

July 19, 2011

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

July 19, 2011 – 7:00 PM

Mayor Jason L. McCoy called the meeting to order at 7:03 PM

A.) PLEDGE OF ALLEGIANCE

B.) ROLL CALL

Present: Council Members Daniel Anderson, Bill Campbell, Daniel Champagne, Mark Etre, Marie Herbst, James Krupienski, Brian R. Motola, Sean O'Shea, Pauline Schaefer, Harry D. Thomas, Michael A. Winkler

Absent: Judy Hany

Entered During Meeting:

Also Present: Mayor Jason L. McCoy, Town Administrator John Ward, Assistant Town Administrator Peter Graczykowski, Recording Secretary Karen Daigle

C.) CITIZEN'S FORUM:

No one spoke at Citizen's Forum

Citizen's forum closed at 7:05 PM

D.) PUBLIC HEARINGS (7:05PM)

PUBLIC HEARING TO RECEIVE COMMENTS AND QUESTIONS RELATIVE TO AN ORDINANCE ENTITLED "***ORDINANCE NO. _____, AN ORDINANCE CREATING AN OTHER POST EMPLOYMENT BENEFITS TRUST FUND AND AN OTHER POST EMPLOYMENT BENEFITS BOARD***".

Open Public Hearing (7:05 PM)

Mayor McCoy 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.

Council Member Motola, seconded by Council Member Etre made a motion to close the Public Hearing. Motion carried unanimously.

Close Public Hearing (7:06 PM)

Mayor McCoy closed the public hearing. Regular Meeting reconvened.

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E.) PRESENTATIONS BY THE ADMINISTRATION

1. Deputy Mayor, Brian Motola requested a demonstration of the License Plate Reader (LPR) system by Kevin Schneider of Warnock Auto. No action is requested at this time. Discussion took place.

Council Member Motola requested that for the next Town Council meeting, there be follow up on leasing options, specific monies in accounts not used in the budget, and the possibility of making a loan for the funds similar to that done with the Board of Education.

7:24 PM Recess

7:43 PM Reconvene

2. Presentation to the Town Council by Mayor Jason L. McCoy on a variety of topics.
 - Last month Connecticut Dept. of Education approved the Youth Services Bureau to operate the three summer lunch sites including Talcottville Park, Henry Park and Maple Street School.
 - There were several ground breakings including Vernon Community Arts Center. July in the Sky went very well. It was an awesome show.
 - There were several grand openings including Everlasting Design, Harry's Fine Wines and Liquors, Boost Mobile, and a couple of more to come, including Old Town Bakery and Take A Break Bakery.
 - Mr. Gately has been working with representatives from Wendy's, and looking at a national retailer, a storage company and manufacturing companies.

7:54 PM Council Member Etre left the table

- Mr. Gately has explored several areas for businesses, such as SBA 504 loans, USDA loans and a variety of programs.
- There is good progress on the roads. 32 roads are complete. South Street has been widened and being paved. Phoenix street bridge will re-open in November.

7:56 PM Council Member Anderson left the table

- Plan design for crematory is under review.
- Finance Dept. working on p-cards and e-payables. System should be implemented by September.

7:57 PM Council Member Anderson returned

- Police Dept. analyzing radio systems and negotiations regarding the firing range.
- Policy changes – FOI requests at Police Dept. would go through the records dept.

7:59 PM Council Member Etre returned

- With state budget not in place, DEP may continue the composting of leaves.
- State cut transportation grant by 25%.
- On July 7, 2011, governor signed into law the bill allowing businesses to file personal property declaration electronically.
- On July 21, 2011 at 7:00 PM the WPCA sewer rates will be set. Urged citizens to attend.
- The 28th Annual National Night Out is set for August 2, 2011 in downtown Rockville.

Council Member Krupienski requested that the termination of the zoning enforcement officer be addressed. Said request was denied.

F.) CONSENT AGENDA ITEMS

Council Member Motola, seconded by Council Member Thomas made a motion to approve the consent agenda items as presented. Council Member Herbst pulled consent agenda item #'s 2, 11, 12, 14 and 18 for discussion. Council Member Winkler pulled consent agenda item

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#13 for discussion. Council Member Krupienski pulled consent agenda item #9 for discussion. Motion to approve the consent agenda item #s 1, 3, 4, 5, 6, 7, 8, 10, 15, 16 and 17 as presented carried unanimously.

Council Member Herbst, seconded by Council Member Krupienski made a motion to pull informational item #10 for discussion. Motion carried unanimously.

- C 1. Request for Tax Refunds for Prior and Current Years.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward, Town Administrator dated July 11, 2011 is included in the Council packet.) **Appendix A**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES SIX (6) OVERPAYMENTS FOR PRIOR YEAR TOTALLING \$2,346.17 AND FIVE (5) OVERPAYMENTS FOR CURRENT YEAR TOTALLING \$423.36 AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED JULY 11, 2011.

Council Member Motola, seconded by Council Member Thomas made the above motion to approve six (6) overpayments for prior year totaling \$2,346.17 and five (5) overpayments for current year totaling \$423.36 as outlined in the memorandum from Terry Hjarne, Collector of Revenue to John D. Ward, Town Administrator dated July 11, 2011. Motion carried unanimously.

- C 3. Request the Town Council approve Mayor Jason L. McCoy's appointment of Ronald C. Kane (R), 15 Tobias Court, Vernon, Connecticut as a member of the Senior Citizens Advisory Committee, said appointment to begin on July 20, 2011 and expire on June 30, 2014.** (A copy of Mr. Kane's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO VERNON'S CHARTER CHAP. XV, SEC. 3; EST. 03-02-1982, THE TOWN COUNCIL APPROVES THE MAYOR'S APPOINTMENT OF RONALD C. KANE (R), 15 TOBIAS COURT, VERNON, CONNECTICUT AS A MEMBER OF THE SENIOR CITIZENS ADVISORY COMMITTEE, SAID APPOINTMENT TO BEGIN ON JULY 20, 2011 AND EXPIRE ON JUNE 30, 2014.

Council Member Motola, seconded by Council Member Thomas made the above motion to approve the Mayor's appointment of Ronald C. Kane (R), 15 Tobias Court, Vernon, Connecticut as a member of the senior citizens advisory committee, said appointment to begin on July 20, 2011 and expire on June 30, 2014. Motion carried unanimously.

- C 4. Request the Town Council approve Mayor Jason L. McCoy's reappointment of William G. Fox (D), 2 Eastview Drive, Vernon, Connecticut as a regular member of the Human Services Advisory Commission, said appointment to begin on July 1, 2011 and expires June 30, 2013.** (A copy of Mr. Fox's resume is included for Council review.)

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PROPOSED MOTION:

PURSUANT TO CHARTER CHAPTER XV, SEC. 3, 05-02-1989 TOWN RESOLUTION VOL. 24, PAGE 382 AS AMENDED /VOL. 37 PAGE 266 AND TOWN COUNCIL RESOLUTION DATED 02-19-2002, THE TOWN COUNCIL HEREBY APPROVES MAYOR JASON L. MCCOY'S APPOINTMENT OF WILLIAM G. FOX (D), 2 EASTVIEW DRIVE, VERNON, CONNECTICUT, AS A REGULAR MEMBER OF THE HUMAN SERVICES ADVISORY COMMISSION, SAID APPOINTMENT TO BEGIN ON JULY 1, 2011 AND EXPIRE ON JUNE 30, 2013.

Council Member Motola, seconded by Council Member Thomas made the above motion to approve Mayor Jason L. McCoy's appointment of William G. Fox (D), 2 Eastview Drive, Vernon, Connecticut, as a regular member of the Human Services Advisory Commission, said appointment to begin on July 1, 2011 and expire on June 30, 2013. Motion carried unanimously.

- C 5. Request the Town Council approve Mayor Jason L. McCoy's reappointment of Timothy J. Poloski (D), 38 Risley Road, Vernon, Connecticut as a regular member of the Capital Improvement Committee, said appointment to begin on September 1, 2011 and expires August 30, 2014.**

PROPOSED MOTION:

PURSUANT TO VERNON TOWN CODE, ARTICLE V, SECTIONS 10-61-10-63, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF TIMOTHY J. POLOSKI (D), 38 RISLEY ROAD, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE CAPITAL IMPROVEMENTS COMMITTEE, SAID APPOINTMENT TO BEGIN ON SEPTEMBER 1, 2011 EXPIRES AUGUST 30, 2014.

Council Member Motola, seconded by Council Member Thomas made the above motion to approve Mayor Jason L. McCoy's reappointment of Timothy J. Poloski (D), 38 Risley Road, Vernon, Connecticut as a regular member of the Capital Improvements Committee, said appointment to begin on September 1, 2011 expires August 30, 2014. Motion carried unanimously.

- C 6. Request the Town Council approve Mayor Jason L. McCoy's reappointment of M. Lisa Moody, (R), 89 Campbell Avenue, Vernon, Connecticut as a regular member of the Capital Improvement Committee, said appointment to begin on September 1, 2011 and expires on August 30, 2014.** (A copy of Ms. Moody's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO VERNON TOWN CODE, ARTICLE V, SECTIONS 10-61-10-63, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF M. LISA MOODY, (R), 89 CAMPBELL AVENUE, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE CAPITAL IMPROVEMENTS COMMITTEE, SAID APPOINTMENT TO BEGIN ON SEPTEMBER 1, 2011 EXPIRES AUGUST 30, 2014.

Council Member Motola, seconded by Council Member Thomas made the above motion to approve Mayor Jason L. McCoy's reappointment of M. Lisa Moody,

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(R), 89 Campbell Avenue, Vernon, Connecticut as a regular member of the Capital Improvements Committee, said appointment to begin on September 1, 2011 expires August 30, 2014. Motion carried unanimously.

- C 7.** **Request the Town Council approve Mayor Jason L. McCoy's reappointment of Jeffrey A. Boulrice, (D), 15 Hilltop Avenue, Vernon, Connecticut as a regular member of the Energy Improvement District Board, said term to begin July 20, 2011 and expires on June 30, 2016.** (A copy of Mr. Boulrice's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO TOWN OF VERNON ORDINANCE #292, AND TOWN CODE SECTION 3 (a), THE TOWN COUNCIL HEREBY APPROVES MAYOR JASON L. MCCOY'S REAPPOINTMENT OF JEFFREY A. BOULRICE, (D), 15 HILLTOP AVENUE, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE ENERGY IMPROVEMENT DISTRICT BOARD, SAID TERM TO BEGIN JULY 20, 2011 AND EXPIRES ON JUNE 30, 2016.

Council Member Motola, seconded by Council Member Thomas made the above motion to approve Mayor Jason L. McCoy's reappointment of Jeffrey A. Boulrice, (D), 15 Hilltop Avenue, Vernon, Connecticut as a regular member of the Energy Improvement District Board, said term to begin July 20, 2011 and expires on June 30, 2016. Motion carried unanimously.

- C 8.** **Request the Town Council approve Mayor Jason L. McCoy's reappointment of Mark St. Germain (R), 25 Grier Road, Vernon, Connecticut as a regular member of the Energy Improvement District Board, said term to begin July 20, 2011 and expires on June 30, 2016.** (A copy of Mr. St. Germain's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO TOWN OF VERNON ORDINANCE #292, AND TOWN CODE SECTION 3 (A), THE TOWN COUNCIL HEREBY APPROVES MAYOR JASON L. MCCOY'S REAPPOINTMENT OF MARK ST. GERMAIN (R), 25 GRIER ROAD , VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE ENERGY IMPROVEMENT DISTRICT BOARD, SAID TERM TO BEGIN JULY 20, 2011 AND EXPIRES ON JUNE 30, 2016.

Council Member Motola, seconded by Council Member Thomas made the above motion to approve Mayor Jason L. McCoy's reappointment of Mark St. Germain (R), 25 Grier Road, Vernon, Connecticut as a regular member of the Energy Improvement District Board, said term to begin July 20, 2011 and expires on June 30, 2016. Motion carried unanimously.

- C 10.** **Request the Town Council authorize Mayor Jason L. McCoy to execute all necessary documents in order to make application to the State Department of Education for a Youth Service Bureau Enhancement Grant for FY 2011-2012 in the amount of \$6,250.**

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PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES THE MAYOR JASON L. MCCOY (*OR HIS DESIGNEE*) TO EXECUTE ALL NECESSARY PAPERWORK TO MAKE APPLICATION FOR AND RECEIVE YOUTH SERVICES BUREAU FUNDS FROM THE STATE DEPARTMENT OF EDUCATION IN THE AMOUNT OF \$6,250.

Council Member Motola, seconded by Council Member Thomas made the above motion to authorize the Mayor Jason L. McCoy (*or his designee*) to execute all necessary paperwork to make application for and receive youth services bureau funds from the state department of education in the amount of \$6,250. Motion carried unanimously.

- C 15.** **Request the Town Council authorize a bid waiver in the amount of \$79,000 for snow removal related structural work to Maple Street School.** (A copy of a memorandum from Peter Graczykowski, Assistant Town Administrator dated July 15, 2011 to Mayor Jason L. McCoy and the Vernon Town Council is included for Council review.) **Appendix B**

PROPOSED MOTION:

RESOLVED, THE TOWN COUNCIL CONSISTENT WITH THE TOWN CHARTER, CHAPTER 12, SECTION 9, DETERMINES THAT IT IS IN THE BEST INTEREST OF THE TOWN TO WAIVE THE BID PROCEDURE FOR CONTRACTOR JP MAGUIRE ASSOCIATES, INC. 266 BROOKSIDE ROAD WATERBURY CT, FOR CONSTRUCTION RELATED TO SNOW REMOVAL AT MAPLE STREET SCHOOL, IN AN AMOUNT NOT TO EXCEED \$79,000.00

Council Member Motola, seconded by Council Member Thomas made the above motion that it is in the best interest of the Town to waive the bid procedure for contractor JP Maguire Associates, Inc. 266 Brookside Road Waterbury Ct, for construction related to snow removal at Maple Street School, in an amount not to exceed \$79,000.00. Motion carried unanimously.

- C 16.** **Request the Town Council modify a previous bid waiver in the amount of \$3230.32 for additional snow removal related expenses for the National Guard.** (A copy of a memorandum from Peter Graczykowski, Assistant Town Administrator to Mayor Jason L. McCoy and the Vernon Town Council dated July 14, 2011 is included for Council review.) **Appendix C**

PROPOSED MOTION:

RESOLVED, THE TOWN COUNCIL CONSISTENT WITH THE TOWN CHARTER, CHAPTER 12, SECTION 9, DETERMINES THAT IT IS IN THE BEST INTEREST OF THE TOWN TO WAIVE THE BID PROCEDURE FOR THE EMERGENCY HIRING OF THE CONNECTICUT NATIONAL GUARDSMEN, FOR THE EMERGENCY SNOW REMOVAL SERVICES PROVIDED, IN AN AMOUNT NOT TO EXCEED \$20,530.32; SUCH WAIVER BEING AN AMENDMENT OF THE BID WAIVER FOR THE SAME PURPOSE, AUTHORIZED ON FEBRUARY 15, 2011.

Council Member Motola, seconded by Council Member Thomas made the above motion that it is in the best interest of the Town to waive the bid procedure for the

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emergency hiring of the Connecticut National Guardsmen, for the emergency snow removal services provided, in an amount not to exceed \$20,530.32; such waiver being an amendment of the bid waiver for the same purpose, authorized on February 15, 2011. Motion carried unanimously.

- C 17. Request the Town Council accept the street known as Ogden View Drive as a Town of Vernon road.** (A copy of a memorandum from Len Tundermann to the Town Council is included as well as a sketch showing Ogden View Drive; the Warranty Deed – Statutory Form, Conveyance of Ogden View Drive for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY MOVES TO ACCEPT THE WARRANTY DEED FROM OGDEN BROOK DEVELOPERS, LLC FOR A CERTAIN PIECE OR PARCEL OF LAND SITUATED IN THE TOWN OF VERNON, COUNTY OF TOLLAND AND STATE OF CONNECTICUT, BEING THAT ROAD DESIGNATED AS "OGDEN VIEW DRIVE" ON A CERTAIN MAP OR PLAN ENTITLED ""AS BUILT RECORD DRAWING" OGDEN BROOK ESTATES OGDEN VIEW DRIVE, VERNON, CONNECTICUT TABELL, HEINTZ AND ASSOCIATES, INC., CIVIL ENGINEERS – LAND SURVEYORS, 1227 BURNSIDE AVENUE, SUITE 31, EAST HARTFORD, CONNECTICUT NO. 1 BY: RHH DATE: 9-21-10 REVISION DESCRIPTION APPROVED EGW DRAWN DATE 11-13-09 RHH DESIGNED PROJECT NO. 1151 EMW CHECKED SHEET 1 OF 1"

Council Member Motola, seconded by Council Member Thomas made the above motion to accept the Warranty Deed from Ogden Brook Developers, LLC for a certain piece or parcel of land situated in the Town of Vernon, County of Tolland and State of Connecticut, being that road designated as "Ogden View Drive" on a certain map or plan entitled ""as built record drawing" Ogden Brook Estates Ogden View Drive, Vernon, Connecticut Tabell, Heintz and Associates, Inc., Civil Engineers – Land Surveyors, 1227 Burnside Avenue, Suite 31, East Hartford, Connecticut No. 1 by: RHH date: 9-21-10 revision description approved EGW drawn date 11-13-09 RHH designed Project No. 1151 EMW checked sheet 1 of 1". Motion carried unanimously.

G.) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS

None

H.) PENDING BUSINESS

None

I.) NEW BUSINESS

None

J.) INTRODUCTION OF ORDINANCES

None

K.) ACTION ON ORDINANCES PREVIOUSLY PRESENTED

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“AN ORDINANCE NO. ___, AN ORDINANCE CREATING AN OTHER POST EMPLOYMENT BENEFITS TRUST FUND AND AN OTHER POST EMPLOYMENT BENEFITS BOARD”. Legal Notice is in the Public Hearing Section of this agenda along with a copy of the proposed ordinance for your review.) **Appendix D**

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 CREATING AN OTHER POST EMPLOYMENT BENEFITS TRUST FUND AND AN OTHER POST EMPLOYMENTS BENEFITS BOARD**”.

Council Member Etre, seconded by Council Member Motola made the above motion to adopt an ordinance entitled “**AN ORDINANCE NO. ___, AN ORDINANCE CREATING AN OTHER POST EMPLOYMENT BENEFITS TRUST FUND AND AN OTHER POST EMPLOYMENTS BENEFITS BOARD**”. Discussion took place. Council Member Krupienski, seconded by Council Member Herbst made a motion to amend the ordinance to add section (e) which would require quarterly reports for the OPEB Trust to be sent to the Town Council.

8:38 PM Council Member Champagne left the table

Motion to amend the ordinance failed, with 4 votes in favor and 7 votes against. Main motion carried with 9 votes in favor and 2 votes opposed, Council Members Winkler and Motola. Council Member Champagne away from the table at the vote.

8:42 PM Council Member Champagne returned

L.) DISCUSSION OF ADDITIONAL AGENDA ITEMS, PULLED CONSENT ITEMS FROM (F) AND PULLED ITEMS FROM (O) INFORMATIONAL ITEMS, ETC.

C 2. Request the Town Council approve budget amendments #54-60 for fiscal year 2010-2011, as provided by Finance Officer James Luddecke. (A copy of budget amendment forms are attached for Council review.) **Appendix E**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT REQUESTS # **54-60** FOR FISCAL YEAR 2010-2011, AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY THE FINANCE OFFICER, JAMES LUDDECKE.

Council Member Motola, seconded by Council Member Etre made the above motion to approve budget amendment requests #54-60 for fiscal year 2010-2011, as outlined in the budget amendment forms provided by the finance officer, James Luddecke. Discussion took place.

8:50 PM Council Member Winkler left the table

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Council Member Etre requested, per a prior motion passed, the General Fund Balance Summary Sheets be an informational item on the agenda and not part of the consent items.

Motion carried unanimously.

- C 9.** **Request the Town Council authorize Mayor Jason L. McCoy to execute all necessary documents in order to make application to the State Department of Education for a Youth Service Bureau Grant for FY 2011-2013 in the amount of \$23,085.** (A copy of a memorandum from Alan Slobodien dated July 19, 2011 to the Vernon Town Council is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL AUTHORIZES THE MAYOR JASON L. MCCOY (*OR HIS DESIGNEE*) TO EXECUTE ALL NECESSARY PAPERWORK TO MAKE APPLICATION FOR AND RECEIVE YOUTH SERVICES BUREAU FUNDS FROM THE STATE DEPARTMENT OF EDUCATION IN THE AMOUNT OF \$23,085.

Council Member Motola, seconded by Council Member O'Shea made the above motion to authorize Mayor Jason L. McCoy (*or his designee*) to execute all necessary paperwork to make application for and receive Youth Services Bureau funds from the State Department of Education in the amount of \$23,085. Discussion took place. Motion passed unanimously.

- C 11.** **Request the Town Council authorize both a Public Hearing and Special Town Meeting for August 02, 2011 regarding an additional appropriation for Education in an amount not to exceed \$944,533.00 to the Fiscal Year 2010-2011 Education Budget, Account 10990330-58900 to pay for excess costs related to Special Education.** (A copy of said legal notice and resolution are in the packet for Town Council review.) **Appendix F**

PROPOSED MOTION:

IN ACCORDANCE WITH CHAPTER XII SECTION 10 (F) OF THE VERNON TOWN CHARTER, THE TOWN COUNCIL HEREBY SCHEDULES A PUBLIC HEARING AND SPECIAL TOWN MEETING FOR AUGUST 02, 2011 AT 7:05 PM ON THE THIRD FLOOR, TOWN COUNCIL CHAMBERS IN THE TOWN HALL MEMORIAL BUILDING, 14 PARK PLACE, VERNON, CONNECTICUT TO HEAR COMMENT AND TAKE THE NECESSARY ACTION RELATIVE TO "A RESOLUTION REGARDING AN ADDITIONAL APPROPRIATION FOR EDUCATION IN THE AMOUNT OF \$944,533.00."

Council Member Motola, seconded by Council Member Champagne made the above motion to schedule a Public Hearing and Special Town Meeting for August 02, 2011 at 7:05 pm on the third floor, Town Council Chambers in the Town Hall Memorial Building, 14 Park Place, Vernon, Connecticut to hear comment and take the necessary action relative to "A Resolution Regarding an Additional Appropriation for Education in the amount of \$944,533.00." Discussion took place.

8:55 PM Council Member Winkler returned

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Council Member Anderson, seconded by Council Member Campbell amended the motion to move the Public Hearing to August 16, 2011. Motion carried unanimously.

- C 12. Request the Town Council approve the Shoppes at Eastview, LLC, 425 Talcottville Road, request for a reduction in future assessment increases.**
(See the letter from Shaun Gately, Economic Development Coordinator to John D. Ward, Town Administrator dated July 11, 2011; memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated July 15, 2011 included for Council review.)

PROPOSED MOTION

THE TOWN COUNCIL HEREBY APPROVES THE REDUCTION IN FUTURE ASSESSMENT INCREASES PURSUANT TO VERNON CODE 3-4 FOR YEARS SEVEN (7) YEARS AS PRESENTED. FURTHER THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY TO ENTER INTO AN AGREEMENT WITH SHOPPES AT EASTVIEW, LLC, IN COMPLIANCE WITH THE CONNECTICUT GENERAL STATUTES AND TOWN ORDINANCE.

Council Member Motola, seconded by Council Member Champagne made the above motion to approve the reduction in future assessment increases pursuant to Vernon code 3-4 for years seven (7) years as presented. Further the Town Council authorizes Mayor Jason L. McCoy to enter into an agreement with Shoppes at Eastview, LLC, in compliance with the Connecticut General Statutes and Town Ordinance. Discussion took place.

9:05 PM Council Member Campbell left the table

9:11 PM Council Member Campbell returned

Council Member Champagne, seconded by Council Member Anderson made an amendment to the motion to add the following: "If a Certificate of Occupancy for such property is not issued by January 1, 2012, any agreement entered into is null and void." Discussion took place. Motion carried with 1 opposed.

Further discussion took place regarding the main motion as amended.

Council Member Anderson, seconded by Council Member Herbst moved the question, which carried unanimously. The motion, with amendment, is as follows:

THE TOWN COUNCIL HEREBY APPROVES THE REDUCTION IN FUTURE ASSESSMENT INCREASES PURSUANT TO VERNON CODE 3-4 FOR YEARS SEVEN (7) YEARS AS PRESENTED. FURTHER THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY TO ENTER INTO AN AGREEMENT WITH SHOPPES AT EASTVIEW, LLC, IN COMPLIANCE WITH THE CONNECTICUT GENERAL STATUTES AND TOWN ORDINANCE. IF A CERTIFICATE OF OCCUPANCY FOR SUCH PROPERTY IS NOT ISSUED BY JANUARY 1, 2012, ANY AGREEMENT ENTERED INTO IS NULL AND VOID.

Motion carried with 2 opposed, Council Member Winkler and Council Member.

9:30 PM Council Member O'Shea left the meeting.

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- C 13.** **Request the Town Council refer Town-owned land to the Planning and Zoning Commission for §8-24 review, and upon completion, authorize the Town Administrator to conduct a sale or lease of said properties via sealed bid or public auction.** (See memorandum from John D. Ward dated July 14, 2011 to Mayor Jason L. McCoy and the Vernon Town Council as well as property cards for all properties are included for Council review.)

PROPOSED MOTION 1:

THE TOWN COUNCIL HEREBY AUTHORIZES THE REFERRAL OF **8 WARD STREET, PARCEL ID 23010500010; 11 WARD STREET PARCEL ID 23009200019; 12 WARD STREET PARCEL ID 23010500011; 13 MORRISON STREET, PARCEL ID 22006000021; 55 LAWRENCE STREET, PARCEL ID 41011400004 AND 35 VILLAGE STREET, PARCEL ID 23009200018** TO THE PLANNING & ZONING COMMISSION FOR §8-24 REVIEW.

Council Member Motola, seconded by Council Member Schaefer made the above motion to authorize the referral of **8 WARD STREET, PARCEL ID 23010500010; 11 WARD STREET PARCEL ID 23009200019; 12 WARD STREET PARCEL ID 23010500011; 13 MORRISON STREET, PARCEL ID 22006000021; 55 LAWRENCE STREET, PARCEL ID 41011400004 AND 35 VILLAGE STREET, PARCEL ID 23009200018** to the Planning & Zoning Commission for §8-24 review. Discussion took place.

9:45 PM Council Member Anderson left the meeting

Motion passed unanimously.

- C 14.** **Request the Town Council approve job re-classifications as recommended by the annual review of the Town of Vernon pay plan for non-unionized employees.** (A memo dated July 8, 2011 from Mayor Jason L. McCoy to the Vernon Town Council, and a memo dated July 5, 2011 from John D. Ward, Town Administrator to Mayor Jason L. McCoy, as well as supporting research, are included for Council review) **Appendix G**

PROPOSED MOTION:

THE TOWN COUNCIL, CONSISTENT WITH THE TOWN OF VERNON PERSONNEL RULES AND REGULATIONS, SECTIONS 5.0 THROUGH 5.3, MOVES TO APPROVE THE JOB RECLASSIFICATIONS AS RECOMMENDED BY THE TOWN ADMINISTRATOR JOHN D. WARD TO MAYOR JASON L. MCCOY, AS A RESULT OF THE ANNUAL REVIEW OF THE TOWN OF VERNON PAY PLAN FOR THE NON-UNIONIZED EMPLOYEES, DATED JULY 5, 2011; SUCH RECLASSIFICATIONS TO BE EFFECTIVE JULY 1, 2011.

Council Member Motola, seconded by Council Member Campbell made the above motion to approve the job reclassifications as recommended by the Town Administrator John D. Ward to Mayor Jason L. McCoy, as a result of the annual review of the Town of Vernon pay plan for the non-unionized employees, dated July 5, 2011; such reclassifications to be effective July 1, 2011.

9:57 PM Council Member Winkler left the table

9:58 PM Council Member Winkler returned

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Discussion took place. Motion carried with 2 abstentions, Council Member Schaefer and Council Member Champagne.

Council Member Motola, seconded by Council Member Schaefer made a motion to extend curfew to the completion of the meeting. Motion carried, with 3 opposed.

- C 18.** **Request that the Town Council approve the state of Connecticut, Department of Transportation, Hybrid Electric Vehicle funding, under the 2011 Connecticut Clean Fuel Program for the Town's Public Works Department.** (A copy of a letter to Dwight E. Ryniewicz, Fleet Supervisor, Town of Vernon DPW, dated June 14, 2011 from Michael A. Sanders, Transit Administrator is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL AUTHORIZES THE DESIGNATION OF AVAILABLE FUNDS IN THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURE ACCOUNT, ALLOCATING \$24,685.00 FROM INVESTMENT EARNINGS TO THE VEHICLE REPLACEMENT DESIGNATION. THIS INCREASES THE VEHICLE REPLACEMENT DESIGNATION TO \$32,985.00. FURTHER, THE TOWN COUNCIL AUTHORIZES THE APPLICATION AND ACCEPTANCE OF FUNDING FROM THE CONNECTICUT CLEAN FUEL PROGRAM TOWARD THE PURCHASE OF EITHER A 2011 OR 2012 FORD ESCAPTE 4x4 HYBRID ELECTRIC VEHICLE.

Council Member Motola, seconded by Council Member Etre made the above motion to authorize the designation of available funds in the reserve for capital and non-recurring expenditure account, allocating \$24,685.00 from investment earnings to the vehicle replacement designation. This increases the vehicle replacement designation to \$32,985.00. Further, the Town Council authorizes the application and acceptance of funding from the Connecticut Clean Fuel Program toward the purchase of either a 2011 or 2012 Ford Escape 4x4 hybrid electric vehicle. Discussion took place. Council Member Thomas corrected the spelling from Ford Escapte to Escape. Motion carried with 1 opposed, Council Member Winkler, and 1 abstention, Council Member Herbst.

INFORMATION #10

Council Member Herbst is not satisfied with the information she requested regarding the intern employed in the Administration Department or the information regarding Paul Griffin.

10:24 PM Council Members Champagne and Etre left the table

10:25 PM Council Member Etre returned

10:26 PM Council Member Campbell left the table

M.) ADOPTION OF MINUTES

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE TOWN COUNCIL REGULAR MEETING OF JUNE 21, 2011 AND THAT MINUTES OF SAID MEETING BE APPROVED.

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Council Member Motola, seconded by Council Member Krupienski made a motion to approve the minutes of the June 21, 2011 Regular Town Council meeting. Discussion took place. Council Member Herbst noted that the minutes did not reflect that her request to Administration regarding informational item #5 was denied. Council Member Motola noted that minutes stated Chief Kelly, but should be Chief Call. Minutes to be brought back at next council meeting.

10:30 PM Council Members Champagne and Campbell returned

10:31 PM Council Member Etre left the table

N.) EXECUTIVE SESSION

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES SECTION 1-200 (B) (6) HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION RELATIVE TO KAUTILYA VERNON HOTEL LLC. AND INVITES ATTORNEY MARTIN BURKE AND TOWN OF VERNON ASSESSOR DAVID WHEELER TO ATTEND.

This item was not addressed at this meeting.

Council Member Motola, seconded by Council Member Schaefer made the following motion to go into executive session at 10:34 PM:

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 TOWN OF VERNON VS BLOTNISKI, DOCKET NUMBER CV-09-500 4287-S PENDING IN TOLLAND SUPERIOR COURT AND INVITES TERRY HJARNE, COLLECTOR OF REVENUE, ATTORNEY HAROLD CUMMINGS AND JOHN D.WARD, TOWN ADMINISTRATOR TO ATTEND.

Motion carried unanimously.

Came out of executive session at 10:36 PM

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

THE TOWN COUNCIL HEREBY AMENDS ITS EARLIER AUTHORIZATION FOR THE TOWN ATTORNEY TO BID UP TO FIFTY THOUSAND DOLLARS (\$50,000.00) FOR THE PURCHASE OF 8 MAPLE STREET ON JUNE 25, 2011 TO THE SUM OF FIFTY TWO THOUSAND (\$52,000.00).

Motion carried unanimously.

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

1. EMS Report for June, 2011 by Jean Gauthier, EMS Coordinator.
2. Certificate of Partnership from Employer Partnership of the Armed Forces.

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3. Police Department monthly report for May 2011, submitted by Captain Stephen M. Clark.
4. Police Department monthly report for June, 2011, submitted by Captain Stephen M. Clark.
5. Building Department monthly report for June 2011, submitted by Building Official Harry Boyko.
6. Letter from Principal Eric R. Baim, Rockville High School thanking the Public Works Department and Director Kleinhans for the departments work at the RHS Courtyard Improvement Project.
7. Thank You letter from Laura S. DeMartino, School to Career Coordinator, VCMS to Mayor Jason L. McCoy for his participation in the VCMS Career Day.
8. Award letter to the Town of Vernon for a \$6000.00 Historic Documents Preservation Grant recently applied for, letter is dated June 22, 2011.
9. Memorandum from Chester Morgan, Chair, Vernon Planning and Zoning Commission to Mayor Jason L. McCoy dated July 7, 2011 relative to the distribution and next steps for the Vernon Plan of Conservation & Development.
10. Letter received July 5, 2011 from Council Member Herbst relative to her FOI request. See attachments per Council Member Herbst request.
11. Analysis of Workers Compensation Losses for policy years 2005/2006 – 2010/2011 for Council Member Polly Schaefer. See memorandum from Peter Graczykowski dated July 12, 2011 relative to same.
12. Progress on the steps taken to implement the immediate goals of the Risk Management Program. See memorandum from Peter Graczykowski dated July 13, 2011 relative to same.

Meeting ended at 10:38 PM.

Received: July 22, 2011

Approved: August 16, 2011

Respectfully Submitted,

Karen C. Daigle
Recording Secretary

Karen C. Daigle, CCTC
Assistant Town Clerk