

POSTED
8/11/17
JP.

AGENDA
VERNON TOWN COUNCIL
REGULAR MEETING
TOWN HALL – 14 PARK PLACE – 3RD FLOOR
VERNON, CONNECTICUT

TUESDAY, AUGUST 15, 2017
7:30 P.M.

- A.) PLEDGE OF ALLEGIANCE
- B.) ROLL CALL
- C.) CITIZENS FORUM

RECEIVED
VERNON TOWN CLERK
17 AUG 11 PM 12:10

D.) EXECUTIVE SESSION

SESSION #1

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES SECTION 1-200(2) HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS STRATEGY AND NEGOTIATIONS WITH RESPECT TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF VERNON AND **LOCAL #438 OF THE INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS** AND INVITES THE FOLLOWING INDIVIDUALS TO ATTEND: DAWN MASELEK, ASSISTANT TOWN ADMINISTRATOR.

SESSION #2

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES §1-200, (2), HEREBY GOES INTO EXECUTIVE SESSION TO DISCUSS A PERSONNEL MATTER AND INVITES DAWN MASELEK, ASSISTANT TOWN ADMINISTRATOR TO ATTEND.

E.) PUBLIC HEARING (7:35PM)

PUBLIC HEARING TO RECEIVE COMMENTS AND QUESTIONS RELATIVE TO THE SALE OF THE PARCEL IDENTIFIED AS "STATE SURPLUS PROPERTY AT HARTFORD TURNPIKE, (300 SF LAND LOCKED PARCEL)".

- *MAYOR DANIEL A. CHAMPAGNE CALLS THE PUBLIC HEARING TO ORDER TO RECEIVE COMMENTS AND QUESTIONS*
- *CLERK READS THE LEGAL NOTICE INTO THE RECORD*

- *MAYOR CHAMPAGNE AND TOWN COUNCIL RECEIVE COMMENTS*
- *MAYOR CHAMPAGNE DECLARES THE PUBLIC HEARING ADJOURNED*
- *RETURN TO THE REGULAR TOWN COUNCIL MEETING AGENDA*

(NOTE: Action on this item will take place during New Business #1)

F.) PRESENTATIONS BY THE ADMINISTRATION

Mayor Daniel A. Champagne to make a presentation to the Town Council on various topics.

G.) ACTION ON CONSENT AGENDA

- C 1.** Request the Town Council approve tax refunds for prior years. (See copy of a memorandum from Terry Hjarne, Collector of Revenue to Mayor Daniel A. Champagne dated August 3, 2017 included for Council review.)

PROPOSED MOTION

THE TOWN COUNCIL HEREBY APPROVES ELEVEN (11) PRIOR YEAR TAX REFUNDS TOTALLING \$2037.09 AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO DANIEL A. CHAMPAGNE, MAYOR DATED AUGUST 3, 2017.

- C 2.** Request the Town Council approve budget amendments # 56, #57, and #58 for fiscal year 2016-2017 as provided by Finance Officer and Treasurer James M. Luddecke on the budget amendment forms attached. (See the budget amendment forms with explanation attached to this agenda.)

PROPOSED MOTION

RESOLVED, THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT REQUESTS # 56, #57 AND #58 FOR FISCAL YEAR 2016-2017 AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY FINANCE OFFICER AND TREASURER, JAMES M. LUDDECKE.

- C 3.** Request the Town Council approve Mayor Daniel A. Champagne's appointment of Robert Mullan, (R), 51 Blue Ridge Drive, Vernon, Connecticut as an alternate member of the Zoning Board of Appeals, said appointment to commence on August 16, 2017 and expires on June 30, 2020. (A copy of Mr. Mullan's resume is included for Council review. It should be noted that Mr. Mullan is completing the unexpired term of William Francis.)

PROPOSED MOTION

PURSUANT TO CHARTER CHAPTER VIII, SEC. 2, THE TOWN COUNCIL HEREBY APPROVES MAYOR DANIEL A. CHAMPAGNE'S APPOINTMENT OF ROBERT MULLAN, (R), 51 BLUE RIDGE DRIVE, VERNON, CONNECTICUT, AS AN ALTERNATE MEMBER OF THE ZONING BOARD OF APPEALS, FOR A TERM BEGINNING ON AUGUST 16, 2017 AND ENDING JUNE 30, 2020.

- H.) **DISCUSSION OF PULLED CONSENT ITEMS**
 - I.) **PENDING BUSINESS**
 - J.) **NEW BUSINESS**
1. **Discussion and action relative to the Public Hearing held earlier in the meeting. Said Public Hearing to dispose of a parcel known as "State Surplus Property at Hartford Turnpike, (300 sf land locked parcel)", located on Hartford Turnpike, Vernon, Connecticut.** (See memorandum from Mayor Daniel A. Champagne relative to said property dated August 11, 2017 to the Vernon Town Council.)

PROPOSED MOTION

PURSUANT TO VERNON CODE OF ORDINANCES, CHAPTER 2, ARTICLE II, SECTIONS 2-26 AND 2-27, THE VERNON TOWN COUNCIL HEREBY AUTHORIZES MAYOR DANIEL A. CHAMPAGNE OR HIS DESIGNEE TO TRANSFER OWNERSHIP OF THE PARCEL KNOWN AS "**STATE SURPLUS PROPERTY AT HARTFORD TURNPIKE, (300 SF OF LAND LOCKED PARCEL)**", TO THE NON-PROFIT **MEETINGHOUSE HILL LLC.**, WITH THE UNDERSTANDING THAT SAID PARCEL IS TO BE KEPT AS OPEN SPACE IN PERPETUITY.

2. **Request the Town Council approve the disposal of fixed assets at the Vernon Police Department described in the attached documents as a Crown Victoria Interceptor.** (See memorandum from James M. Luddecke, Finance Officer and Treasurer to Mayor Daniel A. Champagne dated August 7, 2017 relative to same.)

PROPOSED MOTION

THE TOWN COUNCIL HEREBY APPROVES THE POLICE DEPARTMENT TO DISPOSE OF A 2010 CROWN VICTORIA INTERCEPTOR AS DISCLOSED ON THE FIXED ASSET DISPOSAL REQUEST FORM.

3. **Request a bid waiver for the design relative to improvements at the Water Pollution Control Facility in the amount of \$4,645,064.00 and enter into Amendment No. 3 of the Agreement of Engineering Services.** (See documents from Director Robert Grasis of the Vernon Water Pollution Control dated August 9, 2017 relative to same.)

PROPOSED MOTION

RESOLVED, THE TOWN COUNCIL, CONSISTENT WITH CHAPTER TWELVE (XII), SECTION NINE (9), OF THE VERNON TOWN CHARTER, HEREBY WAIVES THE SEALED BID PROCEDURE FOR THE DESIGN OF IMPROVEMENTS TO THE WATER POLLUTION CONTROL FACILITY, AS PROVIDED IN AMENDMENT NO. 3 TO THE ENGINEERING SERVICES AGREEMENT WITH TIGHE & BOND, 53 SOUTHAMPTON ROAD, WESTFIELD, MASSACHUSETTS, IN THE AMOUNT OF \$4,645,064.00; AND FURTHER AUTHORIZES MAYOR DANIEL A. CHAMPAGNE TO EXECUTE ON BEHALF OF THE TOWN OF VERNON ANY AND ALL INSTRUMENT (S) TO THAT EFFECT.

4. **Request the Town Council authorize disbursements in the amount of \$4,645,064.00 pertaining to the Water Pollution Control Facility design contract.** (See memorandum from James M. Luddecke, Finance Officer and Treasurer dated August 9, 2017 relative to same.)

PROPOSED MOTION

RESOLVED, THE TOWN COUNCIL HEREBY AUTHORIZES THE SPENDING OF \$4,645,064.00 IN THE CAPITAL PROJECTS FUND, FOR THE DESIGN OF IMPROVEMENTS TO THE WATER POLLUTION CONTROL FACILITY, IN ACCORDANCE WITH AMENDMENT NUMBER 3, OF THE ENGINEERING AGREEMENT WITH THE FIRM TIGHE & BOND.

5. **Request the Town Council consider the request of Whole Life and CIL Community Resources relative to 40 Hale Street, Vernon, CT (formerly under agreement with Tri-County ARC, Inc.)** (See proposed motion written by Town Attorney Lou Spadaccini relative to same.)

PROPOSED RESOLUTION

Resolved, that the Vernon Town Council hereby authorizes Mayor Daniel Champagne or his designee to modify its agreement with Tri-County ARC, Inc. as follows: The party known as Whole Life, Inc. will be substituted into the agreement as the replacement agency for Tri-County ARC, Inc. and CIL Community Resources Incorporated will be substituted into the agreement as the owner of 40 Hale Street, Vernon, Connecticut subject to the following reversionary interest in favor of the Town of Vernon:

"Subject to a reversionary interest in favor of the Town of Vernon which reversion of title to the Town of Vernon shall occur without any further documentation on February 1, 2060 or sooner if the occupant of the Premises ceases to use the Premises to provide not-for-profit services to intellectually and developmentally disabled individuals, and such cessation continues for 180 days after written notice from the Town of Vernon to CIL Community Resources Incorporated . Said Reversionary Interest shall be subject and subordinate to a first mortgage (the "Mortgage") on the Premises not to exceed \$562,000.00. Provided, however, that the Town of Vernon shall have a right of redemption in the event that CIL Community Resources Incorporated is in default under said Mortgage or the promissory note secured thereby and has failed to cure such default within any applicable grace periods set forth in the promissory note. In the event that the Town of Vernon exercises its right of redemption, then its reversionary interest shall accelerate to the date of such redemption. In the event that the Town of Vernon does not exercise its redemption prior to the mortgagee acquiring title via court order or with the written consent of the Town of Vernon then such reversionary interest shall terminate."

K.) INTRODUCTION OF ORDINANCES

L.) ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED

M.) IDENTIFICATION/ADOPTION OF ADDITIONAL AGENDA ITEMS

N.) DISCUSSION OF ADDITIONAL ITEMS AND INFORMATIONAL ITEMS

O.) ADOPTION OF MINUTES

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR TOWN COUNCIL MEETING OF **JULY 18, 2017** AND THAT MINUTES OF SAID MEETING BE APPROVED.

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

1. Monthly Report for the Vernon Town Clerk – July 2017 as submitted by Bernice K. Dixon, Town Clerk.
 2. Monthly Report for the Vernon Police Department – July 2017 as submitted by Captain John Kelley.
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Q.) ADJOURNMENT