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MINUTES

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

JUNE 1, 2010 – 7:00 PM

Mayor Jason L. McCoy called the meeting to order at 7:05 PM.

A.) PLEDGE OF ALLEGIANCE

B.) ROLL CALL:
PRESENT: COUNCIL MEMBERS DANIEL ANDERSON, BILL CAMPBELL, DANIEL CHAMPAGNE, MARK ETRE, MARIE HERBST, JAMES KRUPIENSKI, BRIAN R. MOTOLA, SEAN O' SHEA, PAULINE SCHAEFER, HARRY D. THOMAS AND MICHAEL WINKLER
ABSENT: JUDY HANY
ENTERED DURING MEETING:
ALSO PRESENT: MAYOR JASON L. MCCOY, TOWN ADMINISTRATOR JOHN WARD, RECORDING SECRETARY PEGGY JACKLE

C.) CITIZENS FORUM
SUE PERRY, 26 EMMA LANE REQUESTED THAT THE TOWN COUNCIL ADD AN ADDITIONAL AGENDA ITEM TO DISCUSS VIOLATIONS TO PROPERTY ON HER STREET.

BILL SMITH, 30 VERNWOOD DRIVE THANKED THE TOWN COUNCIL MEMBERS AND REPRESENTATIVES THAT ATTENDED THEIR CHURCH ON SUNDAY IN TALCOTTVILLE. HE DISTRIBUTED GIFTS TO THOSE THAT ATTENDED.

CITIZEN'S FORUM CLOSED AT 7:20 PM

MAYOR JASON L. MCCOY REVERSED ORDER OF AGENDA

D.) PUBLIC HEARINGS (7:05 PM)

PUBLIC HEARING TO DISCUSS AND RECEIVE PUBLIC COMMENT REGARDING A PROPOSED LEASING OF THE KINDERGARTEN BUILDING ON HARTFORD TURNPIKE TO THE VERNON COMMUNITY ARTS CENTER. (A copy of the Legal Notice is attached for Council Review)

Open Public Hearing (7:20 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.

Public Comments:
There were no public comments.

Close Public Hearing (7:22 PM)

E.) PRESENTATIONS

Mayor Jason L. McCoy and Ms. Amy Locandro, Vernon Parks and Recreation to present Proclamations to the following groups of volunteers who served as Earth Day volunteers and assisted the Parks and Recreation Department; the Vernon Teen Center, the Vernon Greenway Volunteers and Cub Scout Pack #221.

Mayor Jason L. McCoy and Bruce Watt, Vernon Parks and Recreation to present plaque and check to the Morrin Family Scholarship fund, for monies raised through Parks and Recreation Mothers Day Dash.

RECESSED (7:30 PM)

MR. HARRY THOMAS LEFT MEETING AT 7:40 P.M.

RECONVENED (7:42 PM)

F.) ACTION ON CONSENT AGENDA

It was determined that the Town Council had the incorrect agenda. Copies made from the agenda that appeared on the Town's website.

COUNCIL MEMBER MOTOLA, SECONDED BY COUNCIL MEMBER O'SHEA MADE A MOTION TO APPROVE THE CONSENT AGENDA AS PRESENTED. COUNCIL MEMBER HERBST PULLED CONSENT AGENDA ITEM NUMBERS 6 AND 9 , COUNCIL MEMBER SCHAEFER PULLED CONSENT AGENDA ITEMS 3 , 7 AND 8 AND COUNCIL MEMBER JAMES KRUPIENSKI PULLED CONSENT AGENDA 2 FOR DISCUSSION.

MOTION CARRIED UNANIMOUSLY TO APPROVE THE FOLLOWING CONSENT AGENDA ITEMS 1, 4, 5, AND 10.. NO ACTION WAS TAKEN ON CONSENT AGENDA #8.

C 1. **Request for Tax Funds Prior Years and Current Year.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward, Town Administration dated May 24, 2010 is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES ONE (1) REFUND TOTALING $ 58.06, FOR A TAX REFUND FROM THE PRIOR YEAR, AND SIX (6) REFUNDS TOTALING $ 2530.17 FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED MAY 24, 2010.

C 4. **Request the Town Council approve the tax abatements as outlined by the memorandum dated May 19, 2010 from Collector of Revenue to John D. Ward, Town Administrator regarding same.** (Please see the memorandum dated May 19, 2010 from Terry A. Hjarne, Collector of Revenue.)

PROPOSED MOTION:

THE TOWN COUNCIL PURSUANT TO CONN.GEN. STAT. 12-81 MOVES TO ABATE THE TAXES FOR 60 LAKE STREET, 8,11, AND 12 WARD STREET AS PRESENTED IN COLLECTOR HJARNE'S MEMORANDUM OF MAY 19, 2010.

C 5. **Request the Town Council approve the placement of properties totaling $177,732.45 on the Suspense Tax Ledger.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue dated May 19, 2010 to John D. Ward, Town Administrator, and a copy of the properties reflected 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 $177,732.45 CONTAINED ON THE SUSPENSE TAX LEDGER REPORT AS PROVIDED BY TERRY HJARNE, COLLECTOR OF REVENUE, DATED MAY 19, 2010.

C 10. **Request the Town Council approve the bid waiver for the Vernon Animal Control Office for the purchase of a 2010 Ford E150 from Ray Seraphin Ford.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated May 28, 2010 is included for Council's review.)

PROPOSED RESOLUTION:

RESOLVED, THE TOWN COUNCIL IN ACCORDANCE WITH CHAPTER XII, SECTION 9, OF THE VERNON TOWN CHARTER DEEMS IT IS AGAINST THE BEST INTEREST OF THE TOWN TO INVITE SEALED BIDS FOR THE PURCHASE OF A 2010 FORD E150 VAN FROM RAY SERAPHIN FORD, VERNON, CT, FOR A PURCHASE PRICE OF $ 19,898 WHICH IS LESS THAN THE STATE BID PRICE FOR A COMPARABLE VEHICLE AND HEREBY WAIVES THE BID PROCEDURE AND AUTHORIZES THE TOWN ADMINISTRATOR TO EXECUTE ANY DOCUMENTS NECESSARY TO COMPLETE THIS PURCHASE IN AN AMOUNT NOT TO EXCEED $ 19,898. AFTER A THOROUGH INVESTIGATION, THIS SUPPLIER IS FOUND TO MATCH THE NEEDS OF VERNON AND THE COSTS OF SAME.

G.) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS - NONE

H.) PENDING BUSINESS - NONE

I.) NEW BUSINESS

1. Annual update presentation by North Central Health District – Also the Health Department would like to Town Council to approve a Memorandum of Understanding re: Planning and Implementation of Emergency Mass Dispensing Plans Area. (A copy of the proposed MOU is attached for Council's review.)

PROPOSED MOTION:

THE TOWN COUNCIL APPROVES THE MEMORANDUM OF UNDERSTANDING REGARDING PLANNING AND IMPLEMENTATION OF EMERGENCY MASS DISPENSING PLAN AREA #34/35 BETWEEN THE NORTH CENTRAL DISTRICT HEALTH DEPARTMENT AND THE TOWN OF VERNON AS PRESENTED AND AUTHORIZES MAYOR JASON L. MCCOY TO EXECUTE SAID MEMORANDUM, SUBJECT TO PROVISION OF THE TOWN CHARTER.

Discussion took place with Town Council Members.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the Memorandum of Understanding as amended. Motion passed unanimously.

2. Request by Brian Motola for the Town Council to authorize the transfer of $3,000 to the Rockville Downtown Association for the July in the Sky event.

PROPOSED MOTION:

THE TOWN COUNCIL AUTHORIZES THE APPROPRIATION OF $3000.00 TO THE ROCKVILLE DOWNTOWN ASSOCIATION FOR THEIR JULY IN THE SKY CELEBRATION FROM THE GENERAL FUND BALANCE OR AN ACCOUNT TO BE DESIGNATED BY MAYOR JASON L. MCCOY OR FINANCE OFFICE JAMES LUDDECKE.

Discussion took place with Town Council members.

8:05 PM – Mayor McCoy left the table.

8:06 PM – Mayor McCoy returned.

Council Member Motola, seconded by Schaefer made the above motion as present. Motion passed with 6 voting in favor (Motola, O'Shea, Herbst, Winkler, Krupienski, Schaefer), 3 opposed (Campbell, Anderson, Etre) and 1 abstention(Champagne).

J.) INTRODUCTION OF ORDINANCES

K.) ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED

An Ordinance entitled, **"AN ORDINANCE REQUIRING RESIDENTIAL RENTAL BUSINESS LICENSES",** (A copy of memorandum from John D. Ward, Town Administrator dated May 14, 2010 to Mayor Jason L. McCoy and the Town Council along with a memorandum from Town Attorney Harold Cummings to John D. Ward, Town Administrator dated May 13, 2010 and the revised draft are included for your review.)

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

C 2. Request the Town Council approve budget amendments #26 - #33 for fiscal year 2009-2010. (Copies of the budget amendment requests are included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT REQUESTS #26 - #33 AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY THE FINANCE OFFICER.

Discussion took place with Town Council Members.

Council member Brian Motola, seconded by O'Shea made the above motion as presented. Motion passed unanimously.

C. 3. Request the Town Council reallocate Program Income previously obtained from the Small Cities - Community Development Block Grant Program, to the third phase of the reconstruction of Prospect Street. (Please see the May 27, 2010 memorandum from John D. Ward, Town Administrator).

PROPOSED RESOLUTION:

Whereas, the Town of Vernon has received funds under the Connecticut Small Cities Community Development Block Grant Small Cities Program, administered by the State of Connecticut, Department of Economic and Community Development, pursuant to Title I of the Housing and Community Development Act of 1974 as amended; and

Whereas, the Town of Vernon has expended those funds pursuant to Title I of the Housing and Community Development Act of 1974, the Code of Federal Regulations, and the Assistance Agreement, and,

Whereas, those funds received by the Town of Vernon have generated Program Income.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL:

1. That it is cognizant of the conditions for the use of Program Income as prescribed by Title 24, Part 570, Section 489(e) of the Code of Federal Regulations.
2. That it realizes Program Income is governed by Title I of the Housing and Community Development Act of 1974.
3. That it may use Program Income only for the following activities:
   a) The activity that generated the program income if the activity continues to meet the requirements of Title I of the Housing and Community Development Act of 1974.
   b) Any additional activity that meets the requirements of Title 1 of the Housing and Community Development Act if the Town receives DECD's written approval to fund it with Program Income.

4. That it may use Program Income to fund Administrative and Program soft costs within the following limits:

Administrative Costs	16%
Total Administrative and Program Soft Costs (Housing Rehabilitation Activities Only)	25%
Total Administrative and Program Soft Costs (All Activities Except for Housing Rehabilitation)	21%

5. That it is hereby amending the Program Income Plan(s) that was adopted for the original activity that generated the Program Income to permit the funding of additional activities from that Program Income.

Discussion took place with Town Council Members.

Council Member Motola, seconded by Herbst made the above motion as presented. Motion passed unanimously.

C 6. Request the Town Council authorize the Mayor Jason L. McCoy to make application to the Department of Homeland Security for the FY 2010 Firefighters Grant in the amount of $705,250. (with a 10% required match of $70,525. from the Town of Vernon,) and execute any and all documents necessary to participate in this program.

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO EXECUTE THE NECESSARY FORMS TO MAKE APPLICATION FOR AND RECEIVE FUNDS FROM THE US DEPARMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT FOR FY 2010 IN THE AMOUNT OF $742,150. THE TOWN COUNCIL FURTHER AUTHORIZES MATCHING FUNDS IN THE AMOUNT OF $74,215 FOR THE FY 2010 DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT.

Discussion took place with Town Council Members.

Council Member Motola, seconded by Council Member Etre made the above motion as amended. Motion passed unanimously.

C 7. Request the Town Council authorize Mayor Jason L. McCoy to make application for, and to execute all necessary documents related to the State of Connecticut Department of Homeland Security, Emergency Operations Center (EOC) and Emergency Shelter Generator Grant Program – Phase I.

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES THE TOWN OF VERNON OFFICE OF EMERGENCY MANAGEMENT TO APPLY FOR A GRANT FROM THE CONNECTICUT DEPARTMENT OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY. THE TOWN COUNCIL FURTHER AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO EXECUTE THE NECESSARY FORMS TO MAKE APPLICATION FOR AND RECEIVE FUNDS FROM THE CONNECTICUT DEPARTMENT OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY IN THE AMOUNT OF $90,000.00 OR LESS.

Discussion took place with Town Council Members.

Council Member Motola, seconded by Council Member Etre made the motion as presented. Motion passed unanimously.

C 9. Request the Town Council authorize the additional appropriations for the purchase of a 1997 Freightliner FL80 two-man Bucket Truck, for the Department of Public Works. (Please see the Memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and Vernon Town Council dated May 28, 2010.)

PROPOSED MOTION:

THE TOWN COUNCIL IN ACCORDANCE WITH CHAPTER XII, SECTION 9, OF THE VERNON 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 1997 FREIGHTLINER FL80 WITH ALTEC AM855 60' WORKING HEIGHT – OVER-THE-BOOM, 2 MAN DOUBLE BUCKET, JIB, CUMMINS 8.3l, ALLISON MD3560p AUTO, 63k MILES, 39,000 GVW, FORMER UTILITY TRUCK FROM TRUCKSITE, 1800 OLIVE DRIVE, DAVIS, CALIFORNIA 95616, AND HEREBY AUTHORIZES THE TOWN ADMINISTRATOR 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.; NOT TO EXCEED $ 31.000.

Discussion took place with Town Council Members.

Council Member Motola, seconded by Council Member Etre made the above motion to approve the motion as revised. Motion passed with 7 voting in favor(Campbell, Champagne, Etre, Krupienski, Motola, O' Shea, Winkler), 3 in opposition (Herbst, Schaefer, Anderson).

M.) ADOPTION OF MINUTES

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE TOWN COUNCIL'S SPECIAL MEETING OF MAY 15, 2010 AND THE REGULAR MEETING OF MAY 18, 2010 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Motola, seconded by O'Shea made the above motion to accept the minutes as amended. Motion passed unanimously.

N.) EXECUTIVE SESSION ONE

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 HSBC BANK, USA, N.A. VS. THE TOWN OF VERNON (128 PROSPECT STREET). FURTHER, THE TOWN COUNCIL INVITES JOHN D. WARD, TOWN ADMINISTRATOR, HAROLD CUMMINGS, TOWN ATTORNEY AND TERRY HJARNE, COLLECTOR OF REVENUE TO ATTEND.

Council Member Motola, seconded by Etre made the above motion to go into executive session. Motion passed unanimously.

Executive session – 9:35 PM

Council Member Herbst, seconded by Schaefer made a motion to go out of executive session and adjourn the meeting at 9:55 PM. Motion passed unanimously.

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

1. Invitation for EMS Director to participate in the Department of the Army War College 5th Annual Strategy Implementation Seminar, in Pennsylvania.
2. Monthly Ambulance Report, from Jean Gauthier EMS Coordinator.
3. Town of Vernon Department of Social Services Quarterly Newsletter – Summer 2010.
4. Monthly Senior Center Report for April 2010, from Penny Rand, Director
5. Annual Inspection Report – Permanent Municipal Building Committee Chairman John Leary.

Respectfully submitted,

Peggy Jackle
Recording Secretary