

**REGULAR MEETING
OF THE
VERNON TOWN COUNCIL
April 4, 2006**

Senior Center 2nd Floor Conference Room, 26 Park Place, Vernon, CT

Mayor Ellen L. Marmer, M.D. called the meeting to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL:

The Clerk called the roll as follows:

Present: Council Members Daniel E. Anderson, Bill F. Campbell, Daniel A. Champagne, Mark S. Etre, Bill Fox, Marie A. Herbst, Pauline A. Schaefer, Christy N. Vale; 8.

Absent: Council Members Jason L. McCoy, Brian R. Motola, Mary A. Oliver, Connie Simon; 4.

Entered During Meeting: Council Member Jason L. McCoy (7:43 p.m.), Brian R. Motola (7:33 p.m.), Mary A. Oliver (7:33 p.m.); 3.

Also Present: Mayor Ellen L. Marmer, M.D., Town Administrator Laurence R. Shaffer, Recording Secretary Karin Z. Pike.

CITIZEN'S FORUM:

Ellen M. Byrne, 1170 Hartford Tnpk, spoke in favor of the appointments on this evening's agenda. She also spoke against the Rockville Public Library and Visiting Nurses budget.

Council Members Oliver (7:33 p.m.) and Motola (7:33 p.m.) entered the meeting.

No other residents wished to speak and Citizen's Forum was closed at 7:35 p.m.

PRESENTATION

John Garropolo of the Manchester Lions presented two (2) trophies relative to the fundraiser held at Vernon Lanes to benefit the Annual Fenix Memorial Bowling Tournament, Fidelco Guide Dog Foundation.

Council Member McCoy (7:43 p.m.) entered the meeting.

ADOPTION OF MINUTES:

Council Member Herbst, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE SPECIAL MEETING OF MARCH 16, 2006, AND THAT MINUTES OF SAID MEETING BE APPROVED. The motion was carried unanimously 10 to 0 on a voice vote. Council Member McCoy abstained.

Council Member Herbst, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE SPECIAL MEETING OF MARCH 18, 2006, AND THAT MINUTES OF SAID MEETING BE APPROVED. The motion was carried unanimously 10 to 0 on a voice vote. Council Member McCoy abstained.

Council Member Herbst, seconded by Council Member Oliver, moved that THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF MARCH 21, 2006, AND THAT MINUTES OF SAID MEETING BE APPROVED. The motion was carried unanimously 10 to 0 on a voice vote. Council Member McCoy abstained.

Council Member Herbst, seconded by Council Member Oliver, moved that THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE SPECIAL MEETING/PUBLIC HEARING OF MARCH 23, 2006, AND THAT MINUTES OF SAID MEETING BE APPROVED. The motion was carried unanimously 10 to 0 on a voice vote. Council Member McCoy abstained.

Council Member Herbst, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE SPECIAL MEETING OF MARCH 28, 2006, AND THAT MINUTES OF SAID MEETING BE APPROVED. The motion was carried unanimously 10 to 0 on a voice vote. Council Member McCoy abstained.

CONSENT AGENDA ITEMS:

New Business Items:

1. Request for Tax Refunds – Current Fiscal Year
2. Request the Town Council to approve the appointment of Loyola Welsh as a regular member of the Board of Ethics.
3. Request the Town Council approve the appointment of Christal Petrone as an alternate member of the Board of Ethics.
4. Request the Town Council to approve the appointment of David Clough as an alternate member of the Zoning Board of Appeals.
5. Request the Town Council to approve the appointment of Paul M. Courtois as a regular member of the Historic Properties Commission.
6. Request the Town Council approve the appointment of James W. Francoline as an alternate member of the Historic Properties Commission.
7. Request the Town Council to adopt Resolution entitled “Resolution Authorizing the Mayor to Execute and Deliver a Contract Between the State of Connecticut Department of Public Safety and the Town of Vernon for a Mass Casualty and Decontamination Trailer.”
8. Request the Town Council authorize the mayor to allow the Town of Vernon to become a “sponsor” organization for the summer nutrition program within the State Department of Education.

NEW BUSINESS (CONSENT ITEMS):

Council Member McCoy pulled C.N.B. 7 for discussion.

Council Member Herbst, seconded by Council Member Schaefer, moved TO APPROVE C.N.B. 1 THROUGH 6 AND 8 AS FOLLOWS:

C.N.B. 1. Request for Tax Refunds – Current Year.

THAT THE TOWN COUNCIL AUTHORIZES THE COLLECTOR OF REVENUE TO APPROVE ONE (1) TAX REFUND IN THE AMOUNT OF \$2,416.00 AS OUTLINED IN MEMORANDUM FROM THE COLLECTOR OF REVENUE DATED MARCH 29, 2006 TO THE TOWN ADMINISTRATOR.

(A copy of the memorandum is appended to these minutes and marked as “Appendix A.”)

C.N.B. 2. Request the Town Council to approve the Mayor’s appointment of Loyola Welsh, (U) 75 Hockanum Boulevard #1922, as a regular member of the Board of Ethics, due to the resignation of Darlene Newberg, said term to expire on November 30, 2008.

THE TOWN COUNCIL HEREBY APPROVES THE MAYOR’S APPOINTMENT OF LOYOLA WELSH (U), TO SERVE AS A MEMBER OF THE BOARD OF ETHICS, SAID TERM TO EXPIRE ON NOVEMBER 30, 2008.

C.N.B. 3. Request the Town Council to approve the Mayor’s appointment of Christal Petrone, (D) 30 Berkeley Drive, as an alternate member of the Board of Ethics, to fill a vacancy due to the regular appointment of Loyola Welsh, said term to expire on November 30, 2009.

THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF CHRISTAL PETRONE (D), TO SERVE AS AN ALTERNATE MEMBER OF THE BOARD OF ETHICS, SAID TERM TO EXPIRE ON NOVEMBER 30, 2009.

C.N.B. 4. Request the Town Council to approve the Mayor's appointment of David Clough, (R) 221 Skinner Road, as an alternate member of the Zoning Board of Appeals, said term to expire on June 30, 2007.

THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF DAVID CLOUGH (R), TO SERVE AS AN ALTERNATE MEMBER OF THE ZONING BOARD OF APPEALS, SAID TERM TO EXPIRE ON JUNE 30, 2007.

C.N.B. 5. Request the Town Council to approve the Mayor's appointment of Paul M. Courtois, (D) 70 East Street, as a member of the Historic Properties Commission, to fill an unexpired term due to the resignation of James D. Bell, said term to expire on April 3, 2009.

THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF PAUL M. COURTOIS (D), TO SERVE AS A MEMBER OF THE HISTORIC PROPERTIES COMMISSION, SAID TERM TO EXPIRE ON APRIL 3, 2009.

C.N.B. 6. Request the Town Council to approve the Mayor's appointment of James W. Francoline, (R) 43 Tracy Drive, as an alternate member of the Historic Properties Commission, to fill a vacancy, said term to expire on April 3, 2009.

THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF JAMES W. FRANCOLINE (R), TO SERVE AS AN ALTERNATE MEMBER OF THE HISTORIC PROPERTIES COMMISSION, SAID TERM TO EXPIRE ON APRIL 3, 2009.

C.N.B. 8. Request the Town Council to authorize the Mayor to enter into a formal agreement with the State Department of Education in order to become a sponsor organization for the summer nutrition program.

THE TOWN COUNCIL HEREBY AUTHORIZES THE MAYOR 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 motion was carried unanimously 11 to 0 on a voice vote.

NEW BUSINESS (TAKEN FROM CONSENT AGENDA):

C.N.B. 7. Request the Town Council adopt the Resolution entitled "Resolution Authorizing the Mayor to Execute and Deliver a Contract Between the State of Connecticut Department of Public Safety and the Town of Vernon for Mass Casualty and Decontamination Trailer."

Town Administrator Laurence R. Shaffer was available for questions and comment.

Discussion took place.

Council Member McCoy requested an explanation as to how the Trailer would be stored at the Nye Street Fire Station for the next regular Council meeting.

Council Member McCoy, seconded by Council Member Herbst, moved that THE TOWN COUNCIL HEREBY ADOPTS THE RESOLUTION ENTITLED "RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER A CONTRACT BETWEEN THE STATE OF CONNECTICUT DEPARTMENT

OF PUBLIC SAFETY AND THE TOWN OF VERNON FOR A MASS CASUALTY AND DECONTAMINATION TRAILER". THE MOTION WAS CARRIED UNANIMOUSLY 11 TO 0 ON A VOICE VOTE.

OLD BUSINESS:

None.

IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS:

- A.A.I. 1. Monthly report for February 2006 from Alan Slobodien, Director, Vernon Youth Services. Informational item.
- A.A.I. 2. Informational copy of Legal Notice "NOTICE OF SALE OF REAL ESTATE FOR TAXES". Informational item.

By unanimous consent, A.A.I. 1 and 2 were added to the agenda.

NEW BUSINESS:

N.B. 1. Request the Town Council to adopt a resolution relative to the "Local Option Study regarding Elderly and or Disabled Tax Credit Program".

Council Member Herbst, seconded by Council Member Fox, moved that THE TOWN COUNCIL HEREBY ADOPTS THE RESOLUTION ENTITLED "TOWN OF VERNON ELDERLY AND DISABLED TAX RELIEF PROGRAM §12-129n".

David Wheeler Town Assessor, James Luddecke Finance Officer and Joseph Courtney Town Attorney were available for questions and comment.

Council Member Herbst requested quarterly updates of the program.

Council Member Campbell, seconded by Council Member Herbst, moved TO CHANGE THE WORD "AND" TO "OR" IN THE ITALICIZED PORTIONS OF THE RESOLUTION AS WILL FOLLOW. The motion was carried unanimously 11 to 0 on a voice vote.

Council Member McCoy, seconded by Council Member Vale, moved TO ADD THE WORD "PILOT" IN THE RESOLUTION TITLE. The motion was carried unanimously 11 to 0 on a voice vote.

Mayor Ellen L. Marmer, M.D. called a recess.

The meeting recessed at 9:00.

The meeting reconvened at 9:05 p.m.

Council Member McCoy, seconded by Council Member Vale, moved TO MAKE AN ADDITIONAL APPROPRIATION OF \$120,000. FROM THIS YEARS BUDGET FROM THE GENERAL FUND TO FUND THIS PROGRAM FOR THE FIRST 2 YEARS. The motion failed 2 to 8 with Council Members Anderson and McCoy voting yes and Council Members Campbell, Champagne, Fox, Herbst, Motola, Oliver, Schaefer and Vale voting no. Council Member Etre abstained.

Council Member McCoy, seconded by Council Member Vale, moved TO MAKE AN ADDITIONAL APPROPRIATION OF \$64,999.99 FROM THIS YEARS BUDGET FROM THE GENERAL FUND TO FUND THIS PROGRAM. The motion failed 2 to 9 with Council Members Campbell and McCoy voting yes and Council Members Anderson, Champagne, Etre, Fox, Herbst, Motola, Oliver, Schaefer and Vale voting no.

The main motion, as amended, was carried 10 to 1 with Council Members Campbell, Champagne, Etre, Fox, Herbst, McCoy, Motola, Oliver, Schaefer, and Vale voting yes and Council Member Anderson voting no.

The resolution now reads as follows:

**RESOLUTION TOWN OF VERNON *PILOT* ELDERLY AND DISABLED
PROPERTY TAX RELIEF PROGRAM §12-129N**

WHEREAS, ELLEN L. MARMER, MAYOR HAS RECOMMENDED TO THE VERNON TOWN COUNCIL THAT REAL PROPERTY TAX RELIEF IS BOTH NEEDED AND DESIRABLE FOR ELIGIBLE ELDERLY INDIVIDUALS OR DISABLED PROPERTY OWNERS IN THE TOWN OF VERNON” ; AND

WHEREAS, §12-129N ENTITLED “OPTIONAL TAX RELIEF PROGRAM FOR CERTAIN HOMEOWNERS AGE 65 OR OVER OR WHO ARE PERMANENTLY AND TOTALLY DISABLED ALLOWS FOR SAID PROPERTY TAX RELIEF FOR CERTAIN ELDERLY OR DISABLED INDIVIDUALS” ALLOWS FOR CERTAIN EXEMPTIONS; AND

WHEREAS, A LOCAL OPTION STUDY COMMITTEE REGARDING ELDERLY OR DISABLED TAX CREDIT PROGRAM WAS CREATED AND PREPARED A REPORT RECOMMENDING THAT THE LOCAL OPTION PILOT PROGRAM BE ADOPTED;

NOW, THEREFORE, BE IT RESOLVED:

THAT THE VERNON TOWN COUNCIL HEREBY ADOPTS THE PROVISIONS OF §12-129N ENTITLED “OPTIONAL MUNICIPAL *PILOT* PROPERTY TAX RELIEF PROGRAM FOR CERTAIN HOMEOWNERS 65 OR OVER OR WHO ARE PERMANENTLY AND TOTALLY DISABLED”;

NOW, THEREFORE, BE IT FURTHER RESOLVED:

THAT THIS PROGRAM, CONSISTENT WITH THE RECOMMENDATION OF THE LOCAL OPTION STUDY GROUP, APPLY FOR A TWO (2) YEAR PILOT PROGRAM, SAID PROGRAM ENDING SEPTEMBER 30, 2007, AND FURTHER BE IT RESOLVED THAT THE BASIC REQUIREMENTS FOR PARTICIPATING IN THE VERNON'S *PILOT* ELDERLY OR DISABLED PROPERTY TAX RELIEF PROGRAM LOCAL OPTION ARE HEREBY OUTLINED IN AN ATTACHED PROGRAM DESCRIPTION DATED MARCH 27, 2006.

N.B. 2. Request for Town Council to approve the budget amendments for fiscal year 2005-2006 as outlined in the Budget Amendments #14-16 or additional amendments as provided by the Finance Officer at the meeting.

Jim Luddecke, Finance Officer was available for questions and comment.

Discussion took place.

Council Member Herbst, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL HEREBY APPROVES THE AMENDMENT REQUEST(S) FOR FISCAL YEAR 2005-2006 AS OUTLINED IN BUDGET AMENDMENT FORMS #14-16 AND/OR ADDITIONAL AMENDMENT FORMS AS PROVIDED BY THE FINANCE OFFICER AT THE MEETING. The motion was carried unanimously 11 to 0 on a voice vote.

(A copy of the memoranda are appended to these minutes and marked as "Appendix B.")

INTRODUCTION OF ORDINANCES:

None.

DISCUSSION OF ADDITIONAL AGENDA ITEMS:

A.A.I. 1. Monthly report for February 2006 from Alan Slobodien, Director, Vernon Youth Services. Informational item.

Council Member Anderson recognized the peer advocates at Rockville High School. Mayor Ellen L. Marmer, M.D. recommended that a letter be written from Council commending their work.

A.A.I. 2. Informational copy of Legal Notice "NOTICE OF SALE OF REAL ESTATE FOR TAXES". Informational item.

Discussion took place.

Council Member Etre requested that the Administration look at property values versus property taxes owed.

EXECUTIVE SESSION:

Council Member Schaefer, seconded by Council Member Oliver, moved that THAT CONSISTENT WITH THE FREEDOM OF INFORMATION ACT, THE TOWN COUNCIL SHALL GO INTO EXECUTIVE SESSION TO DISCUSS THE ACQUISITION OF LAND AND TO INVITE LAURENCE SHAFFER TOWN ADMINISTRATOR AND JOSEPH COURTNEY TOWN ATTORNEY TO ATTEND. The motion was carried unanimously 11 to 0 on a voice vote.

The meeting went into Executive Session at 9:45 p.m.

Present at the Executive Session were Mayor Ellen L. Marmer, M.D., Town Administrator Laurence R. Shaffer, Joseph Courtney Town Attorney and Council Members Anderson, Campbell, Champagne, Etre, Fox, Herbst, McCoy, Motola, Oliver, Simon and Vale.

Council Member McCoy, seconded by Council Member Herbst, moved TO GO OUT OF EXECUTIVE SESSION. The motion was carried unanimously 11 to 0 on a voice vote.

The meeting came out of Executive Session at 10:25 p.m.

Council Member McCoy, seconded by Council Member Herbst, moved TO EXTEND CURFEW UNTIL THE CONCLUSION OF BUSINESS. The motion was carried unanimously 11 to 0 on a voice vote.

Council Member McCoy, seconded by Council Member Schaefer, moved THAT CONSISTENT WITH THE FREEDOM OF INFORMATION ACT, THE TOWN COUNCIL SHALL GO INTO EXECUTIVE SESSION TO DISCUSS THE PURCHASE OF LAND AND TO INVITE LAURENCE SHAFFER TOWN ADMINISTRATOR AND JOSEPH COURTNEY TOWN ATTORNEY TO ATTEND. The motion was carried unanimously 11 to 0 on a voice vote.

Present at the Executive Session were Mayor Ellen L. Marmer, M.D., Town Administrator Laurence R. Shaffer, Joseph Courtney Town Attorney and Council Members Anderson, Campbell, Champagne, Etre, Fox, Herbst, McCoy, Motola, Oliver, Simon and Vale.

Council Member Schaefer, seconded by Council Member Vale, moved TO GO OUT OF EXECUTIVE SESSION. The motion was carried unanimously 11 to 0 on a voice vote.

The meeting came out of Executive Session at 10:55 p.m.

Council Member Herbst, seconded by Council Member Schaefer, moved THAT THE TOWN COUNCIL SEND THE ISSUE OF THE PURCHASE OF THE BRAY PARCEL AT EXIT 67 TO THE PLANNING AND ZONING COMMISSION FOR A CGS 8-24 REVIEW. The motion failed 4 to 7 with Council Members Fox, Herbst, Oliver and Schaefer voting yes and Council Members Anderson, Campbell, Champagne, Etre, McCoy, Motola and Vale voting no.

INFORMATIONAL ITEMS:

1. Minutes from the Board of Education meeting of March 13, 2006.
2. Monthly report for February 2006 from Alan Slobodien, Director, Vernon Youth Services.
3. Letter from Lena Genovese, resigning from the Senior Citizens Advisory Committee.
4. Informational copy of Legal Notice "NOTICE OF SALE OF REAL ESTATE FOR TAXES".

ADJOURN:

Council Member Campbell, seconded by Council Member Vale, moved TO ADJOURN.

The motion was carried unanimously 11 to 0 on a voice vote.

The meeting adjourned at 10:55 p.m.

Received: April 11, 2006
Approved: Vernon Town Council
April 18, 2006

Karin Z. Pike
Asst Town Clerk/Recording Secretary

Appendix A

Appendix B

Appendix B (continued)

Appendix B (continued)