

Posted 11/12/2010

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

TUESDAY, NOVEMBER 16, 2010  
7:00 P.M.

RECEIVED  
VERNON TOWN CLERK  
10 NOV 12 PM 12:44

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

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D.) PUBLIC HEARINGS

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E.) PRESENTATIONS BY THE ADMINISTRATION

Presentation from the Summer Days Carnival Committee of a check for \$4000.00 to Mayor Jason L. McCoy and Parks and Recreation Director Bruce Dinnie. The 2010 Carnival was in July on the 28, 29, 30 and 31<sup>st</sup>.

Proclamation presented by Mayor Jason L. McCoy honoring Rockville's Victorian History and the Dicken's Day Celebration December 3,4, and 5, 2010.

Proclamation from Mayor Jason L. McCoy to Kaitlin Huber, 8<sup>th</sup> grade student at VCMS and winner of the 2010 Connecticut Veterans Day Parade Essay Contest.

Presentation by Mayor Jason L. McCoy to the Vernon Department of Public Works members for once again winning the Snow Plow Rodeo sponsored by the Connecticut Association of Street and Highways Officials. (CASHO). In addition, several members of DPW took Second Place in the New England Chapter of the American Public Works Association's Regional Snow Plow Roadeo held on November 3, 2010..

Presentation by Aaron Nash, GIS Coordinator, of the new Property Record Card Application available to residents and the drop -box technology option on the IPAD.

Presentation by Mayor Jason L. McCoy to the Town Council on a variety of topics.

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F.) ACTION ON CONSENT AGENDA

- 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 November 5, 2010 is included in the Council packet.)

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY APPROVES EIGHT (8) REFUNDS TOTALING \$15,800.92 FOR PRIOR YEARS AND EIGHTEEN (18) REFUNDS TOTALING \$2,248.73 FOR CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED NOVEMBER 5, 2010.

- C 2. Request the Town Council approve Mayor Jason L. McCoy's reappointment of John D. Ward (D), 14 Park Place, Vernon, Connecticut as an alternate member of the Bolton Lakes Water Pollution Control Authority, said term to begin on January 1, 2011 and expires on December 31, 2013.**

**PROPOSED MOTION:**

PURSUANT TO ORDINANCE NO. 242 THE VERNON TOWN COUNCIL HEREBY APPROVES MAYOR JASON L. MCCOY'S REAPPOINTMENT OF JOHN D. WARD, (D), 14 PARK PLACE, VERNON, CONNECTICUT TO THE BOLTON LAKES REGIONAL WATER POLLUTION CONTROL AUTHORITY FOR A TERM TO BEGIN JANUARY 1, 2011 AND EXPIRES ON DECEMBER 31, 2013.

- C 3. Request the Town Council approve Mayor Jason L. McCoy's reappointment of John Kopec (R), 24 Jan Drive, Vernon, Connecticut as a regular member of the Inlands Wetlands Regulatory Commission, said term to begin on January 1, 2011 and expires on December 31, 2013.**

**PROPOSED MOTION:**

PURSUANT TO CHARTER CHAPTER VIII, SEC. 8, THE TOWN COUNCIL HEREBY APPROVES MAYOR JASON L. MCCOY'S REAPPOINTMENT OF JOHN KOPEC (R), 24 JAN DRIVE, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE INLAND WETLANDS REGULATORY COMMISSION, SAID TERM TO BEGIN ON JANUARY 1, 2011 AND EXPIRES ON DECEMBER 31, 2013.

- C 4. Request the Town Council approve Mayor Jason L. McCoy's reappointment of Mark Kalina (R), 33 Snipsic Street, Vernon, Connecticut as a regular member of the Inlands Wetlands Regulatory Commission, said term to begin on January 1, 2011 and expires on December 31, 2013.**

**PROPOSED MOTION:**

PURSUANT TO CHARTER CHAPTER VIII, SEC. 8, THE TOWN COUNCIL HEREBY APPROVES MAYOR JASON L. MCCOY'S REAPPOINTMENT OF MARK KALINA, (R), 33 SNIPSIC STREET, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE INLAND WETLANDS REGULATORY COMMISSION, SAID TERM TO BEGIN ON JANUARY 1, 2011 AND EXPIRES ON DECEMBER 31, 2013.

- C 5. Request the Town Council approve Mayor Jason L. McCoy's reappointment of James Tedford (R), 70 Trout Stream Drive, Vernon, Connecticut as a regular member of the Municipal Flood and Erosion Control, said term to begin on January 1, 2011 and expires on December 31, 2013.**

**PROPOSED MOTION:**

PURSUANT TO ORDINANCE #226, THE TOWN COUNCIL APPROVES MAYOR JASON L. MCCOYS REAPPOINTMENT OF JAMES TEDFORD (R), 70 TROUT STREAM DRIVE, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE MUNICIPAL FLOOD AND EROSION CONTROL BOARD, SAID TERM TO BEGIN ON JANUARY 1, 2011 AND EXPIRES ON DECEMBER 31, 2013.

- C 6. Request the Town Council approve Mayor Jason L. McCoy's reappointment of Chester W. Morgan (D) 60-37 Old Town Road, Vernon, Connecticut as a regular member of the Planning and Zoning Commission, said term to begin January 1, 2011 and expires on December 31, 2013.**

**PROPOSED MOTION:**

PURSUANT TO CHARTER CHAPTER VIII, SEC. 1,6 & 11 DATED JANUARY 1, 1985; C.G.S. §8-4A&B, THE TOWN COUNCIL HEREBY APPROVES MAYOR JASON L. MCCOY'S REAPPOINTMENT OF CHESTER W. MORGAN (D) 60-37 OLD TOWN ROAD, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE PLANNING AND ZONING COMMISSION, SAID TERM TO BEGIN JANUARY 1, 2011 AND EXPIRES ON DECEMBER 31, 2013.

- C 7. Request the Town Council approve Mayor Jason L. McCoy's reappointment of Stanley Cohen (D), 67 Meadowview Lane, Vernon, Connecticut as an alternate member of the Planning and Zoning Commission, said term to begin January 1, 2011 and expires on December 31, 2015.**

**PROPOSED MOTION:**

PURSUANT TO CHARTER CHAPTER VIII, SEC. 1,6 & 11 DATED JANUARY 1, 1985; C.G.S. §8-4A&B, THE TOWN COUNCIL HEREBY APPROVES MAYOR JASON L. MCCOY'S REAPPOINTMENT OF STANLEY COHEN (D), 67 MEADOWVIEW LANE, VERNON, CONNECTICUT AS AN ALTERNATE MEMBER OF THE PLANNING AND ZONING COMMISSION, SAID TERM TO BEGIN JANUARY 1, 2011 AND EXPIRES ON DECEMBER 31, 2015.

- C 8. Request the Town Council approve Mayor Jason L. McCoy's appointment of David Alter (D), 5 Eleanor Street Extension, Vernon, as a regular member of the Senior Center Advisory Committee, said term to begin November 17, 2010 and expire on June 30, 2013.**

**PROPOSED MOTION:**

PURSUANT TO VERNON'S CHARTER CHAP. XV, SEC. 3; EST. 03-02-1982, THE TOWN COUNCIL APPROVES THE MAYOR'S APPOINTMENT OF DAVID ALTER (D), 5 ELEANOR STREET EXTENSION, VERNON, CONNECTICUT AS A MEMBER OF THE SENIOR CENTER ADVISORY COMMITTEE, SAID TERM TO BEGIN ON NOVEMBER 17, 2010 AND EXPIRE ON JUNE 30, 2013.

- C 9. Request the Town Council approve Mayor Jason L. McCoy's reappointment of Gary Leavitt (D), 173 Tallwood Drive, Vernon, Connecticut as a regular member of the Water Pollution Control Authority. Said appointment to begin January 1, 2011 and expires on December 31, 2013.**

**PROPOSED MOTION:**

PURSUANT TO CHARTER CHAPTER VIII, SEC. 3; AND CHARTER CHAPTER XII, SEC. 4, THE TOWN COUNCIL HEREBY APPROVES MAYOR JASON L. MCCOY'S REAPPOINTMENT OF GARY LEAVITT (D), 173 TALLWOOD DRIVE, VERNON, CONNECTICUT, AS A REGULAR MEMBER OF THE WATER POLLUTION CONTROL AUTHORITY, SAID APPOINTMENT TO BEGIN JANUARY 1, 2011 AND EXPIRES ON DECEMBER 31, 2013.

- C 10. Request the Town Council approve Mayor Jason L. McCoy's reappointment of John K. Anderson, (R) 20 Hemlock Drive, Vernon, Connecticut as a regular member of the Water Pollution Control Authority, said appointment to begin January 1, 2011 and expires on December 31, 2013.**

**PROPOSED MOTION:**

PURSUANT TO CHARTER CHAPTER VIII, SEC. 3; AND CHARTER CHAPTER XII, SEC. 4, THE TOWN COUNCIL HEREBY APPROVES MAYOR JASON L. MCCOY'S REAPPOINTMENT OF JOHN K. ANDERSON, (R), 20 HEMLOCK DRIVE, VERNON, CONNECTICUT, AS A REGULAR MEMBER OF THE WATER POLLUTION CONTROL AUTHORITY, SAID APPOINTMENT TO BEGIN JANUARY 1, 2011 AND EXPIRES ON DECEMBER 31, 2013.

- C 11. Request the Town Council reaffirm the Condominium Hydrant Resolution.** (A copy of said Resolution and memorandum from John D. Ward, Town Administrator dated November 12, 2010 to Mayor Jason L. McCoy and the Vernon Town Council is included for review.)

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY REAFFIRMS THE RESOLUTION ENTITLED "RESOLUTION ADOPTING REIMBURSEMENTS FOR COSTS OF FIRE HYDRANTS WITHIN THE TOWN OF VERNON'S RESIDENTIAL CONDOMINIUM COMPLEXES AND PLANNED UNIT DEVELOPMENTS".

- C 12. Request the Town Council approve the disposal and trade of Town of Vernon issued duty weapons for the Vernon Police Department.**  
( A copy of a memorandum from Peter Graczykowski, Assistant Town Administrator to Mayor Jason L. McCoy and the Vernon Town Council dated November 10, 2010 and a letter from Chief James Kenny to Mayor Jason L. McCoy dated November 5, 2010 are included for Town Council review.)

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY APPROVES THE DISPOSAL OF THE ASSET KNOWN AS SIXTY THREE (63) USP 45 HECKLER AND KOCH FULL-SIZE AND COMPACT SEMI-AUTOMATIC PISTOLS, INCLUDING TRAINING SIMUNITION PISTOLS; AND ITS TRADE FOR SIXTY THREE (63) NEW GLOCK 21 FULL-SIZE AND GLOCK 30 SUBCOMPACT SEMI-AUTOMATIC PISTOLS, INCLUDING TRAINING SIMUNITION PISTOLS.

- C 13. Request the Town Council approve the Mayor's appointment of the new Senior Citizen Center Director, Paula Claydon.** (A copy of a memorandum from Mayor Jason L. McCoy to the Vernon Town Council dated November 12, 2010 is included for Town Council review.)

**PROPOSED MOTION**

THE TOWN COUNCIL, PURSUANT TO CHAPTER TEN (X) SECTION THREE (3) AND CHAPTER ELEVEN (XI) SECTION FIVE (5) OF THE VERNON TOWN CHARTER, APPROVES THE MAYOR'S APPOINTMENT OF MS. PAULA CLAYDON AS SENIOR CENTER DIRECTOR FOR THE TOWN OF VERNON.

- C 14. Request the Town Council authorize Mayor Jason L. McCoy to execute the agreement with the State of Connecticut for the construction, inspection and maintenance of the replacement of Phoenix Street Bridge No 146088.** ( A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Vernon Town Council is included for review. A copy of the Agreement is also included.)

**PROPOSED RESOLUTION:**

RESOLVED, THAT JASON L. MCCOY, MAYOR BE, AND HEREBY IS, AUTHORIZED TO SIGN THE AGREEMENT ENTITLED AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE TOWN OF VERNON FOR THE CONSTRUCTION, INSPECTION AND MAINTENANCE OF THE REPLACEMENT OF THE PHOENIX STREET BRIDGE NO 146088 UTILIZING FEDERAL FUNDS UNDER THE URBAN COMPONENT OF THE SURFACE TRANSPORTATION PROGRAM AND THE STATE FUNDS UNDER THE URBAN SYSTEMS PROGRAM.

- C 15. Request the Town Council approve the Free Photovoltaic Panels and Solar Lease Plan Contract for the Department of Public Works.** (A copy of a memorandum from Mayor Jason L. McCoy to the Vernon Town Council dated November 10, 2010 is included for Council review.)

**PROPOSED MOTION:**

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 SEALED BID REQUIREMENTS FOR A FIVE (5) YEAR LEASE WITH AN ESTIMATED PURCHASE PRICE OF SEVENTY-FIVE THOUSAND DOLLARS (\$75,000.00), WITH AN END-OF-LEASE PURCHASE PRICE OF ONE DOLLAR (\$1.00) FOR EACH SOLAR PHOTOVOLTAIC ELECTRIC PANEL TO BE INSTALLED ON THE ROOF OF A DESIGNATED TOWN BUILDING, FROM DATACOMM SERVICES LLC AND DCS ENERGY OF SOUTH GLASTONBURY, CONNECTICUT, AS FULLY SUBSIDIZED BY THE CONNECTICUT CLEAN ENERGY FUND; AND (2) AUTHORIZE THE TOWN ADMINSTRATOR AS THE MAYOR'S DESIGNEE TO EXECUTE ON BEHALF OF THE TOWN OF VERNON ANY INSTRUMENT(S) TO THAT EFFECT.

- C 16. Request the Town Council approve \$5000.00 be given to the Northern Connecticut Land Trust to assist with the transfer of Talcottville Gorge from the Talcott Family to the Trust for Open Space.** (A copy of a memorandum dated November 11, 2010 from Mayor Jason L. McCoy to the Vernon Town Council is included for review.)

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY APPROVES THE BUDGET TRANSFER #3 IN THE AMOUNT OF \$5000.00 AS PREPARED BY FINANCE OFFICER JAMES LUDDECKE AND FURTHER AUTHORIZES MAYOR JASON L. MCCOY TO TRANSFER SAID FUNDS FOR THE PURPOSE OF ASSISTING THE NORTHERN CONNECTICUT LAND TRUST IN SECURING 26 ACRES IN THE TALCOTTVILLE GORGE.

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G.) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS

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H.) PENDING BUSINESS

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I.) NEW BUSINESS

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J.) INTRODUCTION OF ORDINANCES

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K.) ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED

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

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M.) ADOPTION OF MINUTES

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF OCTOBER 19, 2010 AND THAT MINUTES OF SAID MEETING BE APPROVED.

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## N.) 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 THE SALE OF REAL ESTATE WITHIN THE TOWN OF VERNON, LOCATED ON OVIATE ROAD AND INVITES HAROLD CUMMINGS, TOWN ATTORNEY AND JOHN D. WARD, TOWN ADMINISTRATOR TO ATTEND.

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. TOWN OF VERNON**, DOCKET NUMBER TTD-CV10-6001364-S, PENDING IN THE TOLLAND COUNTY SUPERIOR COURT. FURTHER, THE TOWN COUNCIL INVITES JOHN D. WARD, TOWN ADMINISTRATOR, AND HAROLD CUMMINGS, TOWN ATTORNEY TO ATTEND.

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

1. Monthly Report from Emergency Medical Services for September 2010, as provided by Jean Gauthier, EMS Coordinator.
2. Memorandum from Mayor Jason L. McCoy to Bernice Dixon, Town Clerk updating staff liaison appointments dated October 15, 2010.
3. Monthly Report from the Vernon Police Department for September, 2010 as submitted by Captain Stephen M. Clark.
4. Monthly Report from the Town Clerk for September, 2010 as submitted by Bernice K. Dixon, Town Clerk.
5. Monthly Report from the Town Clerk for October, 2010 as submitted by Bernice K. Dixon, Town Clerk.
6. Annual Inspection Report of Town Buildings dated October 28, 2010 as submitted by John Leary, Chairman, PMBC.
7. Monthly Report from the Senior Center for October, 2010 as submitted by Penny Rand, Senior Center Director.
8. Monthly Activity Report from the Building Department for October, 2010 as submitted by B. Peter Hobbs, Building Official.
9. Monthly Report from the Vernon Police Department for October, 2010 as submitted by Captain Stephen M. Clark.
10. "Be A Hero for a Buck" Invitation from Alan M. Slobodien, YSB Director dated November 10, 2010.
11. Rockville Downtown Association Status Report dated November 8, 2011 as presented by Cliff Edward, Director.
12. Invitation to join the Arctic Splash – December 11, 2010 at Valley Falls Park, Valley Falls Road, Vernon, Connecticut.
13. Hartford Courant Article dated November 10, 2010 relative to Coldwell Banker Franchise being sold.