

POSTED 10/1/2010
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<p>AGENDA VERNON TOWN COUNCIL REGULAR MEETING TOWN HALL - 14 PARK PLACE - 3rd Floor VERNON, CONNECTICUT</p> <p>TUESDAY, OCTOBER 5, 2010 7:00 P.M.</p>	<p>RECEIVED VERNON TOWN CLERK 10 OCT -1 AM 10:46</p>
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A.) PLEDGE OF ALLEGIANCE

B.) ROLL CALL

C.) CITIZENS FORUM

D.) PUBLIC HEARINGS

E.) PRESENTATIONS BY THE ADMINISTRATION

1. Presentation of Mayor's Proclamation to Sal Petrolito, Recycling Driver for his quick action when a fire broke out in his recycling truck.
2. Presentation of Mayor's Proclamation in recognition of National Drug and Alcohol Prevention Week.
3. Presentation and distribution of information bags by the Drug and Alcohol Prevention Council and Alan Slobodien, Director of the Vernon YSB.
4. Mayor Jason L. McCoy to make a presentation to the Town Council on various topics.

F.) ACTION ON CONSENT AGENDA

- 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 September 27, 2010 is included in the Council packet.)**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES SIX (6) REFUNDS TOTALING \$9,161.45 FOR TAX REFUNDS FROM THE PRIOR YEAR, AND FIFTEEN (15) REFUNDS TOTALING \$1,788.17 FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED SEPTEMBER 27, 2010.

- 2) Request the Town Council approve the reappointment of Mayor Jason L. McCoy, 14 Park Place, Vernon, Connecticut as a member of the Bolton Lakes Water Pollution Control Authority, said term to commence on November 12, 2010 and expires on November 11, 2013.**

PROPOSED MOTION:

PURSUANT TO ORDINANCE NO. 242 THE VERNON TOWN COUNCIL HEREBY APPROVES THE REAPPOINTMENT OF MAYOR JASON L. MCCOY, 14 PARK PLACE, VERNON, CONNECTICUT TO THE BOLTON LAKES REGIONAL WATER POLLUTION CONTROL AUTHORITY FOR A TERM BEGINNING NOVEMBER 12, 2010 AND EXPIRES ON NOVEMBER 11, 2013.

- 3) Request the Town Council approve the Mayor's reappointment of Joy Hollister, 375 Hartford Turnpike, Vernon, Connecticut as Municipal Agent for Elderly Persons, said term to begin November 2, 2010 and expires on November 1, 2014.**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF JOY HOLLISTER, 375 HARTFORD TURNPIKE, VERNON, CONNECTICUT AS MUNICIPAL AGENT FOR THE ELDERLY FOR A TERM TO COMMENCE ON NOVEMBER 2, 2010 AND EXPIRES ON NOVEMBER 1, 2014.

- 4) **Request the Town Council approve the Mayor's reappointment of Basil Pete Hobbs, 55 West Main Street, Vernon, Connecticut, as Special Constable, said term to commence on November 7, 2010 and expires on November 6, 2012.**

PROPOSED MOTION:

PURSUANT TO C.G.8. §7-92, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF BASIL PETE HOBBS, 55 WEST MAIN STREET, VERNON, CONNECTICUT AS A SPECIAL CONSTABLE, SAID TERM TO COMMENCE ON NOVEMBER 7, 2010 AND EXPIRE ON NOVEMBER 6, 2012.

- 5) **Request the Town Council approve the Mayor's reappointment of Harry D. Boyko, 55 West Main Street, Vernon, Connecticut as Special Constable, said term to commence on November 7, 2010 and expires on November 6, 2012.**

PROPOSED MOTION:

PURSUANT TO C.G.8. §7-92, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF HARRY D. BOYKO, 55 WEST MAIN STREET, VERNON, CONNECTICUT AS A SPECIAL CONSTABLE, SAID TERM TO COMMENCE ON NOVEMBER 7, 2010 AND EXPIRE ON NOVEMBER 6, 2012

- 6) **Request the Town Council approve Mayor Jason L. McCoys appointment of Deborah J. Wilson, (D), 6 Liberty Street, Rockville, Connecticut as a regular member of the Cemetery Commission said term to commence on October 7, 2010 and ends June 30, 2011.** (A copy of Ms.Wilson's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO C.G.S. §19A-296; CHARTER CHAPTER VIII, SECTION 10, THE TOWN COUNCIL APPROVES MAYOR JASON L. MCCOY'S APPOINTMENT OF DEBORAH J. WILSON (D), 6 LIBERTY STREET, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE CEMETERY COMMISSION, SAID TERM TO COMMENCE ON OCTOBER 7, 2010 AND EXPIRES ON JUNE 30, 2011.

- 7) **Request the Town Council authorize Mayor Jason L. McCoy to accept the State of Connecticut, Department of Economic and Community Development Grant in the amount of \$1.5 million for the Vernon Community Arts Center and authorize Mayor McCoy or his designee to sign any and all documents.** (A copy of a memorandum dated October 1, 2010 from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Vernon Town Council and a copy of the Proposed Assistance Agreement are included for Council review.)

PROPOSED RESOLUTION:

WHEREAS, PURSUANT TO CONN. GEN. STAT. 4-66(C), URBAN ACT GRANT, THE CONNECTICUT DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT IS AUTHORIZED TO EXTEND FINANCIAL ASSISTANCE FOR ECONOMIC DEVELOPMENT PROJECTS; AND WHEREAS, IT IS DESIRABLE AND IN THE PUBLIC INTEREST THAT THE TOWN OF VERNON MAKE AN APPLICATION TO THE STATE FOR \$1.5 MILLION DOLLARS IN ORDER TO UNDERTAKE THE VERNON COMMUNITY ARTS CENTER PROJECT AND TO EXECUTE AN ASSISTANCE AGREEMENT. NOW, THEREFORE, BE IT RESOLVED BY THE VERNON TOWN COUNCIL, THAT IT IS COGNIZANT OF THE CONDITIONS AND PREREQUISITES FOR THE STATE FINANCIAL ASSISTANCE IMPOSED BY CONN. GEN. STAT. 4-66(C) AND THAT THE FILING OF AN APPLICATION FOR STATE FINANCIAL ASSISTANCE BY THE TOWN OF VERNON, IN AN AMOUNT NOT TO EXCEED \$1.5 MILLION DOLLARS IS HEREBY APPROVED AND THAT MAYOR JASON L. MCCOY 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, AND TO ACT AS THE AUTHORIZED REPRESENTATIVE OF THE TOWN OF VERNON.

THE TOWN COUNCIL FURTHER RESOLVES,
THAT IT ADOPTS OR HAS ADOPTED AS ITS POLICY TO SUPPORT THE FOLLOWING NONDISCRIMINATION AGREEMENTS AND WARRANTIES PROVIDED IN SUBSECTION (A) (1) OF THE CONN. GEN. STAT. SEC. 4A-60 AND 4A-60A, RESPECTIVELY, AS AMENDED BY PUBLIC ACTS 7-142 AND 07-245 AND FOR WHICH PURPOSES THE "CONTRACTOR" IS THE TOWN OF VERNON AND "CONTRACT" IS SAID ASSISTANCE AGREEMENT:

THE CONTRACTOR AGREES AND WARRANTS THAT IN PERFORMANCE OF THE CONTRACT SUCH CONTRACTOR WILL NOT DISCRIMINATE OR PERMIT DISCRIMINATION AGAINST ANY PERSON OR GROUP OF PERSONS ON THE GROUNDS OF RACE, COLOR, RELIGIOUS CREED, AGE, MARITAL STATUS, NATIONAL ORIGIN, ANCESTRY, SEX, MENTAL RETARDATION OR PHYSICAL DISABILITY, INCLUDING BUT NOT LIMITED TO, BLINDNESS, UNLESS IT IS SHOWN BY SUCH CONTRACTOR THAT SUCH DISABILITY, INCLUDING, BUT NOT LIMITED TO, BLINDNESS, UNLESS IT IS SHOWN BY SUCH CONTRACTOR THAT SUCH DISABILITY PREVENTS PERFORMANCE OF THE WORK INVOLVED IN ANY MANNER PROHIBITED BY THE LAWS OF THE, IN ANY MANNER PROHIBITED BY THE LAWS OF THE UNITED STATES OR OF THE STATE OF CONNECTICUT. THE CONTRACTOR FURTHER AGREES TO TAKE AFFIRMATIVE ACTION TO INSURE THAT APPLICANTS WITH JOB-RELATED QUALIFICATIONS ARE EMPLOYED AND THAT EMPLOYEES ARE TREATED WHEN EMPLOYED WITHOUT REGARD TO THEIR RACE, COLOR, RELIGIOUS CREED, AGE, MARITAL STATUS, NATIONAL ORIGIN, ANCESTRY, SEX, MENTAL RETARDATION OR PHYSICAL DISABILITY, INCLUDING, BUT NOT LIMITED TO, BLINDNESS, UNLESS IT IS SHOWN BY SUCH CONTRACTOR THAT SUCH DISABILITY PREVENTS PERFORMANCE OF THE WORK INVOLVED.

THE CONTRACTOR AGREES AND WARRANTS THAT IN THE PERFORMANCE OF THE CONTRACT SUCH CONTRACTOR WILL NOT DISCRIMINATE OR PERMIT DISCRIMINATION AGAINST ANY PERSON OR GROUP OF PERSONS ON THE GROUNDS OF SEXUAL ORIENTATION, IN ANY MANNER PROHIBITED BY THE LAWS OF THE UNITED STATES OR OF THE STATE OF CONNECTICUT, AND THAT EMPLOYEES ARE TREATED WHEN EMPLOYED WITHOUT REGARD TO THEIR SEXUAL ORIENTATION.

- 8) **Request the Town Council authorize Mayor Jason L. McCoy to apply for a Brownfields Clean-up Program Grant through the Department of Environmental Protection in the amount of \$200,000.00.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated September 30, 2010 is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO APPLY FOR AN EPA BROWNFIELDS CLEAN-UP GRANT IN THE AMOUNT OF \$200,000.00 FOR REMEDIATION OF CITIZEN'S BLOCK AND FURTHER AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO EXECUTE THE NECESSARY FORMS TO MAKE THE APPLICATION.

- 9) **Request the Town Council authorize Mayor Jason L. McCoy to apply for a Brownfields Assessment Grant through the Department of Environmental Protection in the amount of \$200,000.00.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated September 15, 2010 is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO APPLY FOR AN EPA BROWNFIELDS ASSESSMENT GRANT AND FURTHER AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO EXECUTE THE FORMS NECESSARY FOR THE APPLICATION.

- 10) **Request the Town Council accept the Warranty Deed from The Mansions II, LLC for two parcels and an easement for same.** (A copy of a memorandum from Len Tundermann, Town Planner to Mayor Jason L. McCoy, Town Administrator John D. Ward and the Town Council dated September 29, 2010 is included for Council review.)

PROPOSED MOTION #1

THE TOWN COUNCIL HEREBY MOVES TO ACCEPT THE WARRANTY DEED FROM THE MANSIONS II, LLC FOR THE PARCEL SHOWN AND DESIGNATED AS "LAND OF THE MANSIONS II, LLC TO BE CONVEYED TO THE TOWN OF VERNON AREA = 3 ACRES ±" ON A MAP ENTITLED, "PROPERTY SURVEY, LAND OF THE MANSIONS II, LLC, VERNON, CONNECTICUT, SCALE 1"=100', DATE 7-5-2004, REVISIONS TO 6-27-2005, SHEET 2 OF 13."

PROPOSED MOTION #2

THE TOWN COUNCIL HEREBY MOVES TO ACCEPT THE WARRANTY DEED FROM THE MANSIONS II, LLC FOR A PARCEL SHOWN AND DESIGNATED AS "LAND OF THE MANSIONS II, LLC TO BE CONVEYED TO THE TOWN OF VERNON FOR STREET RIGHT OF WAY EXTENSION AREA = 12,795 S.F. 0.29 ACRE" ON A MAP ENTITLED, "PROPERTY SURVEY, LAND OF THE MANSIONS II, LLC, VERNON, CONNECTICUT, SCALE 1"=100', DATE 7-5-2004, REVISIONS TO 6-27-2005, SHEET 2 OF 13."

PROPOSED MOTION #3

THE TOWN COUNCIL HEREBY MOVES TO ACCEPT THE PROPOSED DRAINAGE EASEMENTS FROM THE MANSIONS II, LLC FOR TWO PARCELS SHOWN AND EACH DESIGNATED AS "DRAINAGE EASEMENT TO BE CONVEYED TO THE TOWN OF VERNON" ON A MAP ENTITLED, "PROPERTY SURVEY, LAND OF THE MANSIONS II, LLC, VERNON, CONNECTICUT, SCALE 1"=100', DATE 7-5-2004, REVISIONS TO 6-27-2005, SHEET 2 OF 13."

- 11) Request the Town Council authorize the Mayor Jason L. McCoy or his designee to execute any and all award documents for the COPS Technology Program Grant in the amount of \$300,000.00.** (A copy of the award letter dated September 22, 2010 from the U. S. Department of Justice Director, Bernard K. Melekian is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO SIGN THE U.S. DEPARTMENT OF JUSTICE COPS TECHNOLOGY PROGRAM GRANT #2010CKWX0475 AWARD AND OTHER FORMS NECESSARY TO ACCEPT THE GRANT.

G.) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS

H.) PENDING BUSINESS

I.) NEW BUSINESS

J.) INTRODUCTION OF ORDINANCES

K.) ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED

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

M.) ADOPTION OF MINUTES

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 21, 2010 AND THAT MINUTES OF SAID MEETING BE APPROVED.

N.) EXECUTIVE SESSION

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES §1-200(B)(2) MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS: STRATEGY OR NEGOTIATION WITH RESPECT TO THE TEACHER'S COLLECTIVE BARGAINING CONTRACT AND INVITES THE FOLLOWING INDIVIDUALS TO ATTEND: JOHN D. WARD, TOWN ADMINISTRATOR, DR. MARY CONWAY, SUPERINTENDENT OF SCHOOLS; PETER GRACZYKOWSKI, ASSISTANT TOWN ADMINISTRATOR; ATTORNEY EDWARD F. O'DONNELL AND ATTORNEY FRED DORSEY OF THE LAW FIRM SIEGEL, O'CONNOR, O'DONNELL AND BECK AND STAN KARASINSKI, BUSINESS MANAGER OF THE BOARD OF EDUCATION; ANNE FISCHER, BOE CHAIRMAN AND GEORGE APEL, BOARD OF EDUCATION MEMBER.

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

1. Monthly Report for July and August 2010, submitted by Alan Slobodien, Director of Youth Services.
2. Monthly Report for August and September, 2010, submitted by Penny Rand, Senior Center Director.
3. Annual Inspection Report submitted by John Leary, Chairman, PMBC.
4. Permanent Municipal Building Committee Schedule for 2011, as submitted by John Leary, Chairman.
5. Photographs of the demolition of 55 Lawrence Street, 8,11,and 12 Ward Street.