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

May 17, 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, Mark Etre, Judy Hany, Marie Herbst, James Krupienski, Brian R. Motola, Sean O'Shea, Pauline Schaefer, Michael A. Winkler
Absent: Daniel Champagne, Harry D. Thomas
Entered During Meeting:
Also Present: Mayor Jason L. McCoy, Town Administrator John Ward, Recording Secretary Jill Kentfield

C) CITIZEN'S FORUM

Bill Smith, 30 Vernwood Dr – Invited Town Council members to Talcottville Congregational Church's annual Memorial Day services on May 29th at 9:00 AM.

Steve Taylor, 172 Merline Road – spoke about concerns regarding the nomination for Economic Development Coordinator Position

Lance Chernack, 15 Cubles Dr. - spoke about concerns regarding the nomination for Economic Development Coordinator Position

Citizen's forum closed at 7:10 PM

D) PUBLIC HEARINGS

None

E.) PRESENTATIONs by the administration

1. Presentation to the Town Council by Mayor Jason L. McCoy on a variety of topics.
   - Passed the budget on April 26, Thank you to Town Council Members, Board of Education and Tax Payers
   - Recovered $253,354 from Travelers Insurance for winter storm costs; due to this insurance pay-out, no lay-offs will be necessary
   - Animal Control crematorium will be in place in July
   - Cemetery purchased and installed a solar light to light the flag at Valley Falls
   - Upgrades to Munis and time matters are complete
   - On May 8, 2011, 300+ people participated in the Mother's Day Dash with proceeds raised to help fund kids to go to camp
   - The 66th annual Easter egg hunt took place
   - Peewee baseball began
   - 40+ adults and children participated in Earth Day activities by fixing up the Platt property and the teen center

- Due to the passage of the ordinance regarding past due taxes, the Building Department was able to collect $73,000 in March and $23,000 in April.
- The tax collection is on target at 98.4%
- Prospect Street, phase 3 construction began 5/9/2011
- Phoenix Street bids opened April 28 and construction is scheduled to begin on June 1, 2011 – Lag Warner Construction won the bid
- Roosevelt Mills is currently in the process of contracting for fencing and protections in certain areas
- Ellington Avenue applications are due on June 1
- Parks and Recreation Department's Community Garden is ready for use
- $6,000 in repairs is needed for the pool and in addition to the heading source for the showers
- Damage to Legion Field roads need fixing approximately $11,000 to fix
- Trail Days will take place on June 4, 2011
- The Fire Marshall is scheduling a presentation for Town Council members to speak about his 3 new projects.
- Planning and Zoning received, reviewed and signed off on the Planning Conservation Development Plan, draft presented at public hearing on June 9
- The Rockville Fish and Game Club approved construction of the police shooting range
- Police Department website has been upgraded
- Public Works Dept is working on stormwater permit renewals for transfer station and garage.
- Awarded Grant for emergency generator at VCMS, generator on order
- DPW ordered fuel cell system for Captain Clark's car.
- DPW will start grinding/paving sequence on May 23rd for Wilshire Rd, Seneca Dr., Barbara Dr. Neil, and Neil Dr., Gerald Dr., John Dr.
- Social Services helped 100 people with their tax returns; their renter rebate and summer campership program will continue through the summer
- Senior Center stage is being carpeted and has several activities planned
- WPCA began Chemical treatment pilot program for Rte 30 and Center Rd. off the rails to trails area. They are also testing a microturbine to generate power
- Freedom of Information requests were distributed.

2. Lion's Club to present the Winner's Trophy to the Town of Vernon Fire Department and Mayor Jason L. McCoy for the Fire Departments victory at the Fidelco Bowling Tournament held earlier this year. (Members of the Lions Club: John Garapollo, Wayne Johnson, Dave Diubaldo and Polly Schafer will be in attendance).

F.) ACTION ON CONSENT AGENDA

Council Member Motola, seconded by Council Member Etre made a motion to approve the consent agenda items as presented. Council Member Herbst pulled consent agenda item #'s 2,3,15,18,19,20; Council Member Schaefer pulled item #1; Council Member Krupienski pulled item #'s 5,10,13,17 and Council Member Anderson pulled item #6 for discussion. Motion carried unanimously to approve the consent agenda items 4,7,8,9,11,12,14,16,21 as presented.

C 4. **Request the Town Council accept conveyances and easement from Park at Hockanum Crossing and the Mansions LLC.** (A copy of a memorandum from Len Tundermann, Town Planner to Mayor Jason L. McCoy, the Town Council Members and John D. Ward, Town Administrator dated April 13, 2011.)

PROPOSED MOTION I :

THE TOWN COUNCIL HEREBY MOVES TO ACCEPT THE WARRANTY DEED FROM THE PARK AT HOCKANUM CROSSING, LLC FOR PARCEL SHOWN AND DESIGNATED AS "LAND OF PARK AT HOCKANUM CROSSING, LLC" TO BE CONVEYED TO THE TOWN OF VERNON FOR STREET RIGHT OF WAY PURPOSES ON A MAP ENTITLED, "LIMITED PROPERTY SURVEY PLAN OF SOME LAND OF PARK AT HOCKANUM CROSSING, LLC HOCKANUM BOULEVARD, VERNON, CONNECTICUT GARDNER & PETERSON ASSOCIATES LLC 178 HARTFORD TURNPIKE, TOLLAND, CONNECTICUT PROFESSIONAL ENGINEERS LAND SURVEYORS BY S.E.J. SCALE 1"=40' DATE 2-18-2011 SHEET NO. 1 OF 1 MAP NO. 9878-HB."

Council Member Motola, seconded by Council Member Etre made the above motion to accept the proposed conveyance from Park at Hockanum Crossing and the Mansions, LLC. Motion carried unanimously.

PROPOSED MOTION II:

THE TOWN COUNCIL HEREBY MOVES TO ACCEPT THE PROPOSED EASEMENT FROM THE MANSIONS, LLC FOR PARCEL SHOWN AND DESIGNATED AS "PROPOSED EASEMENT FOR SIDEWALK TO BE CONVEYED TO THE TOWN OF VERNON AREA=295 SQUARE FEET" ON A MAP ENTITLED, "LIMITED PROPERTY SURVEY PLAN OF SOME LAND OF PARK AT HOCKANUM CROSSING, LLC HOCKANUM BOULEVARD, VERNON, CONNECTICUT GARDNER & PETERSON ASSOCIATES, LLC, 178 HARTFORD TURNPIKE, TOLLAND, CONNECTICUT PROFESSIONAL ENGINEERS LAND SURVEYORS BY S.E.J. SCALE 1"=40' DATE 2-18-2011 SHEET NO. 1 OF 1 MAP NO. 9878-HB".T

Council Member Motola, seconded by Council Member Etre made the above motion to accept the proposed easement from Park at Hockanum Crossing and the Mansions, LLC. Motion carried unanimously.

C 7. Request the Town Council approve Mayor Jason L. McCoy's appointment of Robert D. O'Gara, (R), 22 Donnell Road, Vernon, Connecticut as a regular member of the Vernon Traffic Authority, said term to commence on May 4, 2011 and expires on February 20, 2014. (A copy of Mr. O'Gara's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO THE VERNON TOWN CODE, ARTICLE II, SECTIONS 13-16 AND 13-17; THE TOWN COUNCIL HEREBY APPROVES MAYOR JASON L. MCCOY'S APPOINTMENT OF ROBERT D. O'GARA, (R), 22 DONNELL ROAD, VERNON, CONNECTICUT, AS A REGULAR MEMBER OF THE TRAFFIC AUTHORITY. SAID TERM TO COMMENCE ON MAY 4, 2011 AND EXPIRES ON FEBRUARY 20, 2014.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the Mayor's appointment of Robert D. O'Gara as a regular member of the Vernon Traffic Authority for a term of May 4, 2011 through February 20, 2014. Motion carried unanimously.

C 8. **Request the Town Council approve Mayor Jason L. McCoy's appointment of Ralph E. Zahner (U), 142 Vernon Avenue #66, Vernon, Connecticut as a regular member of the Permanent Municipal Building Committee, said term to commence on May 4, 2011 and expires on June 30, 2013.** (A copy of Mr. Zahner's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO THE VERNON TOWN CHARTER, CHAPTER VIII, SECTION 7, THE TOWN COUNCIL APPROVES MAYOR JASON L. MCCOY'S APPOINTMENT OF, RALPH E. ZAHNER (U), 142 VERNON AVENUE #66, VERNON, CONNECTICUT. SAID TERM TO BEGIN MAY 4, 2011 AND EXPIRES ON JUNE 30, 2013.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the Mayor's appointment of Ralph E. Zahner as a regular member of the Permanent Municipal Building Committee for a term of May 4, 2011 through June 30, 2013. Motion carried unanimously.

C 9. **Request the Town Council authorize Mayor Jason L. McCoy to execute all the necessary documents to make application for and receive the School Readiness Grant from the Connecticut State Department of Education.** (A copy of a memorandum from Youth Service Bureau Director, Alan Slobodien dated April 14, 2011 to John D. Ward, Town Administrator is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR JASON L. MCCOY TO EXECUTE THE NECESSARY FORMS TO MAKE APPLICATION FOR AND RECEIVE SCHOOL READINESS FUNDS FOR FY 2011-2012 IN THE AMOUNT OF $107,000.

Council Member Motola, seconded by Council Member Etre made the above motion to authorize Mayor Jason L. McCoy to execute all the necessary documents to make application for and receive the School Readiness Grant from the Connecticut State Department of Education. Motion carried unanimously.

C 11. **Request the Town Council approve Mayor Jason L. McCoy's re-appointment of Joy Hollister, (U) 375 Hartford Turnpike, Vernon, Connecticut as a Vernon's representative to The Access Agency, Inc, said term to begin on 05-20-2011 and expires 05-19-2013.** (A copy of Ms. Hollister's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO THE BY-LAWS OF THE ACCESS AGENCY, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF JOY HOLLISTER, U, 375 HARTFORD TURNPIKE, VERNON, CONNECTICUT, AS A REGULAR MEMBER OF THE ACCESS AGENCY, INC. FOR A TERM TO BEGIN ON MAY 20, 2011 AND EXPIRE MAY 19, 2013.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the Mayor's reappointment of Joy Hollister as a Vernon representative to the Access Agency for a term of 5/20/2011 through 5/19/2013. Motion carried unanimously.

C 12. **Request the Town Council approve Mayor Jason L. McCoy's re-appointment of William E. Francis, Jr. (R), 41 Pinnacle Road, Vernon, Connecticut as a regular member of the Board of Assessment Appeals said term to begin on July 1, 2011 and expires June 30, 2014.** (A copy of Mr. Francis' resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO C.G.S. § 7-105 AND CHARTER CHAPTER IX, SECTION 3, THE TOWN COUNCIL HEREBY APPROVES THE MAYORS REAPPOINTMENT OF WILLIAM E. FRANCIS, JR. (R) 41 PINNACLE ROAD, VERNON, CONNECTICUT, AS A REGULAR MEMBER OF THE BOARD OF ASSESSMENT APPEALS FOR A TERM TO BEGIN ON JULY 1, 2011 AND EXPIRES JUNE 30, 2014.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the Mayor's reappointment of William E. Francis, Jr. as a regular member of the Board of Assessment Appeals for a term of 7/1/2011 through 6/30/2014. Motion carried unanimously.

C 14. **Request the Town Council approve Mayor Jason L. McCoy's reappointment of Deborah J. Wilson, D, 6 Liberty Street, Vernon, Connecticut as a regular member of the Cemetery Commission said term to begin on July 1, 2011 and expires June 30, 2014.**

PROPOSED MOTION:

PURSUANT TO C.G.S. §19A-296; CHARTER CHAPTER VIII, SECTION 10, THE TOWN COUNCIL APPROVES THE APPOINTMENT OF DEBORAH J. WILSON, (D) 6 LIBERTY STREET, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE CEMETERY COMMISSION, SAID TERM TO BEGIN ON JULY 1, 2011 AND EXPIRES ON JUNE 30, 2014.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the Mayor's reappointment of Deborah J. Wilson as a regular member of the Cemetery Commission for a term of 7/1/2011 through 6/30/2014. Motion carried unanimously.

C 16. **Request the Town Council approve the tax abatements as outlined by the memorandum dated May 9, 2011 from Terry Hjarne, Collector of Revenue to John D. Ward, Town Administrator regarding same .** (A copy of the memorandum from Terry Hjarne is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL PURSUANT TO CONN. GEN. STAT. 12-81 MOVES TO ABATE THE TAXES ON 55 LAWRENCE STREET, 134 TRACY DRIVE AND JONATHAN DRIVE AS PRESENTED IN COLLECTOR HJARNE'S MEMORANDUM OF MAY 9, 2011.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the tax abatements as outlined by the memorandum dated May 9, 2011. Motion carried unanimously.

C 21. **Request that the Town Council authorize Mayor Jason L. McCoy to enter into a formal agreement with the State Department of Education to become a "sponsor" organization for the Summer Nutrition Program.** (A copy of a memorandum from Alan M.Slobodien, Director of the Vernon Youth Service Bureau dated May 17, 2011 to the Town Council is included for Council review.)

PROPOSED MOTION:

BE IT RESOLVED, THAT THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY TO ENTER INTO A FORMAL AGREEMENT ALLOWING THE TOWN OF VERNON TO BECOME A "SPONSOR" ORGANIZATION FOR THE SUMMER NUTRITION PROGRAM WITH THE STATE DEPARTMENT OF EDUCATION.

Council Member Motola, seconded by Council Member Etre made the above motion to enter into a formal agreement with the State Department of Education to become a "sponsor" organization for the Summer Nutrition Program. Motion carried unanimously.

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

H.) **PENDING BUSINESS**

I.) **NEW BUSINESS**

1. **Request from Town Council Member James Krupienski for information.** (A copy of a memorandum from Council Member Krupienski dated April 25, 2011 to the Vernon Town Council, John D. Ward, Town Administrator and Mayor Jason L. McCoy is included for Council review.)

Discussion took place regarding the 1999 report on salary levels. Town Administrator Ward answered questions. Council Member Krupienski requested a copy of the latest draft version of the yearly wage study completed by the Town Administrator and Assistant Town Administrator to take into consideration for the next budget cycle.

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 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 April 25, 2011 is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES ONE (1) TAX REFUND FOR THE PRIOR YEARS TAXES TOTALLING $1,197.50 AND EIGHT (8) TAX REFUNDS FOR CURRENT YEAR TOTALING $9,514.88 AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED APRIL 25, 2011.

Council Member Motola, seconded by Council Member Council Member Herbst made the above motion to approve the tax refunds for prior and current years. Motion carried unanimously.

C 2. **Request the Town Council approve budget amendments # 21-34 for fiscal year 2010-2011, as provided by Finance Officer James Luddecke.** (A copy of budget amendment forms are attached for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT REQUESTS #21-34 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 Herbst made the above motion to approve budget amendments #21-34 for FY 2011-2011. Discussion took place. Motion carried, Council Member Winkler opposed.

C 3. **Request the Town Council authorize Mayor Jason L. McCoy to execute, on behalf of the Town of Vernon, an application to the State of Connecticut for $500,000.00 in order to undertake and carryout a Small Cities Community Development Program and to execute an Assistance Agreement.**

PROPOSED RESOLUTION:

WHEREAS, federal monies are available under the Title I of the Housing and Community Development Act of 1974, 42 U.S.C § 5301, et. seq., as amended, also known as Public Law 93-383, and administered by the State of Connecticut, Department of Economic and Community Development as the Connecticut Small Cities Development Block Grant Program; and

WHEREAS, pursuant to Chapter 127c, and Part VI of Chapter 130 of the Connecticut General Statues, the Commissioner of the State of Connecticut Department of Economic and Community Development is authorized disburse such federal monies to local municipalities; and

WHEREAS, it is desirable and in the public interest

that the Town of Vernon make an application to the
(Municipality)

State for $500,000 in order to undertake and carryout a Small Cities Community Development Program and to execute an Assistance Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE

Town Council
(Governing Body)

1. That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by

Part VI of Chapter 130 of the CGS
(State Statutory Reference)

2. That the filing of an application for State financial assistance by

Town of Vernon
(Municipality)

in an amount not to exceed $500,000 is hereby approved and that

Mayor, Jason L. McCoy
(Title and Name of Authorized Official)

is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information, to execute such other documents as may be required, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, to carryout approved activities and to act as the authorized representative of

Town of Vernon
(Municipality)

Council Member Motola, seconded by Council Member Etre made the above resolution to authorize Mayor Jason L. McCoy to execute, on behalf of the Town of Vernon, an application to the State of Connecticut for $500,000.00 in order to undertake and carryout a Small Cities Community Development Program and to execute an Assistance Agreement. Discussion took place. Motion carried unanimously.

C 5. **Request the Town Council approve the License Agreement between Clifton B. Chapman, and the Town of Vernon relative to a parcel of land known as "0 Gerber Boulevard, Vernon, Connecticut Assessor's ID 04-004-008A7.** (A copy of a memorandum from John D. Ward, Town Administrator dated April 29, 2011 to Mayor Jason L. McCoy and the Vernon Town Council is included for your review.)

PROPOSED MOTION:

MAYOR JASON L. MCCOY IS HEREBY AUTHORIZED TO ENTER INTO SUCH AGREEMENTS AND EXECUTE ANY LICENSES, EASEMENTS IMDEMNIFICATIONS OR OTHER DOCUMENTS NECESSARY TO EXTEND AND COMPLETE THE HOCKANUM RIVER LINEAR PARK PROJECT AS PREVIOULSY AUTHORIZED BY THE TOWN COUNCIL INCLUDING BUT NOT LIMITED TO A LICENCE AGREEMENT BY AND BETWEEN THE TOWN OF VERNON AND CLIFFORD CHAPMAN FOR THE PROPERTY LOCATED OFF GERBER BOULEVARD.

Council Member Motola, seconded by Council Member Schaefer made the above motion to approve the license agreement between Clifton B. Chapman, and the Town of Vernon relative to a parcel of land known as "0 Gerber Boulevard, Vernon, Connecticut Assessor's ID 04-004-008A7. Council Member Motola made a motion for a friendly amendment which was accepted by the motioners as follows:

MAYOR JASON L. MCCOY IS HEREBY AUTHORIZED TO ENTER INTO SUCH AGREEMENTS AND EXECUTE ANY LICENSES, EASEMENTS IMDEMNIFICATIONS OR OTHER DOCUMENTS NECESSARY TO EXTEND AND COMPLETE THE HOCKANUM RIVER LINEAR PARK PROJECT AS ~~PREVIOULSY~~ PREVIOUSLY AUTHORIZED BY THE TOWN COUNCIL INCLUDING BUT NOT LIMITED TO A LICENCE AGREEMENT BY AND BETWEEN THE TOWN OF VERNON AND ~~CLIFFORD~~ CLIFTON CHAPMAN FOR THE PROPERTY LOCATED OFF GERBER BOULEVARD.

Motion as amended carried unanimously.

C 6. **Request the Town Council approve the capitol purchase or lease of a brush mower and related agreements between the Town of Vernon and Connecticut Light and Power as well as the Towns of Coventry and Somers.** (A copy of a memorandum from Peter Graczykowski, Assistant Town Administration dated 04-29-2011 to Mayor Jason L. McCoy and the Vernon Town Council; a memorandum from Robert J. Kleinhans, Director of Public Works dated 11-09-2010 to Mayor Jason L. McCoy and the Vernon Town Council; the proposal from Bacher Corporation dated 11-01-2010 as well as the Memorandum of Agreement from CLP is included for Council review.)

PROPOSED RESOLUTION:

THE TOWN COUNCIL HEREBY RESOLVES TO: (1) ENTER INTO A FIVE (5) YEAR CAPITAL LEASE FOR THE PURCHASE OF A ROADSIDE MOWER WITH AN ESTIMATED COST OF ONE-HUNDRED-AND-THIRTY-THOUSAND DOLLARS ($130,000.00), SUITABLE FOR CUTTING AND TRIMMING BRUSH AND OTHER VEGATATION ALONG TOWN MAINTAINED ROADS; (2) APPROVE THE PARTICIPATION OF THE TOWN OF VERNON IN THE CONNECTICUT LIGHT AND POWER COMPANY (CL&P) MUNICIPAL BRUSH CONTROL PROGRAM, WHEREAS THE TOWN WILL RECEIVE AN ANNUAL CONTRIBUTION FROM CL&P IN SUPPORT OF THE PROGRAM; (3) APPROVE THE JOINT USE OF THE ROADSIDE MOWER BETWEEN THE TOWNS OF VERNON, COVENTRY AND SOMERS, WITH AN ANNUAL MAINTENANCE FEE OF FOUR HUNDRED DOLLARS ($400.00) EACH, AND AN ANNUAL "PAY-AS-YOU-GO" CELLUAR PHONE FEE OF TWENTY-FIVE DOLLARS ($25.00) EACH, PAID TO THE TOWN OF VERNON FROM COVENTRY AND SOMERS; AND (4) AUTHORIZE THE TOWN ADMINISTRATOR AS THE MAYOR'S DESIGNEE TO NEGOTIATE AND 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 capitol purchase or lease of a brush mower and related agreements between the Town of Vernon and Connecticut Light and Power as well as the Towns of Coventry and Somers. Council Member Anderson abstained. Discussion took Place. Council Member Motola made a motion for a friendly amendment as follows:

THE TOWN COUNCIL HEREBY RESOLVES TO: (1) ENTER INTO A FIVE (5) YEAR CAPITAL LEASE OR AN INTERNAL LOAN FROM THE GENERAL FUND FOR THE PURCHASE OF A ROADSIDE MOWER WITH AN ESTIMATED COST OF ONE-HUNDRED-AND-THIRTY-THOUSAND DOLLARS ($130,000.00), SUITABLE FOR CUTTING AND TRIMMING BRUSH AND OTHER VEGATATION ALONG TOWN MAINTAINED ROADS; (2) APPROVE THE PARTICIPATION OF THE TOWN OF VERNON IN THE CONNECTICUT LIGHT AND POWER COMPANY (CL&P) MUNICIPAL BRUSH CONTROL PROGRAM, WHEREAS THE TOWN WILL RECEIVE AN ANNUAL CONTRIBUTION FROM CL&P IN SUPPORT OF THE PROGRAM; (3) APPROVE THE JOINT USE OF THE ROADSIDE

MOWER BETWEEN THE TOWNS OF VERNON, COVENTRY AND SOMERS, WITH AN ANNUAL MAINTENANCE FEE OF FOUR HUNDRED DOLLARS ($400.00) EACH, AND AN ANNUAL "PAY-AS-YOU-GO" CELLUAR PHONE FEE OF TWENTY-FIVE DOLLARS ($25.00) EACH, PAID TO THE TOWN OF VERNON FROM COVENTRY AND SOMERS; AND (4) AUTHORIZE THE TOWN ADMINISTRATOR AS THE MAYOR'S DESIGNEE TO NEGOTIATE AND EXECUTE ON BEHALF OF THE TOWN OF VERNON ANY INSTRUMENT(S) TO THAT EFFECT.

8:37 PM – Council Member Anderson left the table

Motion as amended carried unanimously.

C 10. **Request the Town Council appropriate $21,620.00 from the Downstream Account for the Town of Vernon Aquatic Management Program.** (A copy of a memorandum from James M. Luddecke, Finance Officer and Treasurer to John D. Ward, Town Administrator dated 04-28-2011 is included for your review.)

PROPOSED MOTION:

THE TOWN COUNCIL AUTHORIZES THE DESIGNATION OF $21,620.00 FROM AVAILABLE FUNDS IN THE DOWNSTREAM ACCOUNT TO COVER THE COST OF THE 2011 AQUATIC INVASIVE CONTROL PROGRAM.

Council Member Motola, seconded by Council Member O'Shea made the above motion to appropriate funding from the Downstream Account for the Town of Vernon Aquatic Management Program. Discussion took place.

8:41 PM - Council Member Anderson returned

Motion carried unanimously.

8:45 PM – Council Member O'Shea left the table

C 13. **Request the Town Council approve Mayor Jason L. McCoy's re- appointment of David Eddy (D), 295 Mark Drive Coventry, Connecticut as a regular member of the Building Code Board of Appeals said term to begin on July 1, 2011 and expires June 30, 2014**. (A copy of Mr. Eddy's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO TOWN OF VERNON CHARTER CHAPTER VIII, SECTIONS 4 AND 6; C.G.S. §29-266, THE TOWN COUNCIL HEREBY APPROVES THE MAYORS REAPPOINTMENT OF DAVID EDDY (D),295 MARK DRIVE COVENTRY, CONNECTICUT AS A REGULAR MEMBER OF THE BUILDING CODE BOARD OF APPEALS, SAID TERM TO BEGIN ON JULY 1, 2011 AND EXPIRES JUNE 30, 2014.

Council Member Motola, seconded by Council Member Council Member Campbell made the above motion to approve the Mayor's reappointment of David Eddy as a regular member of the Building Code Board of Appeals for a term of July 1, 2011 through June 30, 2014. Discussion took place. Motion carried, Council Member Herbst abstained.

8:48 PM – Council Member O'Shea returned.

C 15. **Request the Town Council approve the placement of properties totaling $98,869.99 on the Suspense Tax Ledger.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue dated May 9, 2011 to John D. Ward, Town Administrtor, and a copy of the properties relected on the Suspense Tax Ledger are included for Town Council review.)

PROPOSED MOTION:

BY THE AUTHORITY GRANTED IN CONNECTICUT STATE STATUTE SEC. 12-165, ENTITLED "MUNICIPAL SUSPENSE TAX BOOK", THE TOWN COUNCIL APPROVES THE PLACEMENT OF PROPERTIES TOTALING $98,869.99 CONTAINED ON THE SUSPENSE TAX LEDGER REPORT AS PROVIDED BY TERRY HJARNE, COLLECTOR OF REVENUE, DATED MAY 9, 2011.

Council Member Motola, seconded by Council Member Hany made the above motion to approve the placement of properties totaling $98,869.99 on the Suspense Tax Ledger. Discussion took place. Council Member Motola made a motion for a friendly amendment as follows:

BY THE AUTHORITY GRANTED IN CONNECTICUT GENERAL STATUTES SECTION 12-165 ENTITLED "MUNICIPAL SUSPENSE TAX BOOK" THE TOWN COUNCIL APPROVES THE PLACEMENT OF PROPERTIES TOTALING $98,544.27 CONTAINED ON THE SUSPENSE TAX LEDGER REPORT AS PROVIDED BY TERRY HJARNE, COLLECTOR OF REVENUE, DATED MAY 9, 2011 EXCLUDING THE ENTRY 2009-03-0057152 MV ELITE FREIGHT SYSTEMS DECEASED IN THE AMOUNT OF $325.72.

Motion as amended carried unanimously.

C 17. **Request that Town Council approve the use of VMS Construction Company for the Hatch Hill Road construction project.** (A copy of a memorandum dated May 12, 2011 from James M. Luddecke, Finance Officer and Treasurer to John D. Ward, Town Administrator is included for Council review.)

PROPOSED MOTION:

RESOLVED, THE TOWN COUNCIL HEREBY APPROVES THE EXTENSION OF CONTRACT NUMBER 801, 03-17-2006 – BOLTON ROAD NORTH RECONSTRUCTION, WITH VMS CONSTRUCTION COMPANY, 162 LAKE STREET, VERNON, CONNECTICUT, TO INCLUDE THE HATCH HILL ROAD CONSTRUCTION PROJECT, FROM ITS INTERSECTION WITH BOLTON ROAD TO DOCKERAL ROAD IN THE AMOUNT OF EIGHT HUNDRED TWELVE THOUSAND AND EIGHT HUNDRED FIFTY FOUR DOLLARS ($812,854.00); AND THE ALTERNATE, FROM ITS INTERSECTION WITH DOCKERAL ROAD TO LAKEVIEW DRIVE IN THE AMOUNT OF FOUR HUNDRED THIRTY SEVEN THOUSAND AND EIGHT HUNDRED SEVENTY FOUR DOLLARS ($437,874.00); FOR A COMBINED TOTAL OF ONE MILLION TWO HUNDRED FIFTY THOUSAND AND SEVEN HUNDRED TWENTY EIGHT DOLLARS ($1,250,728.00).

Council Member Motola, seconded by Council Member O'Shea made the above motion to approve the use of VMS Construction Company for the Hatch Hill Road construction project. Discussion took place. Motion carried unanimously.

C 18. **Request that Town Council approve the bid waiver requested by the Fire Chief William Call to repair the pumper truck known as ET541.** A memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Vernon Town Council dated May 12, 2011 is included for Council review.)

PROPOSED MOTION:

RESOLVED, THE TOWN COUNCIL CONSISTENT WITH THE TOWN CHRTER, CHAPTER XII SECTION 9, DEEMS IT IS AGAINST THE BEST INTEREST OF THE TOWN TO INVITE SEALED BIDS FOR THE REPAIR SERVICES FROM ATLANTIC DETROIT DIESEL OF MIDDLETOWN, CONNECTICUT, SOLE SOURCE SUPPLIER FOR REPAIRS FOR THIS TYPE OF ENGINE IN THE STATE OF CONNECTICUT, FOR THE AMOUNT NOT TO EXCEED $14,500, TO PERFORM EMERGENCY REPAIRS TO PUMPER TRUCK 541 ENGINE.

Council Member Motola, seconded by Council Member Campbell made the above motion to approve the bid waiver requested by the Fire Chief William Call to repair the pumper truck known as ET541. Discussion took place. Motion carried unanimously.

Council Member Motola requested Town Council members go into Executive Session.

N.) EXECUTIVE SESSION

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

MOTION:

1. 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 LITITGATION, SCHLUNTZ V TOWN OF VERNON DOCKET NO. CV-10-600 1497-S CURRENTLY PENDING IN TOLLAND SUPERIOR COURT AND INVITES JOHN D. WARD, TOWN ADMINISTRATOR, ATTORNEY MELINDA POWELL AND TERRY MCCARTHY, TOWN ENGINEER TO ATTEND.

Motion carried unanimously.

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

MOTION:
RESOLVED THAT THE VERNON TOWN COUNCIL AUTHORIZE THE TOWN ADMINISTRATOR TO SETTLE LITIGATION, SCHLUNTZ V TOWN OF VERNON, DOCKET NO. CV-10-6001497-S, PENDING IN TOLLAND SUPERIOR COURT, IN THE AMOUNT OF $19,400.00, UPON THE TERMS AND CONDITIONS DISCUSSED IN THE EXECUTIVE SESSION.

Motion carried unanimously.

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

MOTION:

2. 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 AMERICAN CLAIMS MANAGEMENT VS TOWN OF VERNON. FURTHER THE TOWN COUNCIL INVITES JOHN D. WARD, TOWN ADMINISTRATOR TO ATTEND.

Motion carried unanimously.

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

MOTION:
RESOLVED THAT THE VERNON TOWN COUNCIL AUTHORIZE THE TOWN ADMINISTRATOR TO SETTLE LITIGATION, AMERICAN CLAIMS MANAGEMENT VS TOWN OF VERNON, IN THE AMOUNT OF $7000.00 UPON THE TERMS AND CONDITIONS DISCUSSED IN THE EXECUTIVE SESSION.

Motion carried unanimously.

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

MOTION:
3. 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 AND JOHN D.WARD, TOWN ADMINISTRATOR TO ATTEND.
Motion carried unanimously.

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

MOTION:
THE TOWN COUNCIL AUTHORIZES ATTORNEY MARTHA CROOG TO BID ON BEHALF OF THE TOWN OF VERNON AT THE FORECLOSURE SALE OF 8 MAPLE STREET, DOCKET NO TTDCV095004287S.

Motion carried unanimously.

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

C 19. Request that the Town Council approve Mayor Jason L. McCoy's appointment of Shaun W. Gately as Economic Development Coordinator for the Town of Vernon.
(A copy of Mr. Gately's resume is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL, PURSUANT TO SHAPTER X, SEC. 3 AND CHAPTER XI, SEC. 4 OF THE VERNON TOWN CHARTER, APPROVES THE MAYOR'S APPOINTMENT OF MR. SHAUN W. GATELY AS ECONOMIC DEVELOPMENT COORDINATOR FOR THE TOWN OF VERNON.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the Mayor's appointment of Shaun Gately as Economic Development Coordinator for the Town of Vernon. Discussion took place. Mr. Gately was present to answer questions from Council Members.

9:34 PM Council Member Campbell left the table
9:42 PM Council Member Campbell returned

Motion carried, Council Members Schaefer, Winkler, Krupienski and Herbst opposed.

C 20. **Request that the Town Council approve Mayor Jason L. McCoy's appointment of Mr. Harry D. Boyko as Building Official for the Town of Vernon.** (A copy of Mr. Boyko's resume is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL PURSUANT TO CHAPTER X, SEC. 3 AND CHAPTER XI, SEC. 3 OF THE VERNON TOWN CHARTER, APPROVES THE MAYOR'S APPOINTMENT OF MR. HARRY D. BOYKO AS BUILDING OFFICIAL FOR THE TOWN OF VERNON.

Council Member Motola, seconded by Council Member O'Shea made the above motion to approve the Mayor's appointment of Harry D. Boyko as Building Official for the Town of Vernon. Discussion took place. Council Member Etre, seconded by Council Member Campbell made a motion to move the question, motion carried.

10:00 PM Council Member Motola, seconded by Council Member Schaefer made a motion to extend curfew until 10:05 PM, motion carried, Council Member Etre opposed

Discussion continued.

10:05 PM Council Member Motola, seconded by Council Member Schaefer made a motion to extend curfew until 10:10 PM, motion carried, Council Members Hany and Anderson opposed.

10:10 PM Council Member Motola, seconded by Council Member Krupienski made a motion to extend curfew until 10:15 PM, motion carried unanimously.

10:12 PM Council Member Anderson left the meeting

Motion to approve Harry D. Boyko as Building Official carried unanimously.

The meeting ended at 10:20 PM

Received:

Approved:

Respectfully Submitted,

Jill Kentfield
Recording Secretary