

**REGULAR MEETING
OF THE
VERNON TOWN COUNCIL
June 5, 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 George F. Apel, Bill F. Campbell, Daniel A. Champagne, Mark S. Etre, Bill Fox, Marie A. Herbst, Jason L. McCoy, Pauline A. Schaefer, Connie Simon; 9.

Absent: Council Members Daniel E. Anderson, Brian R. Motola, Mary A. Oliver; 3.

Entered During Meeting: Council Members Brian R. Motola (7:57 p.m.), Mary A. Oliver (7:46 p.m.); 2.

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

Mayor Marmer stated that over the summer the feasibility to conduct a revaluation next year would be discussed as well as revisiting the potential for a senior tax freeze.

CITIZEN'S FORUM:

Frank Tassistro, 110 Oakview Place, spoke again of the inequity of being doubly charged for water pipe delivery and fire hydrants in condominium developments.

James Webb Wilson, 300 South Street, Apt C1, spoke regarding the development of a Town government course at the high school level and asked Council members to get involved in such a project. He also requested an organizational chart of Town government and the Board of Education.

No other residents wished to speak and Citizen's Forum was closed at 7:36 p.m.

PRESENTATIONS:

Presentation of award from the following Lions Club members: Phil Mollison, President, Sue Bannon, Vice President, Paul Patoad, and Fred Tavern to: Paul Miffitt, Vernon Police Department and David Goric, Vernon Fire Department relative to the 11th Annual Lions Club FENIX Memorial doubles bowling tournament to benefit the FIDELCO Guide Dog Foundation.

Commendations were presented to the following individuals for their heroic efforts in the rescue of three children on May 16, 2007: Michael Thompson, Benjamin Thompson, John Thompson, Jameson Bull, Sergeant Timothy O'Connor, Sergeant Paul Miffitt, Officer James Grady, and Detective Steven Prattson.

John Leary presented a progress report relative to school building projects.

-Informational.

Council Member Oliver entered the meeting (7:46 p.m.)

Council Member Motola entered the meeting (7:57 p.m.)

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 BUDGET MEETING OF MAY 7-8, 2007 AND THAT MINUTES OF SAID MEETING BE APPROVED. The motion was carried 10 to 1 on a voice vote with Council Members Apel, Campbell, Champagne, Etre, Fox, Herbst, Motola, Oliver, Schaefer and Simon voting yes and Council Member McCoy voting no.

Council Member Herbst, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF MAY 15, 2007 AND THAT MINUTES OF SAID MEETING BE APPROVED. The motion was carried 8 to 1 on a voice vote with Council Members Apel, Campbell, Champagne, Fox, Herbst, Motola, Schaefer and Simon voting yes and Council Member McCoy voting no. Council Members Etre and Oliver abstained.

Council Member Herbst, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE SPECIAL BUDGET MEETING OF MAY 21, 2007 AND THAT MINUTES OF SAID MEETING BE APPROVED. The motion was carried 8 to 1 on a voice vote with Council Members Apel, Campbell, Etre, Fox, Herbst, Motola, Schaefer and Simon voting yes and Council Member McCoy voting no. Council Members Champagne and Oliver abstained.

Council Member Herbst, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE SPECIAL BUDGET MEETING OF MAY 22, 2007 AND THAT MINUTES OF SAID MEETING BE APPROVED. The motion was carried 9 to 1 on a voice vote with Council Members Apel, Campbell, Etre, Fox, Herbst, Motola, Oliver, Schaefer and Simon voting yes and Council Member McCoy voting no. Council Member Champagne abstained.

CONSENT AGENDA ITEMS:

1. Request for Tax Refunds – Prior and Current Fiscal Year(s).
2. Request the Town Council to approve the reappointment of Mark St. Germain as a member of the Municipal Flood and Erosion Control Board.
3. Request the Town Council to approve inclusion of their email addresses for the Town of Vernon website.
4. Request Town Council to remove uncollected taxes to the suspense ledger.
5. Request Town Council to approve the development of an Ordinance relative to the location of utility poles.

NEW BUSINESS (CONSENT ITEMS):

Mayor Marmer pulled C.N.B. 2 – Mr. St. Germain would not be able to serve – more information would be provided at the next Council meeting.

Council Member Motola pulled C.N.B. 3

Council Member Campbell pulled C.N.B. 4

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

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

THE TOWN COUNCIL APPROVES TWO (2) TAX REFUNDS FOR THE PRIOR YEAR IN THE AMOUNT OF \$1,432.48 AND THIRTEEN (13) TAX REFUNDS FOR THE CURRENT YEAR IN THE AMOUNT OF \$11,089.42 AS OUTLINED IN THE MEMORANDUM FROM THE COLLECTOR OF REVENUE DATED MAY 30, 2007 TO THE TOWN ADMINISTRATOR.

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

C.N.B. 5. Request the Town Council to approve the development of an Ordinance relative to the location of utility poles.

THE TOWN COUNCIL HEREBY MOVES TO HAVE THE TOWN ADMINISTRATOR, TOWN ENGINEER, DIRECTOR OF PUBLIC WORKS, AND THE TOWN ATTORNEY REVIEW AND DEVELOP A TOWN ORDINANCE ADDRESSING THE ISSUE OF THE LOCATION OF UTILITY POLES IN THE TOWN OF VERNON.

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

NEW BUSINESS (TAKEN FROM CONSENT AGENDA):

~~C.N.B. 2. Request the Town Council to approve the Mayor's reappointment of Mark St. Germain (R), 25 Grier Road, to serve as a member of the Municipal Flood and Erosion Control Board, said term to expire December 31, 2009.~~

~~THE TOWN COUNCIL HEREBY APPROVES THE REAPPOINTMENT OF MARK ST. GERMAIN TO SERVE AS A MEMBER OF THE MUNICIPAL FLOOD AND EROSION CONTROL BOARD, SAID TERM TO EXPIRE ON DECEMBER 31, 2009.~~

C.N.B. 3. Request the Town Council to approve inclusion of email addresses on the Town of Vernon website.

Council Member Motola requested that his work email be taken from the listing.

By unanimous consent, THE TOWN COUNCIL HEREBY MOVES TO PROVIDE TOWN COUNCIL EMAIL INFORMATION FOR INCLUSION ON THE TOWN OF VERNON WEBSITE AS AMENDED. The motion was carried unanimously 11 to 0 on a voice vote.

C.N.B. 4. Request the Town Council to remove uncollected taxes from the Grand Lists 1992 through 2005, to place on a suspense ledger, and to turn them over to a collection agency.

Collector of Revenue Carol Nelson was available for questions and comments.

Discussion took place.

Council Member Herbst, seconded by Council Member Simon, MOVED THAT THE TOWN COUNCIL AUTHORIZES THE COLLECTOR OF REVENUE TO REMOVE UNCOLLECTED TAXES IN THE AMOUNT OF \$286,898.45 FROM THE GRAND LISTS 1992 THROUGH 2005, TO PLACE SAID TAXES ON THE SUSPENSE LEDGER, AND TO TURN THEM OVER TO A COLLECTION AGENCY AS SHOWN IN THE MEMORANDUM DATED MAY 30, 2007 FROM THE COLLECTOR OF REVENUE TO THE TOWN ADMINISTRATOR, AND A COMPUTER LISTING RUN ON MAY 30, 2007.

Council Member Etre, seconded by Council Member Herbst, moved A FRIENDLY AMENDMENT TO THE MOTION WHICH NOW READS:

Council Member Herbst, seconded by Council Member Simon, MOVED THAT THE TOWN COUNCIL AUTHORIZES THE COLLECTOR OF REVENUE TO REMOVE UNCOLLECTED TAXES IN THE AMOUNT OF \$286,898.45 FROM THE GRAND LISTS 1992 THROUGH 2005, TO PLACE SAID TAXES ON THE SUSPENSE LEDGER, AND TO TURN *THE SUPPLEMENTAL AND MOTOR VEHICLE TAXES* OVER TO A COLLECTION AGENCY AS SHOWN IN THE MEMORANDUM DATED MAY 30, 2007 FROM THE COLLECTOR OF REVENUE TO THE TOWN ADMINISTRATOR, AND A COMPUTER LISTING RUN ON MAY 30, 2007 *WITH THOSE TAXES DESIGNATED AT SM AND MV TAXES.*

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

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

IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS:

None.

OLD BUSINESS:

1. Request the Town Council to authorize the Town Administrator to enter into a contract with Con Serv. Inc.

Council Member Herbst, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL HEREBY AUTHORIZES TOWN ADMINISTRATOR CHRISTOPHER CLARK TO ENTER INTO A CONTRACT WITH CON SERV. INC. RELATIVE TO LIGHT IMPROVEMENTS FOR CENTER 375.

George Fetko, Director Public Works and John Muro, ConServ Inc were available for questions and comment.

Discussion took place.

The motion was pulled until a sampling of the lighting is available and evaluated.

The meeting recessed at 8:36 p.m.

The meeting reconvened at 8:41 p.m.

2. Request Town Council to amend motion from its meeting of May 15, 2007 relative to the granting of two (2) easements to J & S Properties LLC.

Council Member Herbst, seconded by Council Member Fox, moved that THE TOWN COUNCIL HEREBY MOVES THAT THE TOWN OF VERNON GRANT TWO EASEMENTS TO J & S PROPERTIES, LLC TO PERMIT THE SUPPORT COLUMN AND THE CONSTRUCTION OF AN ENTRY WAY AND HANDICAP ACCESSIBLE RAMP IN THE TOWN RIGHT OF WAY ON ST. BERNARD'S TERRACE AS SHOWN ON A MAP ENTITLED:

"PLAN PREPARED FOR J & S PROPERTIES, LLC 4 PARK STREET VERNON, CT PROPOSED EASEMENTS HOLMES & HENRY ASSOCIATES LLC CONSULTING ENGINEERS, LAND SURVEYORS, LAND PLANNERS, 2179 BOSTON TURNPIKE, COVENTRY CT 06238 (860) 742 0340 SCALE: 1"=10' DATE: 2/9/07 FILE NO: 260041E SHEET 1 OF 1"

AND FURTHER, THAT THE TOWN ADMINISTRATOR BE PERMITTED TO SIGN ANY AND ALL DOCUMENTS NECESSARY TO GRANT SUCH EASEMENTS OR ANY CORRECTING DEEDS NECESSARY TO PERFECT THE TITLE TO THE PROPERTY.

Town Administrator Christopher Clarke and Project proposer Michael Taylor were available for questions and comment.

Discussion took place.

Council Member Etre, seconded by Council Member Champagne, moved A FRIENDLY AMENDMENT TO ADD TO THE MOTION THAT ALL MODIFICATIONS TO PROPERTY THAT THE TOWN PROVIDES AN EASEMENT TO BE CONSISTENT WITH THE SECRETARY OF THE INTERIOR FOR THE NATIONAL HISTORIC TRUST.

The amendment was carried 10 to 0 on a voice vote. Council Member Apel abstained.

The motion, as amended, was carried 9 to 0 on a voice vote. Council Members Campbell and McCoy abstained.

NEW BUSINESS:

N.B. 1. Request for Town Council to approve the Budget Amendments for fiscal year 2006-2007 as outlined in the Budget Amendments 37-39.

Council Member Herbst, seconded by Council Member Simon, moved that THE TOWN COUNCIL HEREBY APPROVES THE AMENDMENT REQUEST FOR FISCAL YEAR 2006-2007 AS OUTLINED IN BUDGET AMENDMENT FORMS # 37-39 AS PROVIDED BY THE FINANCE OFFICER.

Finance Officer James Luddecke was available for questions and comment.

Discussion took place.

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

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

N.B. 2. Request for Town Council to approve the Budget Amendments for fiscal year 2006-2007 as outlined in the Budget Amendments 40-46.

Council Member Herbst, seconded by Council Member Simon, moved that THE TOWN COUNCIL HEREBY APPROVES THE AMENDMENT REQUEST FOR FISCAL YEAR 2006-2007 AS OUTLINED IN BUDGET AMENDMENT FORMS # 40-46 AS PROVIDED BY THE FINANCE OFFICER.

Finance Officer James Luddecke was available for questions and comment.

Discussion took place.

The motion was carried 10 to 1 on a voice vote with Council Members Apel, Campbell, Champagne, Etre, Fox, Herbst, Motola, Oliver, Schaefer and Simon voting yes and Council Member McCoy voting no.

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

N.B. 2A. Request the Town Council to Schedule a Public Hearing and Special Town Meeting to hear comments and take the necessary action relative to "A Resolution Regarding an Additional Appropriation for General Government in the Amount of \$559,555.00".

Council Member Herbst, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL HEREBY SCHEDULES A PUBLIC HEARING ON JUNE 19, 2007 AT 7:35 P.M. AND SPECIAL TOWN MEETING AT 7:40 P.M. IN THE VERNON SENIOR CENTER, 26 PARK PLACE, VERNON CT IN ORDER TO HEAR COMMENTS AND TAKE NECESSARY ACTION RELATIVE TO "A RESOLUTION

REGARDING AN ADDITIONAL APPROPRIATION FOR GENERAL GOVERNMENT IN THE AMOUNT OF \$559,555.00”

Finance Officer James Luddecke was available for questions and comment.

Discussion took place.

The meeting recessed at 9:39 p.m.

The meeting reconvened at 9:41 p.m.

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

The meeting recessed at 9:42 p.m.

The meeting reconvened at 9:44 p.m.

N.B. 3. RDA concept plan.

Economic Development Coordinator/Asst Planner Marina Rodriguez was available for questions and comment.

-Informational.

Council Member Herbst left the table for the discussion.

(“Summary of requested suggestions from Town Planning staff” sheet attached to these minutes and marked as “Appendix D.”)

Council Member McCoy, seconded by Council Member Apel, moved THAT THE TOWN COUNCIL ENDORSE THE CONCEPT PROJECT AS PRESENTED BY THE RDA IN THE REVITALIZATION PLAN AND REALIGNMENT PLAN AND DIRECT THE PLANNING AND ECONOMIC DEVELOPMENT COORDINATOR TO WORK WITHIN AND SUPPORT THE CONCEPT PROJECT PLAN AND THE RECOMMENDATIONS AS SET OUT IN THE SUMMARY OF REQUESTED SUGGESTIONS DATED June 5, 2007.

Council Member Apel, seconded by Council Member McCoy, moved A FRIENDLY AMENDMENT TO THE MOTION TO APPROPRIATE \$9,000. AS FUNDING FOR ADVERTISEMENT AND FEASIBILITY.

The amendment was carried 8 to 2 with Council Members Apel, Campbell, Champagne, Etre, Fox, McCoy, Motola and Oliver voting yes and Council Members Schaefer and Simon voting no.

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

Council Member Herbst returned to the table.

Council Member McCoy, seconded by Council Member Oliver, moved TO EXTEND CURFEW UNTIL THE CONCLUSION OF BUSINESS. The motion was carried 10 to 1 on a voice vote with Council Members Apel, Campbell, Champagne, Etre, Herbst, McCoy, Motola, Oliver, Schaefer and Simon voting yes and Council Member Fox voting no.

N.B. 4. Discussion relative to the information material regarding condominiums in the Town of Vernon.

Discussion took place.

This item will be researched further by the Town Administrator and will be brought back to the Council.

(A letter concerning the condominium associations from Council Member McCoy is attached to these minutes and marked as "Appendix E.")

N.B. 5. Approval of job description for "Director of Information and Communication Technology".

THE TOWN COUNCIL HEREBY APPROVES THE JOB DESCRIPTION ENTITLED "DIRECTOR OF INFORMATION AND COMMUNICATION TECHNOLOGY".

The Council requested this item be reviewed by the Town Attorney for a legal opinion.

N.B. 6. If applicable - establishment of Mil Rate for Fiscal Year 2007-2008. (This item is not applicable due to the failure of the budget)

~~THE TOWN COUNCIL HEREBY SETS THE TAX RATE FOR THE FISCAL YEAR JULY 1, 2007 THROUGH JUNE 30, 2008 AT _____ MIL UPON TAXABLE PROPERTY IN THE TOWN OF VERNON AND THAT THE TOWN COUNCIL SIGN THE TAX WARRANT FOR SAID FISCAL YEAR.~~

~~Request the Town Council to authorize the collection of Motor vehicle tax due and payable in one installment.~~

~~THE TOWN COUNCIL OF THE TOWN OF VERNON IN ACCORDANCE WITH THE PROVISIONS OF SECTION 12-144A OF THE CT GENERAL STATUTES, AUTHORIZES THE COLLECTION OF MOTOR VEHICLE TAX DUE AND PAYABLE IN A SINGLE INSTALLMENT.~~

Council Member Herbst, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL HEREBY MOVES TO SCHEDULE A SPECIAL MEETING DUE TO THE PROPOSED BUDGET NOT PASSING AT REFERENDUM AND TO SCHEDULE A SPECIAL MEETING ON JUNE 6, 2007 AT 7:00 P.M. AT THE SENIOR CENTER, SECOND FLOOR, 26 PARK PLACE VERNON, CONNECTICUT IN ORDER TO DISCUSS POTENTIAL ACTION INCLUDING SETTING A FOURTH REFERENDUM DATE FOR APPROVAL OF THE TOWN OF VERNON 2007-2008 BUDGET.

The motion was carried 10 to 1 on a voice vote with Council Members Apel, Campbell, Champagne, Etre, Fox, Herbst, Motola, Oliver, Schaefer and Simon voting yes and Council Member McCoy voting no.

INTRODUCTION OF ORDINANCES:

1. Request for Town Council to schedule a Public Hearing regarding Ordinance entitled "An Ordinance Providing for Homestead Revitalization".

Council Member Herbst, seconded by Council Member McCoy, 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 "AN ORDINANCE PROVIDING FOR HOMESTEAD REVITALIZATION" TO BE HELD BEFORE THE TOWN COUNCIL ON TUESDAY, JUNE 19, 2007, AT 7:50 PM, AT THE SECOND FLOOR OF THE VERNON SENIOR CENTER, 26 PARK PLACE, VERNON, CONNECTICUT.

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

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

DISCUSSION OF ADDITIONAL AGENDA ITEMS:

None.

INFORMATIONAL ITEMS:

1. Minutes from Board of Education meeting held on April 23, and May 14, 2007.
2. Monthly report for April 2007 from Alan Slobodien, Director, Vernon Youth Services Bureau, monthly report for April 2007 from Penny Rand, Senior Center Director.
3. Copy of Journal Inquirer *Readers Forum* article from Mayor Marmer.
4. Letter from Scott Brown, Chair, Cemetery Commission approving the appointment of Carol B. Kloter as Cemetery Agent.
5. Letter from George Louis Males, resigning from the Permanent Municipal Building Committee.
6. Memorandum from Town Administrator Christopher Clark along with memo from Mayor Marmer regarding delivery of Town Council agenda packets.
7. Letter from Town resident Wendy Wanchak in reference to the 2007-2008 budget.

ADJOURN:

Council Member Fox, seconded by Council Member Simon, moved TO ADJOURN.

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

The meeting adjourned at 11:04 p.m.

Received: June 12, 2007
Approved: June 19, 2007
Vernon Town Council

Karin Z. Pike
Asst Town Clerk