

**REGULAR MEETING  
OF THE  
VERNON TOWN COUNCIL  
March 21, 2006**

Senior Center 2<sup>nd</sup> Floor Conference Room, 26 Park Place, Vernon, CT

Mayor Ellen L. Marmer, M.D. called the meeting to order at 7:37 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, Brian R. Motola, Mary A. Oliver, Pauline A. Schaefer, Connie Simon, Christy N. Vale; 11.

**Absent:** Council Members Jason L. McCoy; 1.

**Entered During Meeting:** Council Member Jason L. McCoy (7:40 p.m.); 1.

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

Mayor Ellen L. Marmer, M.D. commended the World Language Departments "Taste of Languages 2006" evening that took place March 20, 2006.

Council Member McCoy entered the meeting (7:40 p.m.)

Finance Officer James Luddecke gave a budget presentation including a revenue estimate summary, general government overview and general government appropriations.

**CITIZEN'S FORUM:**

Ellen M. Byrne, 1170 Hartford Tnpk, spoke in favor of the execution of a contract with Paul B. Bailey for the repainting of Town Hall. She also spoke in favor of the Fair Housing Resolution.

No other residents wished to speak and Citizen's Forum was closed at 7:45 p.m.

**PRESENTATIONS:**

None.

**ADOPTION OF MINUTES:**

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 7, 2006 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Page 278-Citizen's Forum-RAGE Team update should state that the Team would be in *Georgia* not Jordan at the end of April.

The minutes, as amended, were approved unanimously 11 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 adopt Fair Housing Resolution, Fair Housing Policy Statement, and Compliance with Title V of the Federal Civil Rights Act of 1964.
3. Request the Town Council to adopt a Resolution relative to the application for a Historic Documents Preservation Grant with the State Library.
4. Request the Town Council to authorize the Town Administrator to execute a contract with Paul B. Bailey, Architect LLC to provide architectural services for the re-pointing of Town Hall and for the repair of the roof.
5. Request the Town Council designate \$2,100.00 for the operation of the 2006 Farmer's Market.

**NEW BUSINESS (CONSENT ITEMS):**

Council Member McCoy requested C.N.B. 2. be pulled for discussion.

Council Member Motola requested C.N.B. 4. be pulled for discussion.

Council Member Herbst, seconded by Council Member Schaefer, moved TO APPROVE C.N.B 1, 3 AND 5 AS FOLLOWS:

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

THAT THE TOWN COUNCIL AUTHORIZES THE COLLECTOR OF REVENUE TO APPROVE THREE (3) TAX REFUNDS IN THE AMOUNT OF \$2,458.59 AS OUTLINED IN MEMORANDUM FROM THE COLLECTOR OF REVENUE DATED MARCH 15, 2006 TO THE TOWN ADMINISTRATOR.

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

C.N.B. 3. Request the Town Council adopt a resolution relative to the application for a Historic Documents Preservation Grant.

THE TOWN COUNCIL HEREBY AUTHORIZES ELLEN L. MARMER, M.D., MAYOR TO EXECUTE AND DELIVER IN THE NAME OF AND ON BEHALF OF THIS MUNICIPALITY, AN APPLICATION AND CONTRACT WITH THE STATE LIBRARY FOR A HISTORIC DOCUMENTS PRESERVATION GRANT.

C.N.B. 5. Request the Town Council designate \$2,100.00 for the operation of the 2006 Rockville Farmer's Market.

THE TOWN COUNCIL HEREBY DESIGNATES \$2,100.00 FOR THE OPERATION OF THE 2006 ROCKVILLE FARMER'S MARKET TO COME FROM THE HOUSING AND COMMUNITY DEVELOPMENT FUND, WHICH HAS AN UNDESIGNATED FUND BALANCE OF \$4,387.46.

The motion was carried unanimously 12 to 0 on a voice vote.

**CONSENT AGENDA ITEMS (TAKEN FROM CONSENT AGENDA):**

C.N.B. 2. Request the Town Council adopt Fair Housing Resolution, Fair Housing Policy Statement, and Compliance with Title VI of the Federal Civil Rights Act of 1964.

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

Council Member McCoy, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL HEREBY ADOPTS A RESOLUTION ENTITLED "TOWN OF VERNON FAIR HOUSING RESOLUTION"

AND FURTHER RESOLVES THAT THE TOWN ADMINISTRATOR OF THE TOWN OF VERNON OR HIS OR HER DESIGNATED REPRESENTATIVE IS RESPONSIBLE FOR RESPONDING TO AND ASSISTING ANY PERSON WHO ALLEGES TO BE A VICTIM OF AN ILLEGAL DISCRIMINATORY HOUSING PRACTICE IN THE TOWN OF VERNON.

THE TOWN COUNCIL OF THE TOWN OF VERNON HEREBY ADOPTS THE PROVISIONS OF THE "TOWN OF VERNON FAIR HOUSING POLICY STATEMENT" AND HEREBY DESIGNATES LAURENCE SHAFFER AS THE FAIR HOUSING OFFICER.

THE TOWN OF VERNON HEREBY AUTHORIZES THE MAYOR OF THE TOWN OF VERNON TO EXECUTE THE "COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 WHICH OUTLINES THE TOWNS COMMITMENT TO TITLE VI REGULATIONS OF THE CIVIL RIGHTS ACT OF 1964 WHICH PROHIBITS DISCRIMINATION ON THE BASIS OF RACE, COLOR, OR NATIONAL ORIGIN IN PROGRAMS AND ACTIVITIES RECEIVING FINANCIAL ASSISTANCE".

The motion was carried unanimously 12 to 0 on a voice vote.

C.N.B. 4. Request the Town Council authorize the Town Administrator to execute a contract with Paul B. Bailey, Architect LLC for the repointing of Town Hall and the repair of the roof.

Council Member Simon, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL, CONSISTENT WITH CHAPTER XII, SECTION IX, ENTITLED "PURCHASES" HEREBY DEEMS THAT IT IS AGAINST THE BEST INTEREST OF THE TOWN TO SEEK SEALED BIDS FOR THE ARCHITECTURAL SERVICES FOR THE RE-POINTING OF TOWN HALL AND THE REPAIR OF THE ROOF AND HEREBY AUTHORIZES THE TOWN ADMINISTRATOR TO EXECUTE A CONTRACT WITH PAUL B. BAILEY, ARCHITECT, LLC OF NEW HAVEN, CT, NOT TO EXCEED \$22,500.00.

Discussion took place.

Council Member Etre requested a 5-minute recess. The meeting recessed at 8:58 p.m.

The meeting reconvened at 9:04 p.m.

The motion failed 5 to 6 in a voice vote with Council Members Fox, Herbst, Oliver, Schaefer and Simon voting yes and Council Members Anderson, Campbell, Champagne, McCoy, Motola and Vale voting no.

**OLD BUSINESS:**

None.

**IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS:**

A.A.I. 1. Council Member Motola requested that Informational Items #3 and 5 be pulled for discussion.

By unanimous consent, A.A.I. 1. was added to the agenda.

**NEW BUSINESS:**

N.B. 1. Request from Town Council Member Dan Champagne for an update for the ambulance system, Town of Vernon medical response.

Fire Chief Kelley, Chris Hammick Deputy Fire Chief, Michael Purcaro Emergency Management Director, and Jean Gotthier EMS Coordinator were available for questions and comments.

Discussion took place.

Council Member Vale, seconded by Council Member Motola, moved TO REQUEST A MONTHLY UPDATE FROM THE ADMINISTRATION, AMBULANCE AND FIRE DEPARTMENTS AS TO THE PROGRESS OF THE AMBULANCE SYSTEM. The motion was carried unanimously 12 to 0 on a voice vote.

Council Member Champagne, seconded by Council Member Motola, moved THAT THE ADMINISTRATION, AMBULANCE AND FIRE DEPARTMENTS PROVIDE A RECOMMENDED SOLUTION TO THE TOWN COUNCIL CONCERNING THE AMBULANCE SYSTEM IN VERNON BY OR AT THE FIRST MEETING OF JUNE, 2006. The motion passed 7 to 5 with Council Members Anderson, Campbell, Champagne, Etre, McCoy, Motola and Vale voting yes and Council Members Fox, Herbst, Oliver, Schaefer and Simon voting no.

#### **DISCUSSION OF ADDITIONAL AGENDA ITEMS:**

A.A.I. 1. Council Member Motola requested that Informational Items #3 and 5 be pulled for discussion.

-Copy of letter sent to Rudolf Rossmly, from Leo S. Buvanoski, First Selectman, Town of Bethlehem relative to Animal Control Officer Craig Segar, commending him for the assistance he gave to the Town of Bethlehem.

Council Member Motola commended Craig Segar and Jerry Casida II on a job well done for the Town.

-Letter from Vic Perry Jr., resigning from the Zoning Board of Appeals.

Council Member Motola thanked Vic Perry for his time on the Board. Mayor Ellen L. Marmer, M.D. stated that a letter would be sent thanking Mr. Perry from the Town and the Council.

#### **EXECUTIVE SESSION:**

Council Member Oliver, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL HEREBY DECIDES TO GO INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION AND TO INVITE HAROLD R. CUMMINGS, SPECIAL COUNSEL TO THE TOWN OF VERNON AND LAURENCE SHAFFER TOWN ADMINISTRATOR TO ATTEND. The motion was carried unanimously 12 to 0 on a voice vote.

The meeting went into Executive Session at 9:54 p.m.

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

Council Member Schaefer, seconded by Council Member McCoy, moved TO EXTEND CURFEW UNTIL THE COMPLETION OF TOWN COUNCIL BUSINESS. The motion was carried unanimously 12 to 0 on a voice vote.

Council Member Schaefer, seconded by Council Member McCoy, moved TO GO OUT OF EXECUTIVE SESSION. The motion was carried unanimously 12 to 0 on a voice vote.

The meeting came out of Executive Session at 10:30 p.m.

Council Member McCoy, seconded by Council Member Schaefer, moved TO ADOPT A RESOLUTION ENTITLED "RESOLUTION ENFORCEMENT OF PUBLIC HIGHWAY RIGHTS ON TRACY DRIVE" AS FOLLOWS:

**BE IT RESOLVED:**

THAT HAROLD R. CUMMINGS, AS SPECIAL COUNSEL TO THE TOWN OF VERNON, IS AUTHORIZED ON BEHALF OF THE TOWN OF VERNON, TO FILE A COMPLAINT, OR SUCH LEGAL ACTION AS MAY BE APPROPRIATE, IN THE TOLLAND COUNTY SUPERIOR COURT SEEKING ENFORCEMENT OF THE PUBLIC'S RIGHT TO TRAVEL, FOR PUBLIC HIGHWAY PURPOSES, AND FOR USES GENERALLY ASSOCIATED WITH PUBLIC RIGHTS OF WAY OVER A PARCEL OF LAND PRESENTLY OWNED BY FREDERICK M. GOFF AND BARBARA J. GOFF, AS REFERENCED IN QUIT CLAIM DEED DATED JUNE 17, 2005 FROM WESTWOOD PARK, INC. AND RECORDED IN VOLUME 1741 AT PAGE 41 OF THE VERNON LAND RECORDS, PROVIDED THAT ANY FEES, COSTS AND EXPENSES INCURRED BY THE TOWN IN SUCH LITIGATION, INCLUDING BUT NOT LIMITED TO THE TOWN'S LEGAL FEES, AS WELL AS ANY AND ALL OTHER COSTS ASSOCIATED WITH CONSTRUCTION OF A ROAD ON SAID RIGHT-OF-WAY, BE PAID BY KENNETH J. BOYNTON, AS SET FORTH IN THE VERNON PLANNING AND ZONING COMMISSION APPROVAL LETTER DATED 3 MARCH 2006, THE TERMS AND PROVISIONS OF SAID LETTER BEING INCORPORATED HEREIN BY REFERENCE.

The motion was carried 9 to 2 on a voice vote with Council Members Champagne, Etre, Fox, McCoy, Motola, Oliver, Schaefer, Simon and Vale voting yes and Council Members Anderson and Campbell voting no. Council Member Herbst abstained.

**INFORMATIONAL ITEMS:**

1. Traffic Authority meeting of February 9, 2006.
2. Monthly report for January and February 2006 from Penny Rand, Senior Center Director, and monthly report from Bernice K. Dixon, Town Clerk for February 2006.
3. Copy of letter sent to Rudolf Rossmly, from Leo S. Buvanowski, First Selectman, Town of Bethlehem relative to Animal Control Officer Craig Segar, commending him for the assistance he gave to the Town of Bethlehem.
4. Copy of memo regarding energy conservation from George Fetko, Director of Public Works, to all department heads.
5. Letter from Vic Perry Jr., resigning from the Zoning Board of Appeals.
6. Letter from Darlene Newberg resigning from the Board of Ethics.
7. Letter from John Garoppolo and Flair in recognition of the Town's participation in the 10<sup>th</sup> annual Fenix Memorial Bowling Tournament.
8. Letter from State Senator Tony Guglielmo relative to his attendance at the Town Council meeting of April 6.

**ADJOURN:**

Council Member Herbst, seconded by Council Member McCoy, moved TO ADJOURN.

The motion was carried unanimously 12 to 0 on a voice vote.

The meeting adjourned at 10:35 p.m.

RECEIVED: March 28, 2006

APPROVED: April 4, 2006

Karin Z. Pike  
Asst. Town Clerk/Recording Secretary

Appendix A