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**MINUTES**  
**VERNON TOWN COUNCIL REGULAR MEETING**  
**TOWN HALL - 14 PARK PLACE - 3<sup>rd</sup> Floor**  
**VERNON, CONNECTICUT**

**September 7, 2010 – 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, Judy Hany, James Krupienski, Brian R. Motola, Sean O’Shea, Pauline Schaefer, Harry D. Thomas, Michael A. Winkler

**Absent:** Council Member Marie Herbst

**Entered During Meeting:**

**Also Present:** Mayor Jason L. McCoy, Town Administrator John Ward, Recording Secretary Jill Kentfield

**C) CITIZEN’S FORUM**

Edie Chernack, 50 Cubles Dr. – Thanked Mayor McCoy for recognizing the importance of eradicating the weed infestation in Bolton Lake. Spoke about the storm drainage system to be installed in the Bolton Lakes area. They have problems with ice and flooding of the roads. Provided a hand-out to members of the Town Council.

Fay Risley, 29 Anchorage Rd. – Requested a portion of the funding to fix roads be directed to the Bolton Lakes Region. Traffic heavy during use of Camp NewHoca

Janine Guillano, 28 Anchorage Rd. – provided pictures of roads in the Bolton lakes area to town council members. She has issues with ice and flooding of the roads in her area.

Citizen’s forum closed at 7:20 PM

**D) PUBLIC HEARING (7:10 PM) / SPECIAL TOWN MEETING (7:15 PM)**

Public Hearing relative to a ***“Resolution Regarding An Additional Appropriation For Roadway Improvements In The Amount of \$800,000.00”***. Mayor Jason L. McCoy calls the Public Hearing to order in order to receive comments and recommendations relative to a ***“Resolution Regarding An Additional Appropriation for Roadway Improvements in the Amount of \$800,000.00.”*** (A copy of said resolution is included in the Council’s packet for review.)

**Open Public Hearing (7:20 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:

Sigurd Folstad, 39 Deerfield Dr. – Requested TC members drive through the area of Trout Stream, Tumblebrook and Clothespin Drive. He provided pictures of the roads that include missing curbs, cracks and chunks taken out of the road.

Ray Nelson, 46 Quarry Dr. – Requested Council Members consider adding Quarry Drive to the Merline Drive repairs or take it into consideration for the next set of road repairs.

Sue Perry, 26 Ema Lane – Is in favor of the resolution and was informed by DPW that Emma Dr. would be added to the list of roads to be repaired. Requested a motion be made to make it official.

Public Works Director Kleinhans gave a presentation that included road repairs completed to date and future repairs.

John Murray, 19 Hany Lane – Requested Town Council members set up a mechanism to fund capitol improvements that includes a regular maintenance schedule for the roads and can't be touched every budget season.

Edie Chernack, 50 Cubles Dr. – Saw Cubles Drive on the list of roads in the presentation that received shims and has not seen the repair to date. She also mentioned the need for storm drains.

Jean Asherman, Edith Road – Encouraged passage of the resolution.

Richard Wurst, Donnel Road – Encouraged passage of the resolution.

Mary Proulx, 32 Wellwood Cle – Encouraged support of the resolution.

Bill Smith, Vernwood Dr. – Concerned about the closing of Oviate Rd because the businesses need it.

Don Bellingham, 64 Gerald Dr. – Encouraged support of the resolution.

Vince Lamaris, 12 Wolcott La. – Their roads were down to dirt, but they were temporarily repaired. As members of the Town Council consider road repairs, they also need to consider that the worn roads may reduce the value of the citizen's properties.

**Close Public Hearing (8:01 PM)**

Council Member Motola, seconded by Council Member Winkler made a motion to close the public hearing and recess the Town Council meeting until the conclusion of the Special Town Meeting. Motion carried unanimously.

Mayor McCoy called the regular Town Council meeting back to order at 8:08 PM.

RECESS 8:11 PM.  
RECONVENE 8:20 PM

**E) PRESENTATIONS BY THE ADMINISTRATION**

Mayor Jason L. McCoy presented Mayoral Proclamation to Mrs. Geraldine Strong in recognition of Constitution Week, which takes place from September 17, 2010 through September 23, 2010. This is the 223 anniversary of the signing of the constitution.

**F.) ACTION ON CONSENT AGENDA**

Council Member Motola, seconded by Council Member Thomas made a motion to approve the consent agenda items as presented. Council Member Winkler pulled item #3, Council Member Schaefer pulled item #4 and Council Member Krupienski pulled item #'s 2, 5 and 6 for discussion. Motion carried unanimously to approve the consent agenda item 1 as presented.

- C 1.** Request for Tax Refunds Prior Years and Current Year. (A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward, Town Administrator dated August 19, 2010 is included in the Council packet.)

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY APPROVES FIVE (5) REFUNDS TOTALING \$1214.62 FOR TAX REFUNDS FROM THE PRIOR YEAR, AND TWENTY-EIGHT (28) REFUNDS TOTALING \$4679.32 FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED AUGUST 19, 2010.

Council Member Motola, seconded by Council Member Thomas made the above motion to the tax refunds totaling \$1214.62. Motion carried unanimously.

Mayor McCoy requested the discussion on Consent agenda item C4 take place before new business. Council Members were in agreement.

- C 4.** Request the Town Council approve the redesignation of capital non-recurring funding for the grinding and repaving of the Board of Education Administration parking lot at 30 Park Street. (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated September 2, 2010 and a memorandum from Superintendent Mary P. Conway to Mayor Jason L. McCoy dated September 1, 2010 are included for Council review.)

**PROPOSED MOTION #1**

REQUEST THAT THE TOWN COUNCIL AUTHORIZE THE CLOSURE OF THE TEN EDUCATION CAPITAL NON-RECURRING FUND PROJECTS AS PRESENTED AND APPROVE THE REDESIGNATION OF THE UNEXPENDED APPROPRIATION TOTALING \$164,620.00 AS NON-DESIGNATED FUNDS.

Council Member Etre, seconded by Council Member O'Shea made the above motion to approve the re-designation of capital non-recurring funding for the grinding and repaving of the Board of Education Administration parking lot at 30 Park Street. Motion carried unanimously.

**PROPOSED MOTION #2**

REQUEST THAT THE TOWN COUNCIL APPROVE THE USE OF \$76,350.12 FROM THE CAPITAL NON-RECURRING BUDGET FOR THE PURPOSE OF GRINDING AND REPAVING THE BOARD OF EDUCATION ADMINISTRATION PARKING LOT AT 30 PARK STREET.

Council Member Etre, seconded by Council Member Champagne made the above motion to approve re-designation of capital non-recurring funding for the grinding and repaving of the Board of Education Administration parking lot at 30 Park Street. Discussion took place. Motion carried unanimously.

**G.) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS**  
None

**H.) PENDING BUSINESS**  
None

I.) **NEW BUSINESS**

1. **Presentation by Town Administrator John D. Ward relative to the Vernon Transportation Center.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and Town Council Members dated September 3, 2010 is included for Council review.)

**PROPOSED MOTION**

THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO ENTER INTO THE REVISED ASSISTANCE AGREEMENT #07-GHTD-002 WITH THE GREATER HARTFORD TRANSIT DISTRICT, FOR THE PURPOSES OF UNDERTAKING A MASS TRANSPORTATION CAPITAL ASSISTANCE PROJECT WITH THE DISTRICT'S ASSISTANCE TO THE TOWN USING FUNDS RECEIVED BY THE DISTRICT FOR SUCH PURPOSE UNDER THE PROVISIONS OF CAPITAL GRANT #CT-04-002 BETWEEN THE DISTRICT AND THE FEDERAL TRANSIT AUTHORITY OF THE U.S. DEPARTMENT OF TRANSPORTATION. SAID PROJECT SHALL INCLUDE A TOTAL MAXIMUM PROJECT COST OF \$7,923,712. MAYOR JASON L. MCCOY OR HIS DESIGNEE IS FURTHER AUTHORIZED TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THIS SUBMISSION AND PROJECT

Council Member Motola, seconded by Council Member Etre made the above motion to authorize Mayor McCoy or designee to enter into a revised assistance agreement with the Greater Hartford Transit District for the undertaking of a Mass Transportation Capital Assistance Project. Discussion took place. Town Administrator Ward presented information regarding the new proposal for the Vernon Transportation Center to be housed at 402 Hartford Turnpike (DOT commuter parking lot). The cost of the project is approximately 7.9 million with the Town needing to provide a 20% match of approx 1.6 million. Council Members asked questions. Economic Development Coordinator Maria Rodriguez and Bruce Kellogg of the Economic Development Commission presented information in support of the proposal.

Recess 9:25 PM  
Reconvene 9:36 PM

9:36 PM Council Member Etre left the table

Town Administrator Ward explained the time constraints of waiting to vote on the motion.

9:39 PM Council Member Etre returned.

Council Member Etre, seconded by Council Member Thomas made a friendly amendment to modify the location of the project to 375-383 Hartford Tpk. Discussion continued.

Recess 9:46 PM  
Reconvene 10:00 PM.

10:00 PM Council Member Campbell, seconded by Council Member Etre made a motion to extend the curfew until end of business.

The clerk read the amended motion into the record as follows:

THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO ENTER INTO THE REVISED ASSISTANCE AGREEMENT #07-GHTD-002 MODIFIED TO REFLECT 375-383 HARTFORD TURNPIKE WITH THE GREATER HARTFORD TRANSIT DISTRICT, FOR THE PURPOSES OF UNDERTAKING A MASS TRANSPORTATION CAPITAL ASSISTANCE PROJECT WITH THE DISTRICT'S ASSISTANCE TO THE TOWN USING FUNDS RECEIVED BY THE DISTRICT FOR SUCH PURPOSE UNDER THE PROVISIONS OF CAPITAL GRANT #CT-04-002 BETWEEN THE DISTRICT AND THE FEDERAL TRANSIT AUTHORITY OF THE U.S. DEPARTMENT OF TRANSPORTATION. SAID PROJECT SHALL INCLUDE A TOTAL MAXIMUM PROJECT COST OF \$7,923,712. MAYOR JASON L. MCCOY OR HIS DESIGNEE IS FURTHER AUTHORIZED TO EXECUTE ANY AND ALL NECESSARY DOCUMENTS FOR THIS SUBMISSION AND PROJECT

Amended Motion failed, Council Members Schaefer, Champagne, Thomas, Winkler, Campbell and Krupienski opposed.

**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 approve the Reverse Auction Cooperative Purchasing Agreement through the Connecticut Conference of Municipalities, LLC.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated August 20, 2010 is included for Council review.)

**PROPOSED RESOLUTION:**

THE TOWN COUNCIL, HEREBY RESOLVES IN ACCORDANCE WITH CHAPTER XII, SECTION 9, OF THE TOWN CHARTER, THAT IT IS IN THE BEST INTEREST OF THE TOWN TO: (1) WAIVE THE TRADITIONAL SEALED BID REQUIREMENTS FOR THE PURCHASE OF MATERIALS, SUPPLIES, EQUIPMENT AND SERVICES AND AUTHORIZES THE USE OF A SEALED BID REVERSE AUCTION PROGRAM ADMINISTERED BY THE CONNECTICUT CONFERENCE OF MUNICIPALITIES, LLC, FOR THE DURATION OF TWELVE (12) MONTHS, FROM SEPTEMBER 8, 2010 TO SEPTEMBER 7, 2011; AND (2) AUTHORIZE THE TOWN ADMINSTRATOR AS THE MAYOR'S DESIGNEE TO EXECUTE ON BEHALF OF THE TOWN OF VERNON ANY AGREEMENT(S) TO THAT EFFECT.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the Reverse Auction Cooperative Purchasing Agreement through the Connecticut Conference of Municipalities, LLC. Discussion took place. Council Member Winkler requested the Administration keep the council informed of any purchase requests above \$10,000. Motion carried unanimously.

**C 3.** **Request the Town Council approve Cooperative Bidding Resolution.**

(A copy of a memorandum dated August 12, 2010 from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council is included for Council review.)

**PROPOSED RESOLUTION:**

THE TOWN COUNCIL, HEREBY RESOLVES IN ACCORDANCE WITH CHAPTER TWELVE (XII) SECTION NINE (9) OF THE TOWN CHARTER, THAT IT IS IN THE BEST INTEREST OF THE TOWN TO: (1) WAIVE THE TRADITIONAL SEALED BID REQUIREMENTS FOR THE PURCHASE OF MATERIALS, SUPPLIES, EQUIPMENT AND SERVICES UNDER THE COOPERATIVE PURCHASING WITH OTHER GOVERNMENTAL UNITS, COOPERATIVES OR BOARDS OF EDUCATION FOR THE DURATION OF TWELVE (12) MONTHS, FROM SEPTEMBER 8, 2010 TO SEPTEMBER 7, 2011; AND (2) AUTHORIZE THE TOWN ADMINISTRATOR AS THE MAYOR'S DESIGNEE TO EXECUTE ON BEHALF OF THE TOWN OF VERNON ANY INSTRUMENT(S) TO THAT EFFECT.

Council Member Motola, seconded by Council Member Krupienski made the above motion to approve the cooperative bidding resolution. Discussion took place. Motion carried, Council Member Anderson opposed.

- C 5. Request the Town Council schedule a public hearing on an Ordinance regarding the minimum refund of taxes.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and Town Council Members dated September 1 2010 and a copy of a memorandum from James Luddecke, Finance Director/Town Treasurer and Terry Hjarne, Collector of Revenue to Mayor Jason L. McCoy, John D. Ward, Town Administrator and Town Council Members dated September 2, 2010 are included for Council review.)

**PROPOSED MOTION**

THE TOWN COUNCIL, CONSISTENT WITH CHAPTER V, SECTION SIX OF THE VERNON TOWN CHARTER, ENTITLED "PUBLIC HEARING ON AND PUBLICATION OF ORDINANCES," HEREBY SCHEDULES A PUBLIC HEARING REGARDING AN ORDINANCE ENTITLED, "**ORDINANCE NO. \_\_\_\_, AN ORDINANCE REGARDING THE MINIMUM REFUND OF TAXES**", AT 7:05 PM ON TUESDAY, SEPTEMBER 21, 2010 LOCATED AT THE COUNCIL CHAMBERS, THIRD FLOOR, 14 PARK PLACE, VERNON, CONNECTICUT TO RECEIVE COMMENTS AND ANSWER QUESTIONS RELATIVE TO THE PROPOSED ORDINANCE.

Council Member Motola, seconded by Council Member Krupienski made the above motion to schedule a public hearing on an Ordinance regarding the minimum refund of taxes. Discussion took place. Council Member Krupienski requested a friendly amendment to add "In accordance with CGS 7-157(b) the Town Clerk is hereby authorized to publish a summary of the proposed ordinance" to save the cost of publishing the full ordinance. Council Member Winkler requested a friendly amendment to add "a complete copy of the ordinance will be available at the Town Clerks Office". Discussion continued.

**Amended Motion:**

THE TOWN COUNCIL, CONSISTENT WITH CHAPTER V, SECTION SIX OF THE VERNON TOWN CHARTER, ENTITLED "PUBLIC HEARING ON AND PUBLICATION OF ORDINANCES," HEREBY SCHEDULES A PUBLIC HEARING REGARDING AN ORDINANCE ENTITLED, "**ORDINANCE NO. \_\_\_\_, AN ORDINANCE REGARDING THE MINIMUM REFUND OF TAXES**", AT 7:05 PM ON TUESDAY, SEPTEMBER 21, 2010 LOCATED AT THE COUNCIL CHAMBERS, THIRD FLOOR, 14 PARK PLACE, VERNON, CONNECTICUT TO RECEIVE COMMENTS AND ANSWER QUESTIONS RELATIVE TO THE PROPOSED ORDINANCE. IN ACCORDANCE WITH CGS 7-157(B) THE TOWN CLERK IS HEREBY AUTHORIZED TO PUBLISH A SUMMARY OF THE PROPOSED ORDINANCE. A COMPLETE COPY OF THE ORDINANCE WILL BE AVAILABLE AT THE TOWN CLERKS OFFICE.

Motion as amended carried, Council Members Schaefer, Motola, Anderson and Campbell opposed.

- C 6. Request the Town Council authorize the discontinuance of Oviate Road.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council Members dated September 2, 2010 and a letter from Ralph E. Zahner, Town Surveyor to Town Attorney Harold Cummings dated September 1, 2010 are included for Council review.)

**PROPOSED MOTION**

THE TOWN COUNCIL PURSUANT TO CONN. GEN. STATUTE 13A-49 HEREBY AUTHORIZES THE DISCONTINUANCE OF OVIATE ROAD AS A TOWN ROAD EFFECTIVE UPON PASSAGE.

Council Member Motola, seconded by Council Member O'Shea made the above motion to authorize the discontinuance of Oviate Road. Discussion took place. Motion carried unanimously.

**M.) ADOPTION OF MINUTES**

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE SPECIAL MEETING OF AUGUST 3, 2010 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Motola, seconded by Council Member Krupienski made a motion to waive the reading of and approve the minutes of the August 3, 2010 Special Town Council meeting. Council Member Krupienski requested the last bullet on the last page of the minutes include a 7<sup>th</sup> bullet as follows:

- Youth Services monthly report for June 2010 as submitted by Director of Youth Services Alan Slobodien.

Motion for amended minutes carried unanimously.

**N.) EXECUTIVE SESSION**

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

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES §1-200(6) (D), HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION REGARDING HSBC BANK, USA, N.A. VS. THE TOWN OF VERNON (128 PROSPECT STREET). FURTHER, THE TOWN COUNCIL INVITES JOHN D. WARD, TOWN ADMINISTRATOR, B. PETER HOBBS, BUILDING INSPECTOR, AND HAROLD CUMMINGS, TOWN ATTORNEY TO ATTEND.

Motion carried unanimously.

No action taken.

Council Member Winkler, seconded by Council Member Schaefer made a motion to go out of executive session. Motion carried unanimously.

Council Member Motola, seconded by Council Member Krupienski 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 PENDING LITIGATION RE: 90 AND 94 GERALD DRIVE AND INVITES CRAIG PERRY, INLAND WETLANDS ENFORCEMENT OFFICER AND HAROLD CUMMINGS, TOWN ATTORNEY TO ATTEND.

Motion carried unanimously.

No Action taken.

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

1. Monthly Report EMS for July, 2010 as submitted by Jean Gauthier, EMS Coordinator.
2. Monthly Report Town Clerk for June, 2010 as submitted by Bernice Dixon, Town Clerk.
3. Monthly Report Building Department for July, 2010 as submitted by B. Peter Hobbs, Building Official.
4. Annual Inspection Reports of Town Buildings from the Permanent Municipal Building Committee as submitted by John Leary, Chairman.
5. Monthly Report Senior Center July, 2010 as submitted by Penny Rand, Director.
6. Correspondence from DECD regarding removal of the "distressed" community designation dated July 30, 2010 to Mayor Jason L. McCoy.
7. Monthly Report Police Department for July, 2010 as submitted by Stephen M. Clark, Captain.
8. Eighth Annual Blood Drive, in honor of Seymour Ballos, September 13<sup>th</sup>.
9. Rockville Downtown Association status report August 13, 2010 as submitted by Cliff Edwards
10. Monthly Report Town Clerk for July, 2010 as submitted by Bernice Dixon, Town Clerk.

**Adjourn (11:18 PM)**

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

Received:

Approved:

Respectfully Submitted,

Jill Kentfield  
Recording Secretary