

April 6, 2010

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

April 6, 2010 - 7:00 PM

Deputy Mayor Brian Motola called the meeting to order at 7:01 PM

A) PLEDGE OF ALLEGIANCE:

B) ROLL CALL:

Present: Council Members Daniel Anderson, Bill Campbell, Mark Etre, Judy Hany, James Krupienski, Brian R. Motola, Sean O'Shea, Harry D. Thomas, Michael A. Winkler

Absent: Daniel Champagne, Marie Herbst, Pauline Schaefer

Entered During Meeting:

Also Present: Town Administrator John Ward, Recording Secretary Jill Kentfield

C) CITIZEN'S FORUM

Christopher Crown, 21 Ellington Avenue requested to be allowed to speak during the discussion of NB#4. There were not objections from the Town Council Members.

Barry Rimler, 74 Prospect St. spoke about NB#4 regarding Carriage House and the zoning permit approval.

Wayne Smith, 30 Vernwood Drive spoke regarding Crossroads Church moving into Talcottville school and issues with people parking on the street in a no parking zone. He also spoke regarding a truck parked on the sidewalk when he went to Rockville Hospital.

Jeff Cantor, 27 Oak Street spoke about NB#4 regarding Carriage House and the zoning permit approval.

Suzanne Fontanella, 6 Davis Avenue spoke about NB#4 regarding Carriage House and the zoning permit approval.

Citizen's forum closed at 7:23 PM

D) PUBLIC HEARINGS

None

E) Presentations by the administration

1. DECLARE APRIL AS "2010 FAIR HOUSING MONTH".

2. Mayor Jason L. McCoy to discuss various topics and items of interest with the Town Council.

Town Administrator John Ward provided information on behalf of Mayor McCoy regarding the following topics:

- Town Assessor renegotiated with the current software provider in order for the property cards to go online.
- Mr Nash took over hosting the Town website which will provide for quicker service.
- The building at Grove Street cemetery was taken down
- Collector of Revenue sent out the DMV warrants.

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- Bids for phase 2 work on Prospect Street were returned to the Town Engineer, work will start shortly.
- Parks & Recreation Dept. getting ready to open the parks
- The Parks & Recreation Dept had a successful Easter Egg hunt last Friday
- The Parks & Recreation Dept. are getting ready for a fishing derby on 5/1
- The Mothers day dash will be held in honor of Alice Moran
- The Economic Development Dept is still working on trying to acquire the equestrian center site

Council Member Anderson requested a point of privilege to discuss the authority and boundaries of the Town Council regarding NB#4 Carriage House.

Council Member Krupienski, seconded by Council Member O'Shea made a motion to add the following 2 additional agenda items:

- Additional Appropriation for 8, 11, 12 Ward Street
- Revisions to motions approved at the March 16, 2010 Town Council meeting

F.) ACTION ON CONSENT AGENDA

Council Member Etre, seconded by Council Member Krupienski made a motion to approve the consent agenda items as presented. Council Member Krupienski requested to pull consent agenda item #'s 2, 3 and 4 for discussion. Motion carried unanimously to approve the following consent agenda motions as presented:

- C 1. Request for Tax Refunds for the Current Year.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward, Town Administrator dated March 29, 2010 is included in the Council packet.) **Appendix A**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THREE (3) TAX REFUND IN THE AMOUNT OF \$165.83 FOR PRIOR YEAR AND SIX (6) REFUNDS TOTALLING \$ 573.36, FOR TAX REFUNDS FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED MARCH 29, 2010.

G.) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS

See section E

H.) PENDING BUSINESS

None

I.) NEW BUSINESS

- 1. Request the Town Council adopt the attached Annual Town of Vernon Affirmative Action Policy statement required by DECD and the Small Cities Grant Program.** (A copy of the Affirmative Action Policy is included for Council review) **Appendix B**

PROPOSED RESOLUTION:

THE TOWN COUNCIL OF THE TOWN OF VERNON HEREBY ADOPTS THE "TOWN OF VERNON AFFIRMATIVE ACTION POLICY STATEMENT" AND HEREBY

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AUTHORIZES MAYOR JASON L. MCCOY TO EXECUTE THIS DOCUMENT, DESIGNATING JOHN D. WARD, TOWN ADMINISTRATOR, AS THE TOWN'S AFFIRMATIVE ACTION OFFICER.

Council Member Etre, seconded by Council Member Krupienski made the above motion to adopt the Town of Vernon Affirmative Action Policy statement. Motion carried unanimously.

2. **Request the Town Council in accordance with the requirements for the Small Cities, Community Development Block Grant, endorse the following policies for the Town of Vernon during April, 2010 Fair Housing Month.** (Copies of the Fair Housing Resolution; Fair Housing Policy Statement and the Title VI Compliance Statement, ADA NOTICE, and the ADA Grievance Procedure are included as part of this agenda document for your review.) **Appendix C, D, E, F, G**

PROPOSED RESOLUTION #1

THE TOWN COUNCIL HEREBY WAIVES THE READING AND ADOPTS THE TOWN OF VERNON FAIR HOUSING RESOLUTION PROVIDED BELOW AND AUTHORIZES JOHN WARD, TOWN ADMINISTRATOR, AND FAIR HOUSING OFFICER TO SIGN ON BEHALF OF THE TOWN OF VERNON. SAID FAIR HOUSING RESOLUTION IS A REQUIREMENT OF THE SMALL CITIES, COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR 2010.

Council Member Etre, seconded by Council Member Krupienski made the above motion to adopt the following Fair Housing resolution. Motion carried, Council Member Thomas abstained.

TOWN OF VERNON FAIR HOUSING RESOLUTION	
Whereas,	All American citizens are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and
Whereas,	State and Federal Fair Housing laws require that all individuals, regardless of race, color, religion, sex, national origin, ancestry, marital status, age, mental or physical disability, lawful source of income, sexual orientation, familial status, be given equal access to rental and homeownership opportunities, and be allowed to make free choices regarding housing location; and
Whereas,	The Town of Vernon is committed to upholding these laws, and realizes that those laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice.
NOW THEREFORE, BE IT RESOLVED, That the Town of Vernon hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase and obtain financing for adequate housing of their choice on a non-discriminatory basis: and BE IT FURTHER RESOLVED, That the Town Administrator of the Town of Vernon or his/her designated representative is responsible for responding to and assisting any person who alleges to be the victim of an illegal discriminatory housing practices in the Town of Vernon.	

PROPOSED MOTION #1

THE TOWN COUNCIL HEREBY WAIVES THE READING AND ADOPTS THE FAIR HOUSING POLICY STATEMENT LISTED BELOW AND AUTHORIZES JOHN D. WARD, TOWN

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ADMINISTRATOR, AND FAIR HOUSING OFFICER TO SIGN ON BEHALF OF THE TOWN OF VERNON. SAID POLICY STATEMENT IS REQUIRED BY THE SMALL CITIES, COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR 2010.

Council Member Etre, seconded by Council Member Krupienski made the above motion to adopt the following Fair Housing policy statement. Motion carried unanimously.

**TOWN OF VERNON
FAIR HOUSING POLICY STATEMENT**

It is the policy of the Town of Vernon to promote fair housing opportunities and to encourage racial and economic integration in all its programs and housing development activities.

Programs funded and administered by the Town of Vernon must comply with the provisions of Section 46a-64c of the C.G.S., and with related state and federal laws and regulations that prohibit discriminatory housing practices.

The Town of Vernon or any Sub recipient of the Town will carry out an affirmative marketing program to attract prospective buyers or tenants of all majority or minority groups, without consideration of race, color, religion, sex, national origin, ancestry, creed, sexual orientation, marital status, lawful source of income, disability, age or because the individual has children in all programs and housing development activities funded or administered by the Town of Vernon.

The municipality's Mayors Office is responsible for the enforcement and implementation of this policy. The Mayor may be reached at 860-870-3600.

Complaints pertaining to discrimination in any program funded or administered by the Town of Vernon may be filed with the Town Administrator John D. Ward at 860-870-3665.

Complaints also may be filed with the Commission on Human Rights and Opportunity, Special Enforcement Unit, 21 Grand Street, Hartford, CT 06106, Telephone (860) 541-3403.

A copy of this policy statement will be given annually to all Town employees and they are expected to fully comply with it. In addition, a copy will be posted throughout the Town.

THIS STATEMENT IS AVAILABLE IN LARGE PRINT OR ON AUDIO TAPE by contacting B. Peter Hobbs, ADA Officer, 860-870-3650.

PROPOSED MOTION #2

THE TOWN COUNCIL HEREBY WAIVES THE READING AND AUTHORIZES JOHN D. WARD, TOWN ADMINISTRATOR AND FAIR HOUSING OFFICER TO SIGN THE BELOW STATED TITLE VI DOCUMENT DECLARING THE TOWN OF VERNON'S COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964. SAID COMPLIANCE IS REQUIRED BY THE SMALL CITIES, COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR 2010.

Council Member Etre, seconded by Council Member Anderson made the above motion to adopt the following declaration of compliance with title VI of the civil rights act of 1964. Motion carried unanimously.

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PROPOSED MOTION #4

THE TOWN COUNCIL HEREBY WAIVES THE READING AND RE-ADOPTS THE ADA MUNICIPAL GRIEVANCE PROCEDURE NOTICE AND AUTHORIZES JASON L. MCCOY, MAYOR TO SIGN THE BELOW STATED ADA MUNICIPAL GRIEVANCE PROCEDURE NOTICE DECLARING THE TOWN OF VERNON'S COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. SAID COMPLIANCE IS REQUIRED BY THE SMALL CITIES, COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR 2010.

Council Member Etre, seconded by Council Member Krupienski made the above motion to adopt the following ADA municipal grievance procedure notice. Motion carried unanimously.

**Town of Vernon
ADA MUNICIPAL GRIEVANCE PROCEDURE**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs, or benefits by the **Town of Vernon**.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

B. Peter Hobbs, Building Official
(860) 870-3650
55 West Main Street, Vernon CT 06066

Within 15 calendar days after receipt of the complaint, B. Peter Hobbs will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, B. Peter Hobbs will respond in writing, and, where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of B. Peter Hobbs and offer options for substantive resolution of the complaint.

If the response by B. Peter Hobbs does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA Coordinator within 15 calendar days after receipt of the response to the **Mayor** or his or her designee.

Within 15 calendar days after receipt of the appeal, the **Mayor** or his or her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting the **Mayor** or his or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Town of Vernon, appeals to the **Mayor** or his or her designee, and responses from the ADA coordinator and Mayor or his or her designee will be kept by the Town of Vernon for at least three years.

Mr. Jason L. McCoy,
Mayor

Date

April 6, 2010

3. **Request the Town Council accept the Warranty Deed from Jose D. Correia for "Site Development Plan Correia Way Trout Stream Drive, Vernon, Connecticut" and authorize the conveyance of said property to the Town of Vernon.** (A memorandum dated March 8, 2010 from John D. Ward, Town Administrator to Mayor McCoy and the Vernon Town Council is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY MOVES TO ACCEPT THE WARRANTY DEED FROM JOSE D. CORREIA FOR 477,236 SQUARE FEET OR APPROXIMATELY 10.96 ACRES OF OPEN SPACE, DESCRIBED AS "SITE DEVELOPMENT PLAN CORREIA WAY TROUT STREAM DRIVE, VERNON, CONNECTICUT, MAP 20 BLK 18 LOT 4V & 4AAA ZONE: R-27 & AQUIFER PROTECTION AREA" TO BE CONVEYED TO THE TOWN OF VERNON.

Council Member Motola, seconded by Council Member Krupienski made the above motion to accept the Warranty Deed from Jose D. Corriera for "Site Development Plan Corriera Way Trout Stream Drive" and authorized the conveyance of property to the Town of Vernon. Council Member Krupienski requested the Administration not include the Real Estate Conveyance form or other documents which may contain a social security number for future meetings. All copies of this document were turned into the recording secretary for shredding. Discussion took place. Council member Etre, seconded by Council Member Anderson made a motion for an amendment to send this to the Planning and Zoning board for their approval and send their recommendations to the Town Council, motion withdrawn. Motion carried, Council Member Thomas opposed and Council Member Anderson abstained.

RECESS (7:57 PM)

RECONVENE (7:59 PM)

4. Discussion requested by Councilman Etre with Mr. Ford and Mr. Tundermann regarding the development of the Carriage House at One Ellington Avenue.

Council Member Anderson provided information regarding the authority of the Town Council Members and Planning and Zoning issues.

8:08 PM Council Member Krupienski left the table

Discussion took place.

8:17 PM Council Member Krupienski returned and provided Town Council Members with information regarding this property from the Planning and Zoning Commission meeting minutes.

Discussion continued.

Christopher Crown, 21 Ellington Avenue, provided oral testimony regarding Carriage House. He also provided information to Town Council members which included his testimony and corresponding documents.

Discussion continued.

RECESS (8:50 PM)

RECONVENE (9:08 PM)

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Council Member Etre asked that Administration follow the request of bullet #1 in Mr. Crown's testimony to investigate what transpired; review the information; and provide the results of that review to Town Council Members by the first meeting in May.

5. Discussion requested by Deputy Mayor Brian Motola regarding proposed utilization of the Kindergarten Building by the Vernon Community Arts Center. Committee members will be present for discussion and presentation.

Mr. Shimer and Mr. Hurd presented information regarding the next steps in renovating the Kindergarten building into the Arts Center. It will cost 1.7 million to renovate the building. They are in the process of reviewing grant opportunities. In order for them to pursue grant opportunities, they will need to have a signed lease from the Town of Vernon. The lease will include a minimum of 10 years at a cost of the town maintaining the property, paying the electricity, heat and water. Discussion took place. Council Member Campbell, seconded by Council Member Thomas made a motion to change the language under utilities on page one to the Tenant will pay for heat, electricity and water for the premises, and any telephone service or other utilities in the building such as cable TV will be paid by the tenant also. Discussion took place. Motion failed, Council members Winkler, Anderson, Etre, Krupienski, Thomas, Hany, Motola opposed. Discussion continued. Council Member Krupienski, seconded by Council Member O'Shea made the following motion:

The Town Council hereby refer to the Planning and Zoning Commission for an 8-24 review of the lease agreement between the Town of Vernon and the Vernon Community Arts Center Inc at the April 15, 2010 meeting. The Town Council also hereby schedules a public hearing on May 4, 2010 to receive public comment at 7:05 PM at the Town Hall, Memorial Building, 14 Park Place, 3rd Floor, Council Chambers, Vernon, CT.

Discussion took place, Council Members Krupienski and O'Shea amended their motion to change the date of the public hearing to April 20, 2010. Motion as amended carried, unanimously.

(9:51 PM) Council Member Thomas, seconded by Council Member Etre made a motion to extend curfew until the end of business. Council Member Anderson moved for a friendly amendment to extend curfew until 10:30 PM. Motion as amended carried.

J.) **INTRODUCTION OF ORDINANCES**
None

K.) **ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED**
None

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 schedule a Public Hearing on April 20, 2010 to discuss and receive comment regarding the FY 2010 Community and Block Development Grant (CBDG) program application.**

PROPOSED MOTION:

THE TOWN COUNCIL, PER THE REQUIREMENTS FOR CDBG FUNDING, HEREBY SCHEDULES A PUBLIC HEARING TO DISCUSS AND RECEIVE PUBLIC COMMENT REGARDING THE **FISCAL YEAR 2010 COMMUNITY DEVELOPMENT BLOCK**

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GRANT PROGRAM, SAID HEARING TO TAKE PLACE AT 7:05 PM ON TUESDAY, APRIL 20, 2010 IN THE COUNCIL CHAMBERS, THIRD FLOOR, 14 PARK PLACE, VERNON, CONNECTICUT.

Council Member Etre, seconded by Council Member Thomas made the above motion to schedule a public hearing on April 20, 2010 7:05 PM to discuss and receive comment regarding the FY 2010 Community & Block Development Grant application. Discussion took place.

9:53 PM - Council Member Anderson left the table.

Council Member Etre, seconded by Council Member Thomas made a motion to move the question. Motion carried unanimously.

- C 3. Request the Town Council approve an appropriation for funding the treatment of variable-leaf milfoil and fanwort milfoil at Walker's Reservoir and Valley Falls.**
(Please see the enclosed memoranda from Peter Graczykowski, Assistant Town Administrator, dated March 29, 2010; Bruce Dinnie, Parks and Recreation Director dated March 26, 2010; a report from Dr. George W. Knoecklein, Ph.D., of Northeast Aquatic Research, dated January 14, 2010 and from the Vernon Conservation Commission, dated March 23, 2010.)

PROPOSED MOTION #1:

THE TOWN COUNCIL MOVES TO APPROVE THE ADDITIONAL APPROPRIATION OF \$3,350.00 TO ACCOUNT 10560254-54390 FOR PARKS AND RECREATION, TO COVER THE 2010 AQUATIC MANAGEMENT PROGRAM AT VALLEY FALLS POND.

Council Member Etre, seconded by Council Member O'Shea made the above motion to approve the appropriation to cover the 2010 Aquatic Management Program at Valley Falls Pond. Discussion took place.

9:55 PM Council Member Anderson returned.

Council Member Krupienski requested the transfer sheets for the budget appropriations at the next meeting. Council Member Krupienski, seconded by Council Member Etre amended the above motion to the following:

THE TOWN COUNCIL MOVES TO APPROVE THE ADDITIONAL APPROPRIATION OF \$3,350.00 FROM FUND BALANCE TO ACCOUNT 10560254-54390 FOR PARKS AND RECREATION, TO COVER THE 2010 AQUATIC MANAGEMENT PROGRAM AT VALLEY FALLS POND.

Motion carried unanimously.

Motion as amended carried unanimously.

PROPOSED MOTION #2:

THE TOWN COUNCIL MOVES TO APPROVE THE ADDITIONAL APPROPRIATION OF \$13,275.00 FROM FUND BALANCE TO ACCOUNT 10560254-54390 FOR PARKS AND RECREATION, TO COVER THE 2010 AQUATIC MANAGEMENT PROGRAM FOR WALKER'S RESERVOIR.

Council Member Krupienski, seconded by Council Member Etre made the above motion to approve the appropriation to cover the 2010 Aquatic Management Program for Walkers Reservoir. Motion carried unanimously.

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- C 4. Request the Town Council approve the bid waiver for the Vernon Department of Public Works for the purchase of a 2011 Ford F250 W/8' Plow pick up truck from Ray Seraphin Ford.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated March 30, 2010 is included for Council's review.)

PROPOSED RESOLUTION:

RESOLVED, THE TOWN COUNCIL CONSISTENT WITH THE TOWN CHARTER, CHAPTER 12, SECTION 9, DEEMS IT IS AGAINST THE BEST INTEREST OF THE TOWN TO INVITE SEALED BIDS FOR THE PURCHASE OF A PICK-UP TRUCK 2011 FORD F250 W/8' PLOW AND HEREBY WAIVES THE BID PROCEDURE AND AUTHORIZES THE TOWN ADMINISTRATOR TO EXECUTE THE PURCHASE OF THE PICKUP TRUCK FROM NAME OF RAY SERAPHIN FORD, 100 WINDSOR AVENUE, ROCKVILLE, CT, FOR AN AMOUNT NOT TO EXCEED \$27,700.

Council Member Etre, seconded by Council Member Hany made the above motion to approve the bid waiver procedure to execute the purchase of a 2011 Ford F250 pick up truck with an 8' plow from Ray Seraphin Ford. Discussion took place. Town Administrator Ward explained that they were able to acquire this vehicle for less than the state bid list price which is the reason for the bid waiver. Council Member Etre made a motion to move the question, motion carried unanimously. Motion carried unanimously.

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT #14 FOR FISCAL YEAR 2009-2010, AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY JAMES LUDDECKE, FINANCE OFFICER. **Appendix H**

Council Member Etre, seconded by Council Member Krupienski made the above motion to budget amendment #14 for FY 2009-2010. Discussion took place. Motion carried unanimously.

Additional Agenda item #1:

In July 2009, the Town foreclosed on and purchased several blighted properties located at #8, 11 and 12 Ward Street. The Town received bids from contractors for conducting an environmental survey and the take down of the buildings. The lowest responsible bid came in at \$61,150 and the Administration would like to award the bid. Therefore Town Administrator Ward is requesting the Town Council authorize an appropriation in the same amount from the General Fund for demolishing the properties at #8, 11 and 12 Ward Street.

Council Member Etre, seconded by Council Member O'Shea made the following motion:

THE TOWN COUNCIL HEREBY AUTHORIZES AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$61,150 FROM THE GENERAL FUND FOR THE PURPOSE OF DEMOLITION OF STRUCTURES KNOWN AS 8, 11, 12 WARD STREET.

Discussion took place. Council Member Krupienski requested a budget amendment form. Motion carried unanimously.

Additional Agenda item #2:

The following motions are additions/revisions to the motions approved at the March 16, 2010 Town Council meeting concerning Consent Item #2 – Automated refuse recycling program.

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Council Member Krupienski, seconded by Council Member Thomas made the following motion:

THE TOWN COUNCIL MOVES TO: (1) AUTHORIZE THE LEASE PURCHASE OF 5,000 REFUSE TOTES CONTAINERS AND 3,070 RECYCLING TOWER CONTAINERS, FOR THE TOTAL OF 8,070 CONTAINERS COMPATIBLE WITH THE AUTOMATED REFUSE AND RECYCLING COLLECTION, AS WELL AS HOT STAMP OPTION FOR 5,000 RECYCLING TOTE CONTAINERS; FOR A TOTAL PURCHASE PRICE OF NOT TO EXCEED \$450,000 ON A SEVEN YEAR LEASE WITH PAYMENTS NOT TO EXCEED \$77,000 PER YEAR; AND FURTHER (2) AUTHORIZE MAYOR JASON L. MCCOY OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS TO COMPLETE THIS PROJECT. FURTHER IF FINANCIALLY FAVORABLE, THE ADMINISTRATION IS AUTHORIZED TO BORROW FROM TOWN FUNDS IN LIEU OF A CAPITAL LEASE PURCHASE.

Motion carried unanimously.

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

THE TOWN COUNCIL MOVES TO: (1) AUTHORIZE THE LEASE PURCHASE OF ONE NEW AUTOMATED SIDE LOADING TRUCK, COMPATIBLE WITH THE AUTOMATED REFUSE OR RECYCLING COLLECTION, FOR A TOTAL PURCHASE PRICE OF NOT TO EXCEED \$220,000 FINANCED THROUGH A CAPITAL LEASE WITH YEARLY PAYMENTS; AND FURTHER (2) AUTHORIZE MAYOR JASON L. MCCOY OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS TO COMPLETE THIS PROJECT. FURTHER IF FINANCIALLY FAVORABLE, THE ADMINISTRATION IS AUTHORIZED TO BORROW FROM TOWN FUNDS IN LIEU OF A CAPITAL LEASE PURCHASE.

Motion carried unanimously.

Council member Etre, seconded by Council member Krupienski made the following motion:

THE TOWN COUNCIL IN ACCORDANCE WITH CHAPTER XII, SECTION 9 OF THE TOWN CHARTER, DETERMINES THAT IT IS IN THE BEST INTEREST OF THE TOWN TO WAIVE THE SEALED BID PROCEDURE FOR THE PURCHASE OF A USED 2002 FREIGHTLINER McNEILUS CONDOR AUTOMATED SIDE LOADING TRUCK, AND HEREBY AUTHORIZES THE TOWN ADMINISTRATOR TO EXECUTE THE PURCHASE OF THE TRUCK FROM TRUCK SITE, 1800 OLIVE DRIVE, DAVIS, CALIFORNIA, FOR AN AMOUNT NOT TO EXCEED \$50,000.00.

Motion carried unanimously.

Council Member Etre, seconded by Council Member Krupienski rescinded the above motion.

Council Member Etre, seconded by Council Member Campbell rescinded Motion #4 as approved at the March 16, 2010 meeting.

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

THE TOWN COUNCIL IN ACCORDANCE WITH CHAPTER XII, SECTION 9 OF THE TOWN CHARTER, DETERMINES THAT IT IS IN THE BEST INTEREST OF THE TOWN TO WAIVE THE SEALED BID PROCEDURE FOR THE PURCHASE OF A USED 2002 FREIGHTLINER McNEILUS CONDOR AUTOMATED SIDE LOADING TRUCK, AND HEREBY AUTHORIZES THE TOWN ADMINISTRATOR TO EXECUTE THE PURCHASE OF THE TRUCK FROM TRUCK SITE, 1800 OLIVE DRIVE, DAVIS, CALIFORNIA, FOR AN AMOUNT NOT TO EXCEED \$50,000.00.

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Motion carried unanimously.

M.) ADOPTION OF MINUTES

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF MARCH 16, 2010 AND THAT MINUTES OF SAID MEETING BE APPROVED.
(Also attached, please find draft minutes from the SPECIAL BUDGET MEETINGS OF MARCH 22, 24, 25 and 27, 2010 for your review.)

Council Member Krupienski, seconded by Council Member Etre made a motion to approve the minutes of the March 16, 2010 Regular Town Council meeting. Motion carried unanimously.

N.) EXECUTIVE SESSION

None

O.) INFORMATIONAL ITEMS, Petitions, communications, correspondence, reports, etc. not requiring action

1. A memorandum dated March 3, 2010 from John Leary, Chairman, PMBC relative to the Annual Inspection of Rockville High School.
2. Updated Appointed/Elected Officials List dated March 17, 2010.
3. Police Department Monthly Report, February, 2010 as submitted by Captain Stephen Clark.

Adjourn (10:30 PM)

Council Member Etre, seconded by Council Member Krupienski made a motion to adjourn. Motion carried unanimously.

Received: April 8, 2010

Approved: May 4, 2010

Respectfully Submitted,

Jill Kentfield
Recording Secretary

Karen C. Daigle
Assistant Town Clerk

April 6, 2010

Appendix A



TOWN OF VERNON

8 PARK PLACE, VERNON, CT 06066
Tel: (860) 870-3660
Fax: (860) 870-3585

OFFICE OF THE
COLLECTOR OF REVENUE

TO: John Ward, Town Administrator
FROM: Terry Hjarne, Collector of Revenue
DATE: March 29, 2010
SUBJECT: Refunds for Town Council Approval

PRIOR YEARS:

Kurpiewski Carol J.....	37.96
Assessor's Correction – Vehicle Totaled	
Leighton Terrill L. or Patricia D.....	81.25
Assessor's Correction – Sold Vehicle	
Sans Leopold.....	46.62
Assessor's Correction – Out of Business	

CURRENT YEAR:

Budlong Shawn P.....	181.89
Assessor's Correction – Vehicle Totaled	
Clay Warren D. or Audrey.....	6.77
Assessor's Correction – Vehicle Totaled	
Cusson Gary.....	188.56
Taxpayer Paid Too Much	
Kurpiewski Carol J.....	32.34
Assessor's Correction – Vehicle Totaled	
Laughman Heidi M.....	97.31
Assessor's Correction – Sold Vehicle	
Sans Leopold.....	66.49
Assessor's Correction – Out of Business	

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Appendix A (cont)

2

(3) Prior Overpayments.....	\$165.83
(6) Current Overpayments.....	\$573.36

Cc: James Luddecke

April 6, 2010

Appendix B



JASON L. McCOY, ESQ.
Mayor

TOWN OF VERNON

14 PARK PLACE, VERNON, CT 06066
Tel: (860) 870-3600
Fax: (860) 870-3580
E-mail: jmccoy@vernon-ct.gov

Town of Vernon **AFFIRMATIVE ACTION POLICY STATEMENT**

As Mayor of Town of Vernon, I recognize the need for Affirmative Action and I pledge my commitment to undertake positive actions to overcome the present effects of past practices or barriers to equal employment opportunity and to achieve the full and fair participation of minorities, women, people with disabilities, older persons, and all other protected groups found to be underutilized in the Town of Vernon's work force or affected by policies having an adverse impact. In the spirit of Executive Order 11, signed by Governor Ella Grasso November 21, 1975, and Executive Order 9, signed by Governor William A. O'Neill on January 3, 1984, I further state that this Town of Vernon will comply with the anti-discrimination provisions of the state and federal laws and regulations listed at the end of this section.

I recognize the hiring difficulties experienced by minorities, people with disabilities and by many older persons and, where appropriate, I have set goals to overcome the present effects of past discrimination, if any, to achieve the full and fair utilization of such persons in the work force. I further pledge that the Town of Vernon will affirmatively provide services and programs in a fair and impartial manner.

Where adverse impact is identified, the Town of Vernon will: (1) review its personnel policies and procedures to ensure that barriers, which unnecessarily exclude protected classes and practices, which have an illegal discriminatory impact, are identified and eliminated; (2) explore alternative approaches to employ minorities and members of protected classes; (3) administer all terms, conditions, privileges and benefits of the employment process in an equitable manner; and (4) establish procedures for the extra effort that may be necessary to ensure that the recruitment and hiring of protected group members reflect their availability in the job market.

It is the policy of the Town of Vernon to provide equal employment opportunities without consideration of race, color, religion, age, sex, marital status, national origin, genetic information, past/present history of mental disability, ancestry, mental retardation, learning or physical disabilities including but, not limited to blindness, sexual orientation, political belief or criminal record, unless the provisions of Section 46a-60(b), 46a-80(b) and 46a-81 (b) of the Connecticut General Statutes are controlling or there is a bonafide occupational qualification excluding persons in one of the above protected groups. This policy applies to all aspects of the employer/employee relationship including, but not limited to, recruitment, hiring, referrals, classifying, advertising, training, upgrading, promotion, benefits, compensation, discipline, layoff, and terminations.

April 6, 2010

Appendix B (cont)



MAYOR
TOWN OF VERNON

Page 2 of 2

The Town of Vernon will implement, monitor, and enforce this Affirmative Action Policy Statement in conjunction with the applicable federal and state laws, regulations and executive orders listed below: 13th, 14th and 15th Amendments of the United States Constitution, Civil Rights Act of 1866, 1870, 1871, Equal Pay Act of 1963, Title VI and VII of the 1964 United States Civil Rights Act, presidential Executive Orders 11246, amended by 11375, (Nondiscrimination under federal contracts), Act 1 Section 1 and 20 of the Connecticut Constitution, Governor Grasso's Executive Order Number 11, Governor O'Neill Executive Order Number 9, the Connecticut Fair Employment Practices Law (46a-63-64), Discrimination against Criminal Offenders (46a-80).

Connecticut General Statutes, Connecticut Code of Fair Accommodations Law (46-63-64), definition of Blind (46a-51 (1), definition of Physically Disabled (46a-51 (15), definition of Mentally Retarded (46a-51 (13), cooperation with the Commission of Human Rights AND Opportunities (46a-77), Sexual Harassment (46-60-(a) Connecticut Credit Discrimination Law (360436 through 439), Title I of the State and the Local Fiscal Assistance Act of 1972 and the Americans with Disabilities Act of 1992.

This policy statement will be given annually to all Town of Vernon employees and will also be posted throughout the Town of Vernon. I also expect each supplier, union, consultant and other entity (s) with which we do business to comply with all applicable State and Federal Equal Opportunity laws and regulations. The Town of Vernon will not knowingly do business with any entity debarred from participation in any federal or state program or found to be in violation of any state or federal anti-discrimination law.

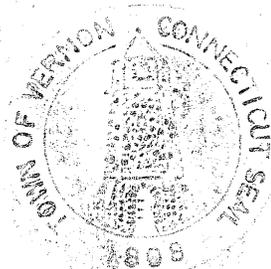
I have assigned the responsibility to achieve the successful implementation of our goals and objectives to John D. Ward, Town Administrator, 860-870-3665, jward@vernon-ct.gov

5-12-10
Date *resigned 5/27/2010*

[Handwritten signature]
Mr. Jason L. McCoy
Mayor

THIS STATEMENT IS AVAILABLE IN LARGE PRINT OR ON AUDIO TAPE FROM THE ADA-504 COORDINATOR BY CALLING B. PETER HOBBS, 860-870-3650.

NOT ORIGINAL SIGNATURE



April 6, 2010

Appendix C



OFFICE OF THE
TOWN ADMINISTRATOR

TOWN OF VERNON

14 PARK PLACE, VERNON, CT 06066
Tel: (860) 870-3665
Fax: (860) 870-3580
E-mail: jward@vernon-ct.gov

TOWN OF VERNON FAIR HOUSING RESOLUTION

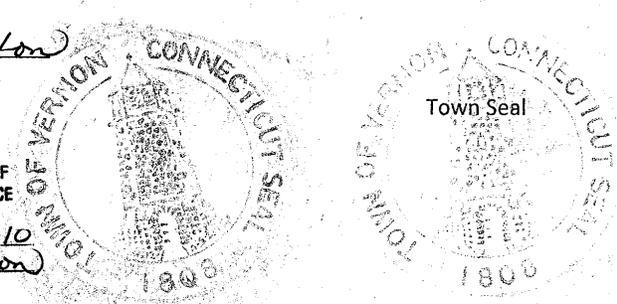
- Whereas,** All American citizens are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and
- Whereas,** State and Federal Fair Housing laws require that all individuals, regardless of race, color, religion, sex, national origin, ancestry, marital status, age, mental or physical disability, lawful source of income, sexual orientation, familial status, be given equal access to rental and homeownership opportunities, and be allowed to make free choices regarding housing location; and
- Whereas,** The **Town of Vernon** is committed to upholding these laws, and realizes that those laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice.

NOW THEREFORE, BE IT RESOLVED, That the **Town of Vernon** hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase and obtain financing for adequate housing of their choice on a non-discriminatory basis: and **BE IT FURTHER RESOLVED,** That the Town Administrator of the Town of Vernon or his/her designated representative is responsible for responding to and assisting any person who alleges to be the victim of an illegal discriminatory housing practices in the Town of Vernon.

Adopted by the VERNON TOWN COUNCIL on April 6, 2010

Bernice K. Dixon
Bernice K. Dixon,
Vernon Town Clerk

I CERTIFY THIS TO BE A TRUE COPY OF
THE DOCUMENT ON FILE IN THE OFFICE
OF THE VERNON TOWN CLERK
DATED July 13, 20 10
Bernice K. Dixon
VERNON TOWN CLERK



April 6, 2010

Appendix D

TOWN OF VERNON
FAIR HOUSING POLICY STATEMENT

It is the policy of the Town of Vernon to promote fair housing opportunities and to encourage racial and economic integration in all its programs and housing development activities.

Programs funded and administered by the Town of Vernon must comply with the provisions of Section 46a-64c of the C.G.S., and with related state and federal laws and regulations that prohibit discriminatory housing practices.

The Town of Vernon or any Sub recipient of the Town will carry out an affirmative marketing program to attract prospective buyers or tenants of all majority or minority groups, without consideration of race, color, religion, sex, national origin, ancestry, creed, sexual orientation, marital status, lawful source of income, disability, age or because the individual has children in all programs and housing development activities funded or administered by the Town of Vernon.

The municipality's Mayors Office is responsible for the enforcement and implementation of this policy. The Mayor may be reached at 860-870-3600.

Complaints pertaining to discrimination in any program funded or administered by the Town of Vernon may be filed with the Town Administrator John D. Ward at 860-870-3665.

Complaints also may be filed with the Commission on Human Rights and Opportunity, Special Enforcement Unit, 21 Grand Street, Hartford, CT 06106, Telephone (860) 541-3403.

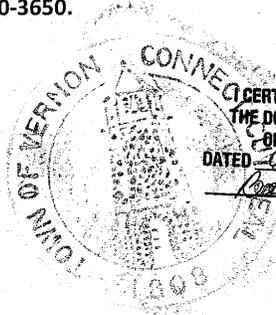
A copy of this policy statement will be given annually to all Town employees and they are expected to fully comply with it. In addition, a copy will be posted throughout the Town.

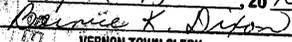
4/12/10
Date


John D. Ward
Town Administrator



THIS STATEMENT IS AVAILABLE IN LARGE PRINT OR ON AUDIO TAPE by contacting B. Peter Hobbs, ADA Officer, 860-870-3650.



CERTIFY THIS TO BE A TRUE COPY OF
THE DOCUMENT ON FILE IN THE OFFICE
OF THE VERNON TOWN CLERK
DATED April 15, 2010

VERNON TOWN CLERK

April 6, 2010

Appendix E



OFFICE OF THE
TOWN ADMINISTRATOR

TOWN OF VERNON

14 PARK PLACE, VERNON, CT 06066
Tel: (860) 870-3665
Fax: (860) 870-3580
E-mail: jward@vernon-ct.gov

TOWN OF VERNON

COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

The Town of Vernon does not discriminate in the provision of services, the administration of its programs, or contractual agreements. The Town of Vernon seeks to fully carry out its responsibilities under the Title VI Regulations.

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the grounds of race, color, or national origin in programs and activities receiving Federal financial assistance. Title VI provides that no person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any programs covered by the Regulations.

This policy is effectuated through the methods of administration outlined in the Town's Fair Housing Plan and is fully implemented to ensure compliance by the Town, as the recipient, and by subrecipients. The cooperation of all Town personnel is required.

Adopted by Vernon Town Council
April 6, 2010

Town Clerk

Town Seal

I CERTIFY THIS TO BE A TRUE COPY OF
THE DOCUMENT ON FILE IN THE OFFICE
OF THE VERNON TOWN CLERK
DATED April 13 2010

VERNON TOWN CLERK



April 6, 2010

Appendix F



OFFICE OF THE
TOWN ADMINISTRATOR

TOWN OF VERNON

14 PARK PLACE, VERNON, CT 06066
Tel: (860) 870-3665
Fax: (860) 870-3580
E-mail: jward@vernon-ct.gov

TOWN OF VERNON ADA NOTICE

The Town of Vernon does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services or activities. The Town of Vernon does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990.

Questions, concerns, complaints, or requests for additional information regarding the ADA may be forwarded to the Town of Vernon's designated ADA Compliance Coordinator.

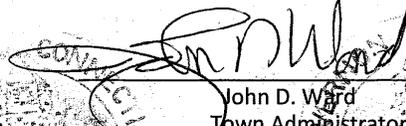
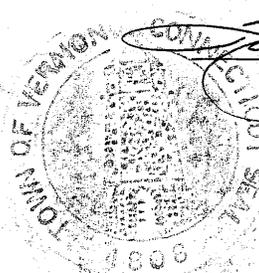
Name: B. Peter Hobbs
Title: Building Official
Address: 55 West Main Street, Vernon, CT 06066
Phone: (860)870-3650 x 3650 **Fax:** (860) 870-3589

Days/Hours Available:
Mon. - Wed. 8:30 am to 4:30 pm
Thurs. 8:30 am – 7:00 pm
Fri. 8:30 am – 1:00 pm

Individuals who need auxiliary aids for effective communication in programs and services of the Town of Vernon are invited to make their needs and preferences known to the ADA Compliance Coordinator.

This notice is available upon request in large print, on audio tape and in Braille, from the ADA Compliance Coordinator.

4/12/10
Date


John D. Ward
Town Administrator

I CERTIFY THIS TO BE A TRUE COPY OF
THE DOCUMENT ON FILE IN THE OFFICE
OF THE VERNON TOWN CLERK
DATED April 15 2010
Behnice K. Dufon
VERNON TOWN CLERK

Appendix G

**Town of Vernon
ADA MUNICIPAL GRIEVANCE PROCEDURE**

This Grievance Procedure is established to meet the requirements of the Americans with Disabilities Act. It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in employment practices and policies or the provision of services, activities, programs, or benefits by the **Town of Vernon**.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

B. Peter Hobbs, Building Official
(860) 870-3650
55 West Main Street, Vernon CT 06066

Within 15 calendar days after receipt of the complaint, B. Peter Hobbs will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, B. Peter Hobbs will respond in writing, and, where appropriate, in a format accessible to the complainant, such as large print, Braille, or audio tape. The response will explain the position of B. Peter Hobbs and offer options for substantive resolution of the complaint.

If the response by B. Peter Hobbs does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision of the ADA Coordinator within 15 calendar days after receipt of the response to the **Mayor** or his or her designee.

Within 15 calendar days after receipt of the appeal, the **Mayor** or his or her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting the **Mayor** or his or her designee will respond in writing, and where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by Town of Vernon, appeals to the **Mayor** or his or her designee, and responses from the ADA coordinator and Mayor or his or her designee will be kept by the Town of Vernon for at least three years.

Mr. Jason L. McCoy,
Mayor

Date

