

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

RECEIVED
VERNON TOWN CLERK
10 APR 23 AM 10:26

April 20, 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, Marie Herbst, James Krupienski, Brian R. Motola, Sean O'Shea, Pauline Schaefer, Harry D. Thomas, Michael A. Winkler

Absent:

Entered During Meeting:

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

C) CITIZEN'S FORUM

Scott Wieting, 64 Valley Falls Road: requested the Town Council Members consider adding an additional agenda item to approve a National Wildlife Grant application to hire Fuss and O'Neil to complete a low impact design and a low impact manual. The grant will cover \$32,000 but has a recommendation of 1 to 1 matching requirement, which can be used for in-kind labor.

Ann Letendere 29 Gottier Drive – supports adding the additional agenda item for the grant application.

Tom Ouellette, 57 Hany Lane – supports adding the additional agenda item for the grant application.

Citizen's forum closed at 7:13 PM

D) PUBLIC HEARINGS (7:05 P.m.)

PUBLIC HEARING DISCUSS AND RECEIVE PUBLIC COMMENT REGARDING THE FISCAL YEAR 2010 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM. (A copy of the legal notice is attached for Council's review.)

Open Public Hearing (7:14 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.

Mr. Wagner, grant administrator provided information about the grant and David Artz, Cardinal Engineering presented a design plan and provided information about the scope of the project. Discussion with Town Council Members took place.

Public comments:
There were no public comments.

Close Public Hearing (7:22 PM)

OPEN SECOND PUBLIC HEARING

SECOND PUBLIC HEARING (7:10 P.m.)

PUBLIC HEARING RELATIVE TO AN ORDINANCE ENTITLED “**ORDINANCE NO. __, AN ORDINANCE REQUIRING RESIDENTIAL RENTAL BUSINESS LICENSES**” TO RECEIVE COMMENTS AND ANSWER QUESTIONS RELATIVE TO THE PROPOSED ORDINANCE. (A copy of the legal notice is included for your review.)

Open Public Hearing (7:22 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.

Harold Cummings, Town Attorney provided an overview of the draft ordinance which follows the New Haven Model

Discussion took place with Town Council Members

7:24 PM Council Member Winkler left the table

7:25 PM Council Member Anderson left the table

7:27 PM Council Member Anderson returned

7:28 PM Council Member Winkler returned

RECESS (7:32 PM)

RECONVENE (7:47 PM)

Public comments:

Attorneys Ralph Alexander and Antoinette Webster suggested the following items for consideration:

- Under section 70-50.1 use a step down as follows: after 100 units cost of \$10.00/unit; after 200 units cost of \$5.00/unit
- Under section 7-51.4 over 100 units use a 10% sampling
- Create a definition for “complex” under section 7-46
- Consider implementing in a target area such as Rockville
- Add language to section 7-51.6 to state “while the application is pending, nothing in the ordinance shall prevent the landlord from renting the unit”
- Provide a list of criteria the inspectors are looking for

7:52 PM Mayor McCoy left the table

7:54 PM Mayor McCoy returned

7:54 PM Council Member Etre left the table

7:54 PM Council Member Etre returned

Hiram Johnson – supports the ordinance and requested a mechanism for penalizing landlords who decide not to participate or pay.

Close Public Hearing (8:19 PM)

Mayor McCoy closed the public hearing. Regular Meeting reconvened.

E) Presentations by the administration

1. Mayor Jason L. McCoy to present a Proclamation to Bruce Dinnie, Director of Parks and Recreation declaring the 40th Anniversary of Earth Day, April 22, 2010 in the Town of Vernon.

Mayor McCoy presented the proclamation to Bruce Dinnie and provided information about upcoming projects by volunteers taking place on in Vernon for Earth Day. Mayor McCoy also presented information on town improvements that save energy.

2. Presentation of the **Police/Fire Trophy** to the Vernon Police and Fire Departments of the Fourteenth Annual Fenix Memorial Bowling Tournament, benefiting the Fidelco Guide Dog Foundation. Mr. John T. Garoppolo, Tournament Chairman and members of the Lions Club, will be present.

The Manchester/Vernon Lions club presented the bowling trophy to the Police/Fire Dept representatives. The bowling tournament took place on February 27th with 366 bowlers raising \$12,680.00 for Fidelco.

3. Mayor Jason L. McCoy to present a Proclamation to Bernice Dixon, Town Clerk declaring Municipal Clerk's Week May 2, 2010 - May 8, 2010 in the Town of Vernon.

Mayor McCoy and Town Council Member Krupienski presented the proclamation to Bernice Dixon and staff to celebrate Municipal Clerk's week.

4. Mayor Jason L. McCoy to present a Proclamation to Bernice Dixon, Town Clerk congratulating Mrs. Dixon on earning the designation of Certified Municipal Clerk (CMC), as awarded by the International Institute of Municipal Clerks (IIMC), Inc.

Mayor McCoy and Council Member Krupienski presented the proclamation to Bernice Dixon.

5. Mayor Jason L. McCoy to share various updates with the Town Council relative to a variety of subjects.

8:30 PM Council Members Anderson and Etre left the table.

Mayor McCoy presented the following information:

- Summer Nutrition Program beginning in late June and will run through Early September at Henry Park and Talcott Park
- Administration was contacted by ECHN with an interest in fuel cells being considered by the Energy Improvement District
- Tax Collector's rate is up
- There is a bill pending that will change the interest rate for delinquent taxes from 18% to 12% - working with Lobbyist.
- Annual Town Meeting takes place on 4/27/10
- WPCA working on their upgrades
- Prospect Street Phase 2 bid held on 3/30, the lowest bid was \$796,740 using a \$500,000 grant from the Dept of Economic Development, start date of May 4th.
- Roosevelt Mills moving forward
- Talcottville main street low bidder VMS Construction. Required paperwork for State DOT has been received.

- Dunkin Donuts is considering putting in an application to open a store in Lafayette Plaza
- The Shaws supermarket is now a Stop & Shop and considering is being given to opening a gas station in the plaza.

Discussion took place with Town Council Members

8:42 PM Council Member Anderson returned

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 Herbst pulled consent agenda item number 4, Council Member Schaefer pulled consent agenda item #'s 7 and 5, and Council Member Krupinski pulled consent agenda item #3 for discussion.

8:45 PM Council Member Etre returned

Motion carried unanimously to approve the following consent agenda item #'s 1, 2 and 6 as presented.

- C 1. Request for Tax Refunds for the Current Year.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward, Town Administrator dated April 12, 2010 is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES NINE (9) REFUNDS TOTALLING \$ 6,194.99, FOR TAX REFUNDS FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED APRIL 12, 2010.

- C 2. 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.

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 6 Request the Town Council authorize Mayor Jason L. McCoy to enter into a formal agreement with the State Department of Education allowing the Town of Vernon to become a "sponsor" organization for the Summer Nutrition Program within the State Department of Education. (The following are included for your review: (1) A copy of a memorandum dated 04-20-2010 from YSB Director Alan Slobodien to the Town Council; (2) A copy of the Sponsorship Application and finally, (3) A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated April 16, 2010 all regarding the grant application.)

PROPOSED MOTION:

THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY TO ENTER INTO A FORMAL AGREEMENT WITH THE CONNECTICUT DEPARTMENT OF EDUCATION FOR THE TOWN OF VERNON TO BE A SPONSOR ORGANIZATION FOR THE SUMMER NUTRITION PROGRAM WITHIN THE DEPARTMENT OF EDUCATION AND TO SIGN ANY PAPERWORK NECESSARY FOR THE PROGRAM.

G.) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS

Council Member Winkler, seconded by Council Member Schaefer made a motion to add the additional agenda item to allow the Conservation Commission to apply for a grant to the National Fish & Wildlife Foundation. Motion carried unanimously.

H.) PENDING BUSINESS

None

I.) NEW BUSINESS

None

J.) INTRODUCTION OF ORDINANCES

None

K.) ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED

Council Member Etre, seconded by Council Member Thomas made a motion to open the Residential Business License ordinance for discussion purposes. Motion carried unanimously.

Discussion took place.

Council Member Etre requested Abraham Ford provide suggestions regarding the ordinance. His recommendations include:

- Not limiting the ordinance to 1 zone
- In section 70-50.3 recommend fees of \$35.00 - \$40.00
- In section 70-50.4 recommend fees of \$35.00 - \$40.00

Council Member Etre made a friendly amendment to request finance place any income generated from this program be placed in a dedicated account in a special reserve fund.

Council Member Etre requested the finance officer review the fee structure to provide an analysis/recommendation of the program.

9:10 PM Council Member Winkler left the table

Town Attorney Cummings provided a definition of "complex" as: Series of dwelling units over 100 units under same ownership. He also recommended language for 7-51.5 as follows: Subject to the provision of 7-51.7 hereafter, nothing in this ordinance shall prevent or interfere with the owners ability to lease the apartment units while the license application is pending. Council Member Etre offered this as a friendly amendment.

9:13 PM Council Member Winkler returned.

9:21 PM Mayor McCoy left the table

Council Member Winkler, seconded by Council Member Motola made a motion to refer the ordinance changes to an ad hoc committee appointed by the Mayor consisting of town staff and Town Council Members to refine the ordinance based on comments presented.

The motion would have to wait until the other motion on the floor was completed.

Council Member Etre made a motion to move the question. Motion passed, Council Members Herbst, Anderson, and Krupinski opposed.

Motion passed, Council Member Herbst, Anderson, Schaefer and Etre opposed.

9:37 PM Council Member Etre left the meeting.

RECESS (9:37 PM)

RECONVENE (9:52 PM)

L.) **DISCUSSION OF ADDITIONAL AGENDA ITEMS, Pulled consent items from f) AND PULLED ITEMS FROM O) INFORMATIONAL ITEMS, ETC**

C 3. Request the Town Council approve budget amendment #13 for fiscal year 2009-2010. (A copy of the budget amendment request is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT REQUEST NO. 17, AS OUTLINED IN THE BUDGET AMENDMENT FORM PROVIDED BY THE FINANCE DEPARTMENT.

Council Member Motola, seconded by Council Member Herbst made the above motion to approve budget amendment #17. Motion carried unanimously.

C 4. Request for authority to purchase a used backhoe for the Parks and Recreation Department. (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council Members dated April 16, 2010 is included for review.)

PROPOSED MOTION #1

THE TOWN COUNCIL MOVES TO APPROVE THE ADDITIONAL APPROPRIATION OF FORTY FOUR THOUSAND SEVEN HUNDRED AND TWENTY FIVE DOLLARS (\$44,725) FOR USED BACKHOE ACCOUNT FOR PARKS AND RECREATION DEPARTMENT, TO COVER THE PURCHASE OF A USED VOLVO BL70 BACKHOE WITH A JAW BUCKET AND DIPPER ARM FROM TYLER EQUIPMENT, 251 SHAKER ROAD, PO BOX 544, E. LONGMEADOW, MA 01028.

Council Member Motola, seconded by Council Member Krupienski made the above motion to purchase a used backhoe for the Parks and Recreation Department. Discussion took place. Motion carried unanimously.

PROPOSED MOTION #2

THE TOWN COUNCIL AUTHORIZES THE DESIGNATION OF AVAILABLE FUNDS IN THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT, TRANSFERRING THE SUM OF FORTY FOUR THOUSAND SEVEN HUNDRED AND TWENTY FIVE DOLLARS (\$44,725) FROM THE CRRA PROCEEDS SETTLEMENT TO THE USED BACKHOE FOR PARKS AND RECREATION DEPARTMENT, WHICH WAS AUTHORIZED IN THE PRIOR MOTION.

Council Member Motola, seconded by Council Member Thomas made the above motion to authorize funding for the purchase of a used backhoe for the Parks and Recreation Department. Motion carried unanimously.

PROPOSED MOTION #3

THE TOWN COUNCIL IN ACCORDANCE WITH CHAPTER XII, SECTION 9, OF THE TOWN CHARTER, DETERMINES THAT IT IS IN THE BEST INTEREST OF THE TOWN TO WAIVE THE BID PROCEDURE IN REGARD TO THE PURCHASE OF A USED VOLVO BL70 BACKHOE WITH A JAW BUCKET AND DIPPER ARM FROM TYLER EQUIPMENT, 251 SHAKER ROAD, PO BOX 544, E. LONGMEADOW, MA 01028 FOR THE SUM OF FORTY FOUR THOUSAND SEVEN HUNDRED AND TWENTY FIVE DOLLARS (\$44,725) FOR THE PARKS AND RECREATION DEPARTMENT,

AND HEREBY AUTHORIZES MAYOR JASON L. MCOY OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY TO COMPLETE THIS TRANSACTION. AFTER A THOROUGH INVESTIGATION, THIS SUPPLIER IS FOUND TO MATCH THE NEEDS OF VERNON AND THE COSTS OF SAME.

Council Member Motola, seconded by Council Member Krupienski made the above motion to waive the bid procedure to purchase a used backhoe and accessories for the Parks and Recreation Department. Discussion took place. Motion carried unanimously.

- C 5. Request for authority to purchase 200 trash/recycling receptacles for the Parks and Recreation Department to be used in Vernon recreation areas, to be collected by Department of Public Works.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council members dated 04-16-2010 is included for review.)

PROPOSED MOTION #1

THE TOWN COUNCIL MOVES TO APPROVE THE ADDITIONAL APPROPRIATION OF ELEVEN THOUSAND AND FOUR HUNDRED DOLLARS (\$11,400) TO TRASH / RECYCLING RECEPTACLES ACCOUNT FOR PARKS AND RECREATION DEPARTMENT, TO COVER THE PURCHASE OF TWO HUNDRED (200) 96-GALLON TRASH RECEPTACLES COMPATIBLE WITH THE AUTOMATED SIDE LOADER COLLECTION EQUIPMENT, UNDER THE COOPERATIVE PURCHASING BID #3360 FROM THE CITY OF NEW BRITAIN.

Council Member Motola, seconded by Council Member O'Shea made the above motion to approve the additional appropriation of \$11,400 to purchase 200 96-gallon trash receptacles. Discussion took place.

Council Member Schaefer, seconded by Council Member Winkler made a motion to extend curfew until end of business. Motion failed – 7 Council Members in opposition.

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

1. Letter from Chief James Kenny to Mayor Jason L. McCoy regarding the Town Council's request to have the Traffic Authority consider making Maple Street one-way, dated April 9, 2010.
2. Monthly Activity Report – Building Department March 2010, as submitted by Harry Dan Boyko, Assistant Building Official.
3. Monthly Report – Youth Services Bureau March, 2010, as submitted by Alan M. Slobodien, Director
4. Monthly Report – Emergency Medical Services March, 2010 as submitted by Jen Gauthier, EMS Coordinator.
5. Komen Connecticut 2010 Race for the Cure Invitation, Saturday, June 5, 2010.

Received:

Approved:

Respectfully Submitted,

Draft #1

Unapproved Minutes

Jill Kentfield
Recording Secretary