

POSTED 4/29/2011
K.W.

AGENDA
VERNON TOWN COUNCIL
REGULAR MEETING
TOWN HALL - 14 PARK PLACE - 3rd Floor
VERNON, CONNECTICUT
TUESDAY, MAY 3, 2011
7:00 P.M.

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

D.) PUBLIC HEARINGS (7:05 PM)

PUBLIC HEARING TO RECEIVE COMMENTS AND QUESTIONS
REGARDING THE FISCAL YEAR 2011 COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM (A copy of the legal notice is attached for
Council's review)

MAYOR MCCOY TO OPEN THE PUBLIC HEARING

CLERK READ THE LEGAL NOTICE

MAYOR MCCOY AND TOWN COUNCIL RECEIVE
PUBLIC COMMENT

ADJOURN PUBLIC HEARING

RETURN TO REGULAR MEETING

RECEIVED
VERNON TOWN CLERK
11 APR 29 PM 12:54

E.) PRESENTATIONS BY THE ADMINISTRATION

1. Proclamation commemorating Municipal Clerk's Week presented to Town Clerk Bernice Dixon.
2. Presentation to the Town Council by Mayor Jason L. McCoy on a variety of topics.
3. Presentation from the firm of Milone and MacBroom relative to Town of Vernon Bridges.

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 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 SIX (6) TAX REFUNDS FOR CURRENT YEAR TOTALING \$9,263.52 AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED APRIL 25, 2011.

- C 2. Request the Town Council approve budget amendments # 21-29 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 #21-29 FOR FISCAL YEAR 2010-2011, AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY THE FINANCE OFFICER, JAMES LUDDECKE.

- 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 Statutes, 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 State for \$500,000 in order to undertake and carryout a Small Cities Community Development Program and to execute an Assistance Agreement.
(Municipality)

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)

- 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."

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".

- 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 PREVIOUSLY 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.

- 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" CELLULAR 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.

- 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.

- 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.

- 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.

- 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.

G.) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS

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.)

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 TOWN COUNCIL REGULAR MEETING OF APRIL 5, 2011 AND THAT MINUTES OF SAID MEETING BE APPROVED.

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE SPECIAL EMERGENCY MEETING OF FEBRUARY 5, 2011 AND THAT MINUTES OF SAID MEETING BE APPROVED.

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE SPECIAL BUDGET MEETING OF MARCH 19, 2011 AND THAT MINUTES OF SAID MEETING BE APPROVED.

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE SPECIAL BUDGET MEETING OF MARCH 26, 2011 AND THAT MINUTES OF SAID MEETING BE APPROVED.

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE SPECIAL BUDGET MEETING OF APRIL 2, 2011 AND THAT MINUTES OF SAID MEETING BE APPROVED.

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE SPECIAL BUDGET MEETING OF APRIL 6, 2011 AND THAT MINUTES OF SAID MEETING BE APPROVED.

N.) EXECUTIVE SESSION

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 LITIGATION, 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.

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.

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.

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

1. Copy of the Town of Vernon's Affirmative Action Policy Statement, endorsed by Mayor Jason L. McCoy.
2. Copy of the Town of Vernon's ADA Municipal Grievance Procedure, endorsed by Mayor Jason L. McCoy.
3. Monthly Report for the Vernon Police Department – March, 2011 as submitted by Captain Stephen M. Clark.
4. Monthly Report for the Vernon Town Clerk – March, 2011 as submitted by Bernice Dixon, Town Clerk.
5. Thank you from the Manchester Lions Club, Inc., to Mayor Jason L. McCoy for the Town's participation in the Fifteen Annual Fenix Memorial Bowling Tournament, held at "Spare Time" Bowling Lanes, Talcottville Road, Vernon.
6. Monthly Report for the Building Department – March 2011 as submitted by Harry Dan Boyko, Assistant Building Official.
7. Invitation to the Town of Vernon Memorial Day Parade, May 30, 2011 sponsored this year by the American Legion and American Legion Auxiliary in conjunction with the Town of Vernon.