

**REGULAR MEETING
OF THE
VERNON TOWN COUNCIL
January 16, 2007**

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

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, Brian R. Motola, Pauline A. Schaefer, Connie Simon; 8.

Absent: Council Members Marie A. Herbst, Jason L. McCoy, Mary A. Oliver, Christy N. Vale; 4.

Entered During Meeting: Council Members Mary A. Oliver (7:32 p.m.), Christy N. Vale (7:54 p.m.); 2.

Also Present: Mayor Ellen L. Marmer, M.D., Town Administrator Christopher Clark, Recording Secretary Karin Z. Pike.

Council Member Oliver entered the meeting (7:32 p.m.)

Mayor Marmer notified the Council that the new wall behind the Town Hall had been completed and that a decorative fence, as well as, planters and benches would be put in the Spring. She also announced that Vernon had been designated as a HEARTSafe community.

Mayor Marmer also thanked Fire Chief Robert Kelley, Christopher Hammick, Deputy and Jean Gauthier for the work they have done to address the ambulance problems.

CITIZEN'S FORUM:

Michael Carlo, 34 Reed Street, spoke regarding his ongoing investigation of the release of his daughter's personal information by the College Board while taking the PSAT Exam at Rockville High School. (Informational Item #13 (information provided by Mr. Carlo) will be entered into the record.

Chester Morgan, 60 Old Town Road, Unit 37, Bicentennial Committee, spoke in favor of the requested \$22,000. appropriation for the Bicentennial Celebration.

Carl Schaefer, 1A Fox Hill Drive, spoke in favor of the appropriation for the Bicentennial Celebration.

Rudolph Rossmly, 228 Risley Road, Bicentennial Committee Chair, announced an open meeting of the Bicentennial Committee on Thursday, January 25th at the Senior Center at 7:00 p.m.

James Hoover, 155 Trout Stream Drive, spoke regarding the Mil rate following the revaluation.

Mayor Marmer informed all that at the February meeting of the Council the Town Assessor and Finance Officer would be making a presentation regarding the revaluation.

Council Member Schaefer, Board of Education liason, informed the Council that she had only received the budget today from the Board of Education and that they had not realized that the Council and Mayor needed copies ahead of time. Council Member Schaefer also requested from the Board to postpone this evening's budget hearing due to the fact that the Council Meeting was also this evening and she would not be able to attend. She stated that she would be attending the next budget hearing being held by the Board of Education.

Council Member Vale entered the meeting (7:54 p.m.)

No other citizens wished to speak and Citizen's Forum was closed at 7:56 p.m.

PRESENTATIONS:

Emergency Management Director Michael Purcaro was present to discuss draft policy for implementation of new town-wide communications (public warning siren system). He stated that the Town had new ID badge hardware and software and that all Town employees and officials would be receiving ID badges in the near future. Mr. Purcaro also announced that the Department of Public Health and the American Heart Association had designated Vernon as a HEARTSafe community.

Bob Holdsworth from The Holdsworth Pelton Companies (medical & billing consultants) was present to give an informational presentation on the status of ambulance service in the Vernon area.

ADOPTION OF MINUTES:

Council Member Simon, seconded by Council Member Oliver, moved that THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF DECEMBER 19, 2006, AND THAT MINUTES OF SAID MEETING BE APPROVED. The motion was carried unanimously 9 to 0 on a voice vote. Council Member Etre abstained.

CONSENT AGENDA ITEMS:

1. Request for Tax Refunds – Current and Prior Fiscal Year(s).
2. Request the Town Council to approve the appointment of John C. Lampson Jr. as an alternate member of the Planning and Zoning Commission.
3. Request the Town Council to approve the appointment of Jean Bostrom as a member of the Human Services Advisory Commission.
4. Request the Town Council to approve the appointment of Bruce Kellogg as an alternate member of the Design Review Advisory Commission.
5. Request the Town Council to approve the reappointment of Jennifer Holt to the School Building Advisory Commission.
6. Request the Town Council to approve the appointment of Matthew Whitney as an alternate member of the Design Review Advisory Commission.
7. Request the Town Council to approve the appointment of John Fieramosca as an alternate member of the Design Review Advisory Commission.
8. Request for the Town Council to authorize Ellen L. Marmer, M.D., Mayor to execute the necessary paperwork to receive OPM funds in the amount of \$77,075.00 to prevent juvenile delinquency.
9. Request the Town Council approve the revision of the job description entitled "Chief of Police".
10. Request the Town Council approve an effective date of March 1, 2007 for conversion of Group Annuity Contracts.
11. Request the Town Council to abate taxes for property acquired through tax sale and strict foreclosure.

NEW BUSINESS (CONSENT ITEMS):

Council Member Simon, seconded by Council Member Schaefer, moved TO APPROVE C.N.B. 1 THROUGH AND INCLUDING C.N.B. 11 AS FOLLOWS:

C.N.B. 1. Request for Tax Refunds – Current and Prior Year(s).

THE TOWN COUNCIL APPROVES FIFTEEN (15) TAX REFUNDS FOR THE CURRENT YEAR IN THE AMOUNT OF \$1,362.78, AND FOUR (4) TAX REFUNDS FOR THE PRIOR YEAR IN THE AMOUNT OF \$9,989.10 AS OUTLINED IN THE MEMORANDUM FROM THE COLLECTOR OF REVENUE DATED JANUARY 11, 2007 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 John C. Lampson Jr., (R) 181 Blue Ridge Drive, to serve as an alternate member of the Planning and Zoning Commission, to fill a vacancy due to the regular appointment of Ralph Zahner, said term to expire on December 31, 2008.

THE TOWN COUNCIL HEREBY APPROVES THE APPOINTMENT OF JOHN C. LAMPSON JR. TO SERVE AS AN ALTERNATE MEMBER OF THE PLANNING AND ZONING COMMISSION, SAID TERM TO EXPIRE ON DECEMBER 31, 2008.

C.N.B. 3. Request the Town Council to approve the Mayor's appointment of Jean Bostrom, (R) 72 Country Lane, to serve as a member of the Human Services Advisory Commission, to fill a vacancy, said term to expire on June 30, 2008.

THE TOWN COUNCIL HEREBY APPROVES THE APPOINTMENT OF JEAN BOSTROM TO SERVE AS A MEMBER OF THE HUMAN SERVICES ADVISORY COMMISSION, SAID TERM TO EXPIRE ON JUNE 30, 2008

C.N.B. 4. Request the Town Council to approve the Mayor's appointment of Bruce Kellogg, (D) 173 Tallwood Drive, to serve as an alternate member of the Design Review Advisory Commission, to fill a vacancy due to the regular appointment of Guillarme Brousseau, said term to expire on December 31, 2007.

THE TOWN COUNCIL HEREBY APPROVES THE APPOINTMENT OF BRUCE KELLOGG TO SERVE AS AN ALTERNATE MEMBER OF THE DESIGN REVIEW ADVISORY COMMISSION, SAID TERM TO EXPIRE ON DECEMBER 31, 2007.

C.N.B. 5. Request the Town Council to approve the Mayor's reappointment of Jennifer Holt (U) 30 King Street, to serve as a member of the School Building Advisory Commission, said term to expire on June 30, 2007.

THE TOWN COUNCIL HEREBY APPROVES THE REAPPOINTMENT OF JENNIFER HOLT TO SERVE AS A MEMBER OF THE SCHOOL BUILDING ADVISORY COMMISSION, SAID TERM TO EXPIRE ON JUNE 30, 2007.

C.N.B. 6. Request the Town Council to approve the Mayor's appointment of Matthew Whitney, (R) 17 Tolland Avenue, to serve as an alternate member of the Design Review Advisory Commission, said term to expire on December 31, 2007.

THE TOWN COUNCIL HEREBY APPROVES THE APPOINTMENT OF MATTHEW WHITNEY TO SERVE AS AN ALTERNATE MEMBER OF THE DESIGN REVIEW ADVISORY COMMISSION, SAID TERM TO EXPIRE ON DECEMBER 31, 2007.

C.N.B. 7. Request the Town Council to approve the Mayor's appointment of John Fieramosca, (R) 55 Phoenix Street, to serve as an alternate member of the Design Review Advisory Commission, said term to expire on December 31, 2007.

THE TOWN COUNCIL HEREBY APPROVES THE APPOINTMENT OF JOHN FIERAMOSCA TO SERVE AS AN ALTERNATE MEMBER OF THE DESIGN REVIEW ADVISORY COMMISSION, SAID TERM TO EXPIRE ON DECEMBER 31, 2007.

C.N.B. 8. Request the Town Council to authorize the Mayor to execute the necessary paperwork to make application for and receive OPM funds in the amount of \$77,075.00 to prevent juvenile delinquency.

THE TOWN COUNCIL HEREBY AUTHORIZES ELLEN L. MARMER, M.D., MAYOR TO EXECUTE THE NECESSARY PAPERWORK TO MAKE APPLICATION FOR AND RECEIVE OPM FUNDS IN THE AMOUNT OF \$77,075.00 TO PREVENT JUVENILE DELINQUENCY.

C.N.B. 9. Request the Town Council to approve the modification of the classification plan by approving the revision of the job description entitled "Chief of Police".

THE TOWN COUNCIL HEREBY APPROVES THE MODIFICATION OF THE CLASSIFICATION PLAN BY APPROVING THE REVISION OF THE JOB DESCRIPTION ENTITLED "CHIEF OF POLICE".

C.N.B. 10. Request the Town Council to approve an effective date of March 1, 2007 for the conversion of group annuity contracts (GAC) to be converted into the new guaranteed interest contract (GIC).

THE TOWN COUNCIL HEREBY VOTES AN EFFECTIVE DATE OF MARCH 1, 2007 FOR THE CONVERSION OF GROUP ANNUITY CONTRACTS GAC – 90467B & 90467C TO BE CONVERTED INTO THE NEW GUARANTEED INTEREST CONTRACT.

C.N.B. 11. Request the Town Council to abate taxes for property acquired through tax sale and strict foreclosure.

THE TOWN COUNCIL HEREBY ABATES THE TAXES FOR PROPERTY ACQUIRED BY THE TOWN OF VERNON THROUGH TAX SALE AND STRICT FORECLOSURE, AS OUTLINED IN THE MEMO FROM THE COLLECTOR OF REVENUE DATED DECEMBER 26, 2006.

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

EXECUTIVE SESSION:

Council Member Simon, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL HEREBY DECIDES TO GO INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS AND INVITES CHRISTOPHER CLARK, TOWN ADMINISTRATOR, DANIEL SULLIVAN, HUMAN RESOURCES DIRECTOR, AND EDWARD O'DONNELL, ESQ., TO ATTEND. The motion was carried unanimously 10 to 0 on a voice vote.

The meeting went into Executive Session at 8:17 p.m.

Present at the Executive Session were Mayor Ellen L. Marmer, M.D., Christopher Clark, Town Administrator, Edward O'Donnell, Esq. Daniel Sullivan, Human Resources Director and Council Members Anderson, Campbell, Champagne, Etre, Fox, Motola, Oliver, Schaefer, Simon and Vale.

Council Member Schaefer, seconded by Council Member Vale, moved TO EXIT THE EXECUTIVE SESSION. The motion was carried unanimously 10 to 0 on a voice vote.

The meeting came out of Executive Session at 8:25 p.m.

Council Member Schaefer, seconded by Council Member Simon, moved TO ACCEPT THE POLICE CIVILIAN MEMORANDUM OF AGREEMENT WITH CHANGES FOR THE NEW CONTRACT FOR 2006 TO 2011. The motion was carried unanimously 9 to 0 on a voice vote. Council Member Champagne abstained.

IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS:

A.A.I. 1. Council Member Motola requested Informational Item #6 (Memos from Mayor Marmer and Town Administrator Clark relative to the reassignment of the police mechanic to the Police station) be pulled for discussion.

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

NEW BUSINESS:

N.B. 1. Request for Town Council to approve the Budget Amendment for fiscal year 2006-2007 as outlined in the Budget Amendment #9.

Council Member Simon, seconded by Council Member Oliver, moved that THE TOWN COUNCIL HEREBY APPROVES THE AMENDMENT REQUEST FOR FISCAL YEAR 2006-2007 AS OUTLINED IN BUDGET AMENDMENT FORMS #9 AS PROVIDED BY THE FINANCE OFFICER.

Discussion took place. Council Members requested that all future budget amendments include a cover sheet.

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

N.B. 2. Creation of the Zoning Enforcement Officer Job Description.

Council Member Simon, seconded by Council Member Fox, moved that THE TOWN COUNCIL HEREBY APPROVES A NEW JOB DESCRIPTION OF ZONING ENFORCEMENT OFFICER.

Discussion took place.

Council Member Vale requested a 5-minute recess. The meeting recessed at 8:38 p.m.

The meeting reconvened at 8:45 p.m.

The motion was carried 9 to 1 on a voice vote with Council Members Campbell, Champagne, Etre, Fox, Motola, Oliver, Schaefer, Simon and Vale voting yes and Council Member Anderson voting no.

EXECUTIVE SESSION: (Taken out of order.)

Council Member Simon, seconded by Council Member Schaefer, moved THAT THE TOWN COUNCIL HEREBY DECIDES TO GO INTO EXECUTIVE SESSION TO DISCUSS LITIGATION AND INVITES CHRISTOPHER CLARK, TOWN ADMINISTRATOR, HAROLD CUMMINGS, ESQ., TO ATTEND. The motion was carried unanimously 10 to 0 on a voice vote.

The meeting went into Executive Session at 8:56 p.m.

Present at the Executive Session were Mayor Ellen L. Marmer, M.D., Christopher Clark, Town Administrator, Harold Cummings, Esq. and Council Members Anderson, Campbell, Champagne, Etre, Fox, Motola, Oliver, Schaefer, Simon and Vale.

Council Member Schaefer, seconded by Council Member Vale, moved TO EXIT THE EXECUTIVE SESSION. The motion was carried unanimously 10 to 0 on a voice vote.

The meeting came out of Executive Session at 9:05 p.m.

Council Member Etre, seconded by Council Member Schaefer, moved TO ACCEPT THE FOLLOWING RESOLUTION:

WHEREAS, a portion of Pillsbury Hill Road (formerly known as Farmer Street) is an unimproved "paper" road where it is located southerly of land, now or formerly, of Gerald M. Abriola (32 Pillsbury Hill), and westerly of land, now or formerly, of Patricia Ann Jeffrey, a/k/a Patricia Ann Niles, (23 Grand Avenue); and

WHEREAS, Gerald M. Abriola is the owner of 23 Pillsbury Hill and Patricia Ann Jeffrey, a/k/a Patricia Ann Niles, is the owner of 23 Grand Avenue; and

WHEREAS, Gerald M. Abriola has filed an action in the Tolland County Superior Court seeking an injunction and a declaratory judgment from the Tolland County Superior Court that said portion of Pillsbury Hill Road which is a "paper" street is not a public highway for purpose of access to property of Patricia Ann Jeffrey, a/k/a Patricia Ann Niles; and

WHEREAS, the only persons having an interest in use of said "paper" street as a public highway are Gerald M. Abriola and Patricia Ann Jeffrey, a/k/a Patricia Ann Niles; and

WHEREAS, Gerald M. Abriola and Patricia Ann Jeffrey, a/k/a Patricia Ann Niles, desire to enter into a Stipulation for Judgment in the pending Tolland County Superior Court action, being Docket Number CV06-5000440S; and

WHEREAS, as part of said Stipulation, the individual parties have requested the Town of Vernon renunciate, disclaim and abandon any right, title or interest in said "paper" street as a public highway, and that the Town formally discontinue and abandon any claim to use as a public highway of the portion of Pillsbury Hill Road which is a "paper" street as described in Exhibits A and B attached hereto and incorporated herein by reference, as allowed by Connecticut General Statutes 13a-50; and

WHEREAS, it is in the best interest of the Town of Vernon that the individual parties resolve their dispute upon the terms and conditions as set forth in the Stipulation for Judgment attached hereto as Exhibit C.

NOW, THEREFORE, BE IT RESOLVED that the Town of Vernon hereby discontinues and abandons, as a public highway, that portion of Pillsbury Hill Road (formerly known as Farmer Street) as described on Exhibits A and B attached to this Resolution and incorporated herein by reference; and

IT IS FURTHER RESOLVED, Christopher Clark, as Town Administrator for the Town of Vernon, be and is hereby authorized to execute on behalf of the Town of Vernon a "Stipulation for Judgment", which is attached hereto and incorporated herein by reference.

(Exhibits A and B are attached to these minutes and marked as "Appendix C.")

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

NEW BUSINESS (continued):

N.B. 3. Creation of the Geographical Information System Coordinator Job Description.

Council Member Simon, seconded by Council Member Fox, moved that THE TOWN COUNCIL HEREBY APPROVES A NEW JOB DESCRIPTION OF GEOGRAPHICAL INFORMATION SYSTEM COORDINATOR, EFFECTIVE JANUARY 17, 2007.

Discussion took place.

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

N.B. 4. Request the Town Council to schedule a Public Hearing regarding parking ticket fees.

Council Member Simon, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL HEREBY SCHEDULES A PUBLIC HEARING REGARDING PARKING TICKET FEES PROPOSED TO BE HELD BEFORE THE TOWN COUNCIL ON TUESDAY, FEBRUARY 6, 2007, AT 7:35 PM, AT THE SECOND FLOOR OF THE VERNON SENIOR CENTER, 26 PARK PLACE, VERNON, CONNECTICUT.

Discussion took place.

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

INTRODUCTION OF ORDINANCES:

1. Request for Town Council to schedule a Public Hearing regarding Ordinance entitled "Hearing Procedure for Citation..." .

Council Member Simon, seconded by Council Member Oliver, moved that THE TOWN COUNCIL, CONSISTENT WITH CHAPTER V OF THE VERNON TOWN CHARTER, SECTION 6, ENTITLED "PUBLIC HEARING ON AND PUBLICATION OF ORDINANCES," HEREBY SCHEDULES A PUBLIC HEARING REGARDING "HEARING PROCEDURES FOR CITATIONS" TO BE HELD BEFORE THE TOWN COUNCIL ON TUESDAY, FEBRUARY 6, 2007, AT 7:40 PM, AT THE SECOND FLOOR OF THE VERNON SENIOR CENTER, 26 PARK PLACE, VERNON, CONNECTICUT.

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

DISCUSSION OF ADDITIONAL AGENDA ITEMS:

A.A.I. 1. Council Member Motola requested Informational Item #6 (Memos from Mayor Marmer and Town Administrator Clark relative to the reassignment of the police mechanic to the Police station) be pulled for discussion.

Discussion took place.

INFORMATIONAL ITEMS:

1. Minutes from Board of Education regular meeting of December 11, 2006.
2. Monthly report for November 2006 from Alan M. Slobodien, Director, Vernon Youth Services Bureau, monthly report from Penny Rand, Senior Center Director for November and December 2006.
3. Letter of resignation from Victoria Nagelis, resigning as an alternate member of the Inland Wetlands Regulatory Commission.
4. Copy of proclamation in recognition of "Wear Red Day for Women" on February 2.
5. Copy of Resolution from the 1908 Town of Vernon Centennial and draft copy of Bicentennial Committee chairs.
6. Memos from Mayor Marmer and Town Administrator Clark relative to the reassignment of the police mechanic to the Police station.
7. Copy of letter from J. Robert Galvin, M.D., M.P.H., State of Connecticut Department of Public Health, congratulating the Town of Vernon for being designated a HEARTSafe community.
8. Announcement of the relocation of Vernon Social Services, effective January 10, 2007.
9. Letter of resignation from Patricia Hess, resigning as an alternate on the Historic Properties Commission.
10. Copy of memorandum from Christopher Clark, Town Administrator, regarding administrative priorities for the first six month of 2007.
11. Copies of legal opinions from Martin B. Burke, Esq. and Daniel Murphy, Esq. relative to appointment of Police Chief.

12. Copy of memo from Christopher Clark, Town Administrator, to the Mayor on the topic of Zoning violations, and record of violations report and update. Correspondence from Susan Boyan, Town Attorney, copies of Citation for Violation of the Town of Vernon Zoning Regulations, and record of violations report dated December 21, 2006.
13. Informational material from Michael Carlo, who will be present at Citizen's Forum.
14. Copy of invitation relative to participation in the 36th Annual St. Patrick's Day Parade, along with memo from Ellen L. Marmer, M.D., Mayor.
15. Copy of letter from Christopher Clark, Town Administrator to Ellen L. Marmer, M.D., Mayor relative to STP-Urban Application-Bolton Road-Town of Vernon.
16. Copy of December 2006 EMS report.
17. Draft copy of RFP for Citizen's Block Redevelopment.

Council Member Vale made an announcement stating that she would be resigning from the Town Council as of January 17, 2007.

ADJOURN:

Council Member Schaefer, seconded by Council Member Etre, moved TO ADJOURN.

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

The meeting adjourned at 9:31 p.m.

Received: January 23, 2007
Approved: Vernon Town Council
February 6, 2007

Karin Z. Pike
Asst. Town Clerk/Recording Secretary