REAPPOINTMENT OF CHARLES AYER, (R), 42 RAMBLING ROAD, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE RISK MANAGEMENT ADVISORY COMMITTEE, SAID TERM TO COMMENCE ON SEPTEMBER 1, 2013 AND ENDS ON AUGUST 30, 2016.

C. 7 **Request the Town Council approve Mayor George F. Apel's appointment of Jean Luddy, (D), 44 Oxbow Drive, Vernon, Connecticut, as a regular member of the Cemetery Commission, said appointment commences on July 1, 2013 and expires on June 30, 2016.** (A copy of Ms. Luddy's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO C.G.S. §19A-296; CHARTER CHAPTER VIII, SECTION 10, THE TOWN COUNCIL APPROVES MAYOR GEORGE F. APEL'S APPOINTMENT OF JEAN LUDDY, (D), 44 OXBOW DRIVE, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE CEMETERY COMMISSION, SAID TERM TO COMMENCE ON JULY 1, 2013 AND EXPIRES ON JUNE 30, 2016.

C. 8 **Request the Town Council approve Mayor George F. Apel's appointment of Judy Hany, (R), 21 Court Street, Vernon, Connecticut as a regular member of the Cemetery Commission, said term to commence on July 17, 2013 and expires on June 30, 2014.** (A copy of Ms. Hany's resume is included for Council review. It should be noted that Ms. Hany will be completing the term of Deborah Wilson who resigned.)

PROPOSED MOTION:

PURSUANT TO C.G.S. §19A-296; CHARTER CHAPTER VIII, SECTION 10, THE TOWN COUNCIL APPROVES MAYOR GEORGE F. APEL'S APPOINTMENT OF JUDY HANY, (R), 21 COURT STREET, VERNON, CONNECTICUT AS A REGULAR MEMBER OF

THE CEMETERY COMMISSION, SAID TERM TO COMMENCE ON JULY 17, 2013 AND EXPIRES ON JUNE 30, 2014.

C. 9 **Request the Town Council approve Mayor George F. Apel's reappointment of Bruce Kellogg, (D), 173 Tallwood Drive, Vernon, Connecticut as a regular member of the Economic Development Commission, said term to commence on August 20, 2013 and continues until August 19, 2018.** (A copy of Mr. Kellogg's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO C.S.G. § 7-136 AND ORDINANCE NO. 15; TOWN CODE SECTION 10-81 AND 82, THE TOWN COUNCIL HEREBY APPROVES MAYOR GEORGE F. APEL'S REAPPOINTMENT OF BRUCE KELLOGG, (D), 173 TALLWOOD DRIVE, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE ECONOMIC DEVELOPMENT COMMISSION FOR A TERM BEGINNING ON AUGUST 20, 2013 AND ENDING AUGUST 19, 2018.

C. 12 **Request the Town Council approve Mayor George F. Apel's appointment of David H. Herrmann, (D), 521 Bolton Road, Vernon, Connecticut 06066 as a regular member of the Risk Management Advisory Committee, said term to commence on July 19, 2013 and expires August 31, 2014.** (A copy of Mr. Herrmann's resume is included for Council review. It should be noted that Mr. Herrmann is completing the term vacated by Ellen M. Kates.)

PROPOSED MOTION

PURSUANT TO THE TOWN COUNCIL RESOLUTION DATED NOVEMBER 18, 1986 AND TOWN CHARTER CHAPTER XV, SECTION 3, THE TOWN COUNCIL APPROVES MAYOR GEORGE F. APEL'S APPOINTMENT OF DAVID H. HERRMANN, (D), 521 BOLTON ROAD, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE RISK MANAGEMENT ADVISORY COMMITTEE, SAID TERM TO COMMENCE ON JULY 19, 2013 AND ENDS AUGUST 31, 2014.

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

C. 2 **Request the Town Council approve budget amendment #60-73, for fiscal year 2012-2013 as provided by Finance Officer James Luddecke on the budget amendment forms attached to this agenda.**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT REQUESTS #60-73 FOR FISCAL YEAR 2012-2013 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 budget amendment requests #60-68,70-73 and to omit # 69 for the fiscal year 2012-2013.

Finance Director Jim Luddecke was present. Discussion took place.

Motion carried unanimously.

C. 10 **Request the Town Council authorize the disposal of fixed assets for the Public Works Department as presented on the attached forms.**

PROPOSED MOTION

THE TOWN COUNCIL HEREBY APPROVES THE DISPOSAL OR SALE OF PUBLIC WORKS VEHICLES AS DISCLOSED ON THE FIXED ASSET DISPOSAL REQUEST FORMS.

Council Member Motola, seconded by Council Member Weissberger made the above motion to approve the disposal or sale of public Works Vehicles as disclosed on the fixed asset disposal request forms.

Motion carried unanimously.

C. 12 **Request the Town Council authorize the disposal of fixed assets for computer related items as presented on the disposal of asset forms.**

PROPOSED MOTION

THE TOWN COUNCIL HEREBY APPROVES THE DISPOSAL OF COMPUTER RELATED ITEMS AS DISCLOSED ON THE DISPOSAL OF ASSET FORMS.

Council Member Motola, seconded by Council Member Weissberger made the above motion to approve the disposal of computer related items as disclosed on the disposal of asset forms.

Motion carried unanimously.

I.) PENDING BUSINESS
None.

J.) NEW BUSINESS

1. **Request the Town Council approve the *DPW Laborer, DPW Refuse Container Truck Driver; Senior Systems Engineer and Social Worker* Job Descriptions as recommended by Assistant Town Administrator Dawn Maselek.** (A copy of the job descriptions are included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL CONSISTENT WITH THE TOWN OF VERNON PERSONNEL RULES AND REGULATIONS, SECTION 4.1(B) ENTITLED "JOB DESCRIPTIONS", HEREBY ADOPTS THE JOB DESCRIPTIONS OF **DPW LABORER, DPW REFUSE CONTAINER TRUCK DRIVER, SENIOR SYSTEMS ENGINEER AND SOCIAL WORKER** AS PRESENTED.

Council Member Motola, seconded by Council Member Weissberger made the above motion to approve the DPW Laborer, DPW Refuse Container Truck Driver, Senior Systems Engineer and Social Worker positions as presented.

Assistant Town Administrator Dawn Maselek and Director of Data Processing Bob Sigan were present. Discussion took place.

Motion carried unanimously.

2. **Request the Town Council approve the Town's participation in the C-Pace Program, as recommended by the Energy Improvement District Board.** (See memorandum dated July 8, 2013 from Mayor George F. Apel to the Vernon Town Council and John D. Ward, Town Administrator relative to same.)

PROPOSED MOTION:

THE TOWN COUNCIL APPROVES THE TOWN OF VERNON'S PARTICIPATION IN THE C-PACE PROGRAM, AS RECOMMENDED BY THE VERNON ENERGY IMPROVEMENT DISTRICT BOARD AND AUTHORIZES THE MAYOR AND OR HIS DESIGNEE TO SIGN ALL NECESSARY DOCUMENTS.

Council Member Motola, seconded by Council Member Weissberger made the above motion to approve the Town's participation in the C-Pace Program.

Motion carried unanimously.

3. **Request the Town Council pass the recommended resolution required by the CRCOG STP Grant Phase II for "Road Work Projects" in the amount of $2,274,011.** (See the attached documentation for review.)

PROPOSED RESOLUTION:

WHEREAS, The Capitol Region Council of Governments (CRCOG) issued on February 14th, 2013 a Request for Proposals (RFP) for the "Reconstruction of Elm Street and Ellington Avenue", and

WHEREAS, the funding source for the roadway construction is through the STP-URBAN PROGRAM with a limit of $1,000,000 per project which includes 80% Federal Participation, 10% state participation and 10% Municipal Participation; and

WHEREAS, in response to CRCOG'S RFP the Town has prepared and will submit an application for funding the construction of the "Reconstruction of Elm Street and Ellington Avenue", and

WHEREAS, the application will be submitted to CRCOG on Wednesday, July 17th, 2013 in the amount of $2,274,011 which includes all costs associated with the construction of the roadways; and

WHEREAS, the design of the roads will be performed by a consultant; and

WHEREAS, the Vernon Town Council, based on the above information, and by virtue of this resolution, hereby fully supports the proposed project.

Council Member Motola, seconded by Council Member Weissberger made the above motion to request approval from the Town Council to pass the recommended resolution required by the CRCOG STP Grant Phase II for "Road Work Projects" in the amount of $2,274,011.

Town Engineer Terry McCarthy was present. Discussion took place.

Motion carried unanimously.

4. **Request the Town Council authorize Mayor George F. Apel to submit an application on behalf of the Board of Education to the State of Connecticut Homeland Security School Competitive Grant Program. Further, it is requested that he be authorized to execute any and all documents necessary for same.** (See letter from Dr. Mary P. Conway, Superintendent of School to Mayor George F. Apel dated July 11, 2013.)

PROPOSED MOTION

THE TOWN COUNCIL AUTHORIZES MAYOR GEORGE F. APEL TO SUBMIT AN APPLICATION ON BEHALF OF THE BOARD OF EDUCATION TO THE STATE OF CONNECTICUT HOMELAND SECURITY SCHOOL COMPETITIVE GRANT PROGRAM AND FURTHER AUTHORIZES MAYOR APEL TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR SAME.

Council Member Motola, seconded by Council Member Weissberger made the above motion to approve the Mayor George F. Apel to submit an application on behalf of the Board of Education to the State of Connecticut Homeland Security School Competitive Grant Program, and be authorized to execute any and all documents necessary.

Superintendent Dr. Mary Conway and Director of Business and Finance Michael Purcaro were present. Discussion took place.

Motion carried unanimously.

5. **Request the Town Council schedule a public hearing and Special Town meeting to consider a resolution to approve an additional appropriation to the Board of Education.** (See resolution and supporting documents attached).

PROPOSED MOTION

THE TOWN COUNCIL HEREBY SCHEDULES A PUBLIC HEARING TO TAKE PLACE AT 7:35 PM., AND A SPECIAL TOWN MEETING TO TAKE PLACE AT 7:40 PM., ON TUESDAY, AUGUST 20, 2013, AT THE THIRD FLOOR, TOWN COUNCIL CHAMBERS IN THE TOWN HALL MEMORIAL BUILDING, 14 PARK PLACE, VERNON, CONNECTICUT TO RECEIVE COMMENTS AND QUESTIONS REGARDING THE RESOLUTION TO APPROVE AN ADDITIONAL APPROPRIATION OF $260,000.00 TO THE FISCAL YEAR 2012-2013 BOARD OF EDUCATION BUDGET.

Council Member Motola, seconded by Council Member Weissberger made the above motion to approve the public hearing and special town meeting to consider a resolution to appove an additional appropriation to the Board of Education

Superintendent Dr. Mary Conway and Director of Business and Finance Michael Purcaro were present. Discussion took place.

Motion carried unanimously.

K.) **INTRODUCTION OF ORDINANCES**

Request the Town Council schedule a Public Hearing regarding an ***AMENDMENT*** to an ordinance entitled ***"ORDINANCE NO. 242 AN ORDINANCE CREATING THE BOLTON LAKES REGIONAL WATER POLLUTION CONTROL AUTHORITY."***(A copy of said ordinance is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL, CONSISTENT WITH CHAPTER V, SECTIONS FIVE AND SIX OF THE VERNON TOWN CHARTER, ENTITLED "PUBLIC HEARING ON AND PUBLICATION OF ORDINANCES," HEREBY SCHEDULES A PUBLIC HEARING REGARDING AN ***AMENDMENT*** TO AN ORDINANCE ENTITLED

"ORDINANCE NO. 242 - AN ORDINANCE CREATING THE BOLTON LAKES REGIONAL WATER POLLUTION CONTROL AUTHORITY, SAID PUBLIC HEARING TO BEGIN AT 7:45 PM ON TUESDAY, AUGUST 20, 2013 LOCATED AT THE TOWN COUNCIL CHAMBERS, THIRD FLOOR, 14 PARK PLACE, VERNON, CONNECTICUT TO HEAR COMMENTS AND TAKE NECESSARY ACTION RELATIVE TO THE PROPOSED ORDINANCE AMENDMENT.

Council Member Motola, seconded by Council Member Weissberger made the above motion to schedule a public hearing regarding an amendment to an ordinance entitled "Ordinance No. 242 an ordinance creating the Bolton Lakes Regional Water Pollution Control Authority."

Motion carried unanimously.

L.) **ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED**

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

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

Council Member Herbst, seconded by Council Member Weissberger made a motion to add an item to the agenda.

Proposed Motion:

To cover the costs of national night out and Rockville fest.

Motion failed with 7 in favor and 5 opposing.

Council Member DiDio amended the proposed motion to allow $2,000 to cover the costs

Motion carried with 7 in favor and 5 opposing.

O.) **ADOPTION OF MINUTES**

Council Member Motola, seconded by Council Member Weissberger made a motion to waive the reading of and approve the minutes of the June 18, 2013 regular Town Council meeting. Motion carried unanimously.

P.) INFORMATIONAL ITEMS, PETITIONS, COMMUNICATIONS, CORRESPONDENCE, REPORTS,ETC. NOT REQUIRING ACTION

1. Letter dated June 25, 2013 from Dr. Mary Conway to Mayor George Apel regarding Vernon Teacher Negotiations.
2. Letter dated June 28, 2013 from Mayor George Apel to Dr. Mary Conway regarding Vernon Teacher Negotiations.
3. Letter dated June 28, 2013 from Connecticut State Library to Mayor Apel, notice of Historic Documents Preservation Grant award.

4. Letter dated July, 2013 from Cornerstone Foundation.

5. Call Center Bulletin dated June 28, 2013 relative to an Emergency need for blood donors statewide.

Adjourn 9:40 PM

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

Received:

Approved:

Respectfully Submitted,

Danielle Forand
Recording Secretary