

**REGULAR MEETING
PUBLIC HEARINGS
OF THE
VERNON TOWN COUNCIL
May 2, 2006**

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

Mayor Ellen L. Marmer, M.D. called the meeting to order at 7:33 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL:

The Clerk called the roll as follows:

Present: Council Members Daniel E. Anderson, Bill F. Campbell, Diane A. Champagne, Mark S. Etre, Bill Fox, Marie A. Herbst, Mary A. Oliver, Pauline A. Schaefer, Connie Simon, Christy N. Vale; 10.

Absent: Council Members Jason L. McCoy, Brian R. Motola; 2.

Entered During Meeting: Council Members Jason L. McCoy (7:34 p.m.), Brian R. Motola (7:43 p.m.); 2.

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

Council Member McCoy entered the meeting (7:34 p.m.)

Mayor Ellen L. Marmer, M.D. complimented State Representative Claire Janowski for her endless work concerning Dial-A-Ride and all the state representatives for their voices for Vernon.

CITIZEN'S FORUM:

Harry Thomas, 125 Dockerel Rd, spoke in support of Neil Pade's appointment for Town Planner and encouraged the Council to approve the appointment.

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

Pauline A. Schaefer, 1A Fox Hill Dr, presented the first baseball thrown out to the Mayor at the Rockville Little league opening day ceremony. She also announced that on Sunday, May 7 the Elks would be sponsoring a DARE graduation and also that Chet Morgan needed to know from the Council who would be participating the Memorial Day parade.

Juanita Baer, 153 Brookview Dr, spoke in support of Neil Pade's appointment for Town Planner and read a letter into the record supporting the appointment.

Harry Thomas, 125 Dockerel Rd, thanked Town Administrator Laurence R. Shaffer for his service to the Town.

No other residents wished to speak and Citizen's Forum was closed at 7:48 p.m.

PUBLIC HEARING:

Public Hearing to discuss the "Changes in Program Utilization". **The Public Hearing was postponed until May 16, 2006.** (Old Business item #1)

PUBLIC HEARING:

Mayor Ellen L. Marmer, M.D. called the Public Hearing to order at 7:48 p.m. to receive comments and recommendations regarding Ordinance entitled "An Ordinance Concerning Identification of Landlord."

The legal notice was advertised in the Journal Inquirer on April 25, 2006 and post on the Town Hall bulletin board on April 24, 2006.

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

PUBLIC COMMENTS:

No residents wished to speak and the Public Hearing was closed at 7:49 p.m.

MAYOR RECOMMENDED ACTION ON THE PROPOSED ORDINANCE

Council Member Etre, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL HEREBY MOVES THE ADOPTION OF THE FOLLOWING ORDINANCE ENTITLED: "AN ORDINANCE CONCERNING IDENTIFICATION OF LANDLORD."

The motion was carried 11 to 1 on a voice vote with Council Members Anderson, Campbell, Champagne, Etre, Fox, Herbst, McCoy, Oliver, Schaefer, Simon and Vale voting yes and Council Member Motola voting no.

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

PUBLIC HEARING:

Mayor Ellen L. Marmer, M.D. called the Public Hearing to order at 7:50 p.m. to receive comments and recommendations regarding Ordinance entitled "An Ordinance Concerning Parking During Snow Removal and Construction of Public Works Improvements."

The legal notice was advertised in the Journal Inquirer on April 25, 2006 and post on the Town Hall bulletin board on April 24, 2006.

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

PUBLIC COMMENTS:

No residents wished to speak and the Public Hearing was closed at 7:50 p.m.

MAYOR RECOMMENDED ACTION ON THE PROPOSED ORDINANCE

Council Member Etre, seconded by Council Member Fox, moved that THE TOWN COUNCIL HEREBY MOVES THE ADOPTION OF THE FOLLOWING ORDINANCE ENTITLED: "AN ORDINANCE CONCERNING PARKING DURING SNOW REMOVAL AND CONSTRUCTION OF PUBLIC WORKS IMPROVEMENTS."

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

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

PUBLIC HEARING:

Mayor Ellen L. Marmer, M.D. called the Public Hearing to order at 7:50 p.m. to receive comments and recommendations regarding Ordinance entitled "An Ordinance Relating to the Removal of Snow and Ice."

The legal notice was advertised in the Journal Inquirer on April 25, 2006 and post on the Town Hall bulletin board on April 24, 2006.

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

PUBLIC COMMENTS:

No residents wished to speak and the Public Hearing was closed at 7:51 p.m.

MAYOR RECOMMENDS ACTION ON THE PROPOSED ORDINANCE

Council Member Etre, seconded by Council Member Champagne, moved that THE TOWN COUNCIL HEREBY MOVES THE ADOPTION OF THE FOLLOWING ORDINANCE ENTITLED: "AN ORDINANCE RELATING TO THE REMOVAL OF SNOW AND ICE."

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

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

The Mayor thanked Council Members Etre, Fox and Simon for their time and effort concerning the ordinances.

ADOPTION OF MINUTES:

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

Council Member Herbst, seconded by Council Member Oliver, moved that THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE ANNUAL TOWN MEETING OF APRIL 25, 2006, AND THAT MINUTES OF SAID MEETING BE APPROVED AS AMENDED. The motion was carried unanimously 9 to 0 on a voice vote. Council Members Anderson, Etre and Vale abstained.

*A correction was made on page 401, Citizen's Forum-comments made by Jason McCoy. The April 25th minutes reflect the correction.

CONSENT AGENDA ITEMS:

New Business Items:

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

1. Request for Tax Refunds – Current Fiscal Year
2. Request Town Council to refer the potential for selling a vacant parcel of land located at 25 Range Hill Road to the Planning and Zoning Commission for §8-24 review.

NEW BUSINESS (CONSENT ITEMS):

Council Member Herbst, seconded by Council Member Schaefer, moved TO APPROVED C.N.B. 1 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 \$1,414.95 AS OUTLINED IN MEMORANDUM FROM THE COLLECTOR OF REVENUE DATED APRIL 26, 2006 TO THE TOWN ADMINISTRATOR.

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

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

NEW BUSINESS (TAKEN FROM CONSENT AGENDA):

C.N.B. 2. Request Town Council to refer the potential sale of 25 Range Hill Road to the Planning and Zoning Commission for §8-24 consideration.

Council Member McCoy, seconded by Council Member Oliver, moved THE TOWN COUNCIL, CONSISTENT WITH ORDINANCE #196, AN ORDINANCE ESTABLISHING THE PROCEDURE FOR THE SALE OF TOWN-OWNED LAND, HEREBY REFERS THE POTENTIAL FOR SELLING THE VACANT PARCEL LOCATED AT 25 RANGE HILL ROAD TO THE PLANNING AND ZONING COMMISSION FOR CONNECTICUT GENERAL STATUTE §8-24 CONSIDERATION.

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

Discussion took place.

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

OLD BUSINESS:

POSTPONED

1. Request the Town council to schedule a Public Hearing to discuss the changes in program income utilization.

THE TOWN COUNCIL HEREBY SCHEDULES A PUBLIC HEARING TO DISCUSS THE CHANGES IN PROGRAM INCOME UTILIZATION ON TUESDAY, MAY 16, 2006 AT 7:35 IN THE VERNON SENIOR CENTER, 26 PARK PLACE, 2ND FLOOR, VERNON CONNECTICUT.

IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS:

Council Member Etre, seconded by Council Member Schaefer, moved TO ADD:

- A.A.I. 1. Analysis of State Grants in Relation to Revenue Estimates.
Informational.

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

BY UNANIMOUS CONSENT, A.A.I. 2 AND 3 WERE ADDED TO THE AGENDA AS AN EXECUTIVE SESSION DISCUSSION.

- A.A.I. 2. N.B. 1. Request Town Council to approve the Mayor's appointment of Neil S. Pade Town Planner.

THE TOWN COUNCIL CONSISTENT WITH THE VERNON TOWN CHARTER, CHAPTER XI, SECTION 3, ENTITLED "QUALIFIED OFFICERS OUTSIDE THE CLASSIFIED SERVICE" HEREBY APPROVES THE MAYOR'S APPOINTMENT OF NEIL S. PADE OF 76 BROADVIEW STREET, NEWINGTON, CONNECTICUT, EFFECTIVE MAY 3, 2006.

- A.A.I. 3. N.B. 2. Request the Town Council to approve the appointment of James L. Kenny to the position of Police Captain effective Monday May 2, 2006.

THE TOWN COUNCIL, CONSISTENT WITH THE VERNON TOWN CHARTER, CHAPTER XI, SECTION 4, HEREBY APPROVES THE APPOINTMENT OF JAMES L. KENNY OF 56 BREWSTER ROAD, SOUTH WINDSOR, CONNECTICUT TO THE POSITION OF POLICE CAPTAIN EFFECTIVE MONDAY, MAY 22, 2006.

NEW BUSINESS:

- N.B. 1. Request Town Council to approve the Mayor's appointment of Neil S. Pade as Town Planner,

EXECUTIVE SESSION:

Council Member Herbst, seconded by Council Member Oliver, moved THAT CONSISTENT WITH THE CONNECTICUT FREEDOM OF INFORMATION ACT, THE TOWN COUNCIL HEREBY VOTES TO GO INTO EXECUTIVE SESSION TO DISCUSS THE APPOINTMENT OF A TOWN PLANNER AND INVITES LAURENCE R. SHAFFER, TOWN ADMINISTRATOR TO ATTEND. The motion was carried unanimously 12 to 0 on a voice vote.

The meeting went into Executive Session at 8:03 p.m.

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

By unanimous consent, the Council moved TO GO OUT OF EXECUTIVE SESSION.

The meeting came out of Executive session at 8:32 p.m.

Council Member Herbst, seconded by Council Member McCoy, moved that THE TOWN COUNCIL CONSISTENT WITH THE VERNON TOWN CHARTER, CHAPTER XI, SECTION 3, ENTITLED "QUALIFIED OFFICERS OUTSIDE THE CLASSIFIED SERVICE" HEREBY APPROVES THE MAYOR'S APPOINTMENT OF NEIL S. PADE OF 76 BROADVIEW STREET, NEWINGTON, CONNECTICUT, EFFECTIVE MAY 3, 2006.

Neil Pade was available for questions and comment.

Discussion took place.

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

- N.B. 2. Request the Town Council to approve the appointment of James L. Kenny to the position of Police Captain effective Monday May 2, 2006.

EXECUTIVE SESSION:

Council Member McCoy, seconded by Council Member Simon, moved THAT CONSISTENT WITH THE CONNECTICUT FREEDOM OF INFORMATION ACT, THE TOWN COUNCIL HEREBY VOTES TO GO INTO EXECUTIVE SESSION TO DISCUSS THE APPOINTMENT OF A POLICE CAPTAIN AND

INVITES LAURENCE R. SHAFFER, TOWN ADMINISTRATOR AND POLICE CHIEF RUDOLPH ROSSMY TO ATTEND. The motion was carried unanimously 11 to 0 on a voice vote. Council Member Champagne abstained.

The meeting went into Executive Session at 8:47 p.m.

Present at the Executive session were Mayor Ellen L. Marmer, M.D., Laurence R. Shaffer, Town Administrator, Rudolph Rossmly Chief of Police and Council Members Anderson, Campbell, Champagne, Etre, Fox, Herbst, McCoy, Motola, Oliver, Schaefer, Simon and Vale.

By unanimous consent, the Council moved TO GO OUT OF EXECUTIVE SESSION.

The meeting came out of Executive session at 9:11 p.m.

Council Member Champagne left the table for the discussion.

Council Member Herbst, seconded by Council Member McCoy, moved that THE TOWN COUNCIL, CONSISTENT WITH THE VERNON TOWN CHARTER, CHAPTER XI, SECTION 4, HEREBY APPROVES THE APPOINTMENT OF JAMES L. KENNY OF 56 BREWSTER ROAD, SOUTH WINDSOR, CONNECTICUT TO THE POSITION OF POLICE CAPTAIN EFFECTIVE MONDAY, MAY 22, 2006.

James Kenny was available for questions and comments.

Discussion took place.

The motion was carried unanimously 10 to 0 on a voice vote. Council Member Etre abstained.

Council Member Champagne returned to the table.

INTRODUCTION OF ORDINANCES:

None.

DISCUSSION OF ADDITIONAL AGENDA ITEMS:

A.A.I. 1. Analysis of State Grants in Relation to Revenue Estimates.

Informational.

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

Discussion took place.

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

A.A.I.. 2 and 3 were taken up earlier in New Business.

EXECUTIVE SESSION:

Council Member Herbst, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL HEREBY DECIDES TO GO INTO EXECUTIVE SESSION TO DISCUSS LAND ACQUISITION AND INVITES JOSEPH COURTNEY, TOWN ATTORNEY, JAMES LUDDECKE, FINANCE OFFICER, AND LAURENCE SHAFFER, TOWN ADMINISTRATOR, TO ATTEND.

The motion was carried unanimously 8 to 0 on a voice vote. Council Members Anderson, Campbell, McCoy and Motola were not present at the table to vote.

The meeting went into Executive session at 10:06 p.m.

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

Council Member Campbell, seconded by Council Member Simon, moved TO GO OUT OF EXECUTIVE SESSION. The motion was carried 11 to 1 on a voice vote with Council Members Anderson, Campbell, Champagne, Etre, Fox, Herbst, Motola, Oliver, Schaefer, Simon and Vale voting yes and Council Members McCoy voted no.

The meeting came out of Executive session at 10:15 p.m.

Council Member Herbst, seconded by Council Member Simon, moved TO EXTEND CURFEW UNTIL THE CONCLUSION OF BUSINESS. The motion was carried 11 to 1 on a voice vote with Council Members Anderson, Campbell, Champagne, Etre, Fox, Herbst, Motola, Oliver, Schaefer, Simon and Vale voting yes and Council Members McCoy voted no.

Council Member Herbst, seconded by Council Member Simon, moved that THE TOWN COUNCIL HEREBY DECIDES TO GO INTO EXECUTIVE SESSION TO DISCUSS LAND ACQUISITION AND INVITES JOSEPH COURTNEY, TOWN ATTORNEY, JAMES LUDDECKE, FINANCE OFFICER, 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 10:18 p.m.

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

Council Members Etre and Schaefer exited the meeting (11:15 p.m.)

Council Member Simon, seconded by Council Member Herbst, moved TO GO OUT OF EXECUTIVE SESSION. The motion was carried unanimously 10 to 0 on a voice vote.

The meeting came out of Executive session at 11:20 p.m.

INFORMATIONAL ITEMS:

1. Minutes from the Board of Education meeting held on April 10, and minutes from the Traffic Authority meeting of March 9.
2. Monthly report for March from Alan M. Slobodien, Youth Services Director, monthly report for March from Bernice K. Dixon, Town Clerk, quarterly newsletter from Department of Social Services.
3. Copy of letter sent to State Senator Tony Guglielmo from Alan Shepard, Office of Fiscal Analysis regarding "Potential Energy Shortfall Grants".
4. Letter from Juanita L. Bair relative to the appointment of Neil S. Pade as Town Planner.
5. Copy of "EMS Provider Activity Report Form" for the period October 1 through December 31 from Fire Chief Robert Kelley.
6. Letter to Keith Burris, Editor, Journal Inquirer, relative to the regional YMCA .
7. Copy of Farmington Valley YMCA spring 2006 program guide.

8. Copy of letter from Karl Prewo to Mayor Marmer and members of the Town Council relative to the YMCA project.

ADJOURN:

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

The motion was carried unanimously 10 to 0 on a voice vote.

The meeting adjourned at 11:22 p.m.

Received: May 9, 2006
Approved: May 16, 2006
Vernon Town Council

Karin Z. Pike
Asst Town Clerk/Recording Secretary

Appendix A

Appendix B

Appendix C

Appendix D

Appendix E

Appendix F