

**VERNON TOWN COUNCIL
REGULAR MEETING
SENIOR CENTER 2ND FLOOR, CONFERENCE ROOM
26 PARK PLACE
TUESDAY, August 21, 2007
7:30 P.M.**

Meeting called to order at 7:30 P.M.

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Present: George Apel, Daniel Champagne, Bill Campbell, Bill Fox, Mary Oliver, Marie Herbst, Dan Anderson, Mark Etre, Jason McCoy, Pauline Schaefer, Brian Motola.

Absent: Connie Simon

Entered During Meeting:

Also Present: Mayor Ellen L. Marmer, M.D., Town Administrator Christopher Clark, James Krupienski, Recording Secretary/Asst Town Clerk, Technical Support Christopher Prue.

CITIZEN'S FORUM:

- Greg Thomas, 282 Vernon Avenue –Discussion regarding changes to plans for Vernon Avenue Project. Mayor Ellen L. Marmer suggested contacting the Town Administrator, Christopher Clark and Town Engineer Tim Timberman to discuss any issues.
- Frank Guadagnino, 290 Vernon Avenue – Felt plans were changed without consultations with the residents based upon what was previously presented. Would like to have an Item placed on the next council agenda for discussion between the residents and the council.

- Mayor Ellen L. Marmer indicated that a presentation would be place on an upcoming agenda to allow for a dialog between the residents, council members and the construction manager. Town Administrator to schedule a Special Meeting to discuss issues with Vernon Avenue Reconstruction with the residents.
- Brain Flynt, 4 Longview Street – Thanks to all who attended National Night Out on August 7, 2007 and the lighting ceremony. Spoke regarding problems with housing conditions in the Rockville Area and the projects that were ongoing in the area.

- Councilmember Herbst, seconded by Council Member Schaefer moved to extend curfew until completed. Motion carried unanimously.

- Jeff Boulrice, 15 Hilltop Avenue – Spoke relative to the 20% by 2010 Initiative for Clean Energy.

- Citizen's Forum closed at 7:50 P.M.

PRESENTATIONS:

1. Nancy Osborn and Chet Morgan from the Vernon Non-Profit Housing Development Corporation will present a follow-up as requested by the Town Council at their meeting of July 17, 2007. (Letter from Nancy Osborn and copy of the history of the Vernon Nonprofit Housing and Development Corporation is in the packet.)

- Nancy Osborn, Diane Wheelock, Dick Stroney, Christy Vale and Chet Morgan present.
- Councilmember Oliver asked of intent to see a Business Plan, Budget and schedule of work. Have been advised not to release the information at this time.
- Diane Wheelock reviewed the process that the Not-For-Profit had dealt with.

- Councilmember Schaefer felt that the financial report should not be of issue to release to the council for review.
- Christy Vale indicated that releasing of that information could affect the bidding process.
- Chet Morgan stated that the bid process should start in the first week of September with completion of the project within 270 days of awarding the contract.
- Mayor Marmer asked if the bidding process would be quality based bidding.
- Nancy Osborn stated that it would be price based.
- Mayor Marmer asked if there would be caveats for the new owners.
- Diane Wheelock indicated that such issues would be indicated to the prospective homeowners during the purchase phase and at closing.
- Councilmember Herbst asked if the bidding process would emphasize energy conservation measures in construction.
- Diane Wheelock stated that they have the requirement for energy conservation in the bidding specifications.
- Councilmember Champagne is glad to see improvements to the homes on Village Street.
- Councilmember Etre thanked the Vernon Non For Profit Housing Development Corporation for their presentation.
- Councilmember McCoy asked how long it took to acquire the rehab properties.
- Diane Wheelock indicated that it took between 6-7 years. Has received approximately \$3 million primarily from the Department of Economic and Community Development.
- Councilmember Oliver asked if any funds received were restricted in any way.
- Dick Stroney indicated that the funds received for demolition by the town were repaid to the town.
- Councilmember Oliver asked if the budget for the demolitions has been supplied to the town.
- Diane Wheelock stated that the budget for the demolition has been submitted to the town.
- Councilmember Herbst asked if a budget has been submitted to the State of Federal government for funds acquired.
- Nancy Osborn indicated that their budget has been submitted to the Department of Economic and Community Development (DECD).
- Councilmember Campbell is pleased with the work that has been completed.
- Councilmember Apel thanked them for their hard work.
- Councilmember Etre commended them for their hard work in completing a complex project.
- Councilmember Motola thanked for the budget presented but would have liked to see more detail of the process work schedule.

2. Randy Anagnostis and other Board members will be present to discuss Downtown Rockville Revitalization Schemes.

- Randy Anagnostis, Director of the Rockville Downtown Association presented conceptual drawings for the Rockville Downtown Area and outline of presentation. (Appendix A)
- 5 minute recess at 8:42 P.M.
- Meeting reconvened at 8:45 P.M.
- Councilmember McCoy stated that the funds were meant for private solicitation of interest.
- Councilmember Etre recommended that the Town Clerk provide a copy of the motion that appropriates the funds to the RDA. Suggests a presentation by the RDA at the next Town Council meeting.
- Randy Anagnostis stated that the RDA currently does not have a contract (Municipality Agreement) with the Town of Vernon and as such can not receive funds from the Town of Vernon until it is executed.
- Mayor Marmer indicated that the Contract has been reviewed by the Planning Department and The Town Attorney.
- Councilmember Etre requested that at the next Town Council meeting a status of the Contract with RDA.
- Councilmember Herbst suggests scheduling a discussion at the September meeting. Questioned the status of the Economic Restructuring Committee.
- Randy Anagnostis stated that the Economic Restructuring Committee has a sub-committee under the RDA.

- Councilmember Campbell felt that the additional money for the EDC, the Town and RDA would work together on the project and the \$9,000 would have been utilized with oversight of the funds by the town.
- Councilmember McCoy asked when the contract would be completed.
- Randy Anagnostis stated that personal information has been requested and have been told that such information is not necessary to divulge.
- Councilmember Anderson asked how long the RDA has been in existence.
- Randy Anagnostis stated they have been in effect for seven (7) years.
- Councilmember Motola stated that there needs to be more cooperation between the RDA and the Town Government.

ADOPTION OF MINUTES:

PROPOSED MOTION:

1. THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF AUGUST 7, 2007, AND THAT MINUTES OF SAID MEETING BE APPROVED.

- Councilmember Herbst, seconded by Councilmember Oliver moved to approve the minutes of August 7, 2007.
- Councilmember Anderson questioned why the Town Council reference was not removed relative to the Winter Holiday Policy.
- Councilmember Etre made a friendly amendment to postpone approval of the minutes for August 7, 2007 until an updated policy is included in the minutes. Seconded by Councilmember McCoy.
- Motion carried. Councilmember Fox abstained.

CONSENT AGENDA ITEMS:

- C** **1.**Request for Tax Refunds – Prior and Current Fiscal Year(s). (**Appendix A**)
- C** **2.**Request the Town Council approve the reappointment of Marie Herbst as a member of the Capital Improvement Committee.
- C** **3.**Request the Town Council approve the reappointment of Mark Vesco as a member of the Capital Improvement Committee.
- C** **4.**Request the Town Council approve the appointment of James Tedford to the Municipal Flood and Erosion Control Board.
- C** **5.**Request the Town Council approve the appointment of Ralph E. Zahner to the Permanent Municipal Building Committee.
- C** **6.**Request the Town Council approve the reappointment of George Males to the Risk Management Advisory Committee.
- C** **7.**Request the Town Council approve the reappointment of William J. McManus to the Risk Management Advisory Committee.
- C** **8.**Request the Town Council approve the appointment of Kim Rivest to the Human Services Advisory Commission.
- C** **9.**Request the Town Council approve Resolution entitled “20% by 2010 Resolution – Resolution Proposing Clean Energy Commitment.” (**Appendix B**)
- C** **10.**Request Town Council to authorize the Mayor to submit an application to the State of Connecticut, LOCIP, for a grant for rebuilding the east peak of Town Hall.
- C** **11.**Request Town Council to adopt resolution relative to the Small Cities Program. (**Appendix C**)

Councilmember Herbst, seconded by Councilmember Schaefer moved to approve Consent Items 1-11, excluding Item #9.

Councilmember Etre, seconded by Councilmember McCoy moved to pull Consent Items 2-8.

Councilmember McCoy moved to pull Item 10-11.

Mayor Ellen L. Marmer suggested review of each item separately for the Consent Agenda.

NEW BUSINESS (CONSENT ITEMS):

1. Request for Tax Refunds – Current and Prior Years. (Memorandum from Carol S. Nelson, Collector of Revenue, dated August 16, 2007 to Christopher Clark; Town Administrator, is in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL AUTHORIZES THE COLLECTOR OF REVENUE TO APPROVE ONE (1) TAX REFUND IN THE AMOUNT OF \$107.43 FOR THE PRIOR YEAR, AND TWENTY THREE (23) TAX REFUNDS IN THE AMOUNT OF \$2,361.89 FOR THE CURRENT YEAR, AS OUTLINED IN MEMORANDUM FROM THE COLLECTOR OF REVENUE DATED AUGUST 16, 2007 TO THE TOWN ADMINISTRATOR.

- Councilmember Herbst, seconded by Councilmember Schaefer moved to approve tax refunds. Motion carried unanimously.

2. Request the Town Council approve the reappointment of Marie Herbst (D), 245 Brandy Hill Road, to serve as a member of the Capital Improvement Committee, said term to expire on August 31, 2010.

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE REAPPOINTMENT OF MARIE HERBST AS A PERMANENT MEMBER OF THE CAPITAL IMPROVEMENT COMMITTEE, SAID TERM TO EXPIRE ON AUGUST 31, 2010.

- Councilmember Etre, seconded by Councilmember Apel moved to postpone Consent Agenda Items 2-8 until an updated Officials Listing is provided to the Council. Motion carried. Councilmember Oliver opposed, Councilmember McCoy abstained.

3. Request the Town Council approve the reappointment of Mark Vesco (D), 9 School Brook Lane, to serve as a member of the Capital Improvement Committee, said term to expire on August 31, 2010. (Appointment letter and resume is in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE REAPPOINTMENT OF MARK VESCO AS A MEMBER OF THE CAPITAL IMPROVEMENT COMMITTEE, SAID TERM TO EXPIRE ON AUGUST 31, 2010.

4. Request the Town Council to approve the appointment of James Tedford (R), 70 Troutstream Drive to serve as a member of the Municipal Flood and Erosion Control Board to fill a vacancy due to the resignation of Mark St. Germain, said term to expire on December 31, 2010. (Appointment letter and resume is in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE APPOINTMENT OF JAMES TEDFORD AS A MEMBER OF THE MUNICIPAL FLOOD AND EROSION CONTROL BOARD TO FILL A VACANCY CREATED BY THE RESIGNATION OF MARK ST. GERMAIN, SAID TERM TO EXPIRE ON DECEMBER 31, 2010.

5. Request the Town Council to approve the appointment of Ralph E. Zahner (U), 142 Vernon Avenue, #66, to the Permanent Municipal Building Committee, to fill a vacancy due to the resignation of Jerry Kinsman, said term to expire on June 30, 2010. (Appointment letter and resume is in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE APPOINTMENT OF RALPH E. ZAHNER AS A MEMBER OF THE PERMANENT MUNICIPAL BUILDING COMMITTEE TO FILL A VACANCY CREATED BY THE RESIGNATION OF JERRY F. KINSMAN, SAID TERM TO EXPIRE ON JUNE 30, 2010.

6. Request the Town Council to approve the reappointment of George Males (D), 64 School Brook Lane, said term to expire on August 31, 2010. (Appointment letter and resume is in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE REAPPOINTMENT OF GEORGE MALES AS A MEMBER OF THE RISK MANAGEMENT ADVISORY COMMITTEE, SAID TERM TO EXPIRE ON AUGUST 31, 2010.

7. Request the Town Council approve the reappointment of William J. McManus (D), 15 Eastview Drive as a member of the Risk Management Advisory Committee, said term to expire August 31, 2010. (Appointment letter and resume is in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE REAPPOINTMENT OF WILLIAM J. MCMANUS AS A MEMBER OF THE RISK MANAGEMENT ADVISORY COMMITTEE, SAID TERM TO EXPIRE ON AUGUST 31, 2010.

8. Request the Town Council approve the appointment of Kim Rivest (D), 15 Earl Street as a member of the Human Services Advisory Commission, to fill a vacancy created by the resignation of Mary K. Cross, said term to expire on June 30, 2009. (Appointment letter and resume is in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE APPOINTMENT OF KIM RIVEST AS A MEMBER OF THE HUMAN SERVICES ADVISORY COMMISSION, TO FILL A VACANCY CREATED BY THE RESIGNATION OF MARY K. CROSS, SAID TERM TO EXPIRE ON JUNE 30, 2009.

9. Request Town Council to adopt resolution 20% by 2010 entitled "Resolution Proposing Clean Energy Commitment". (Copy of proposed resolution is in the packet).

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE RESOLUTION ENTITLED "RESOLUTION PROPOSING CLEAN ENERGY COMMITMENT."

- Councilmember Herbst, seconded by Councilmember Schaefer moved to approve the Resolution a "Resolution Proposing Clean Energy Commitment". Motion carried. Councilmember Oliver opposed.

10. Request Town Council to authorize the Mayor to submit an application to the State of Connecticut, LOCIP, for a grant for rebuilding the east peak of Town Hall. (Copy of supporting documentation is in packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES THE MAYOR TO SUBMIT AN APPLICATION TO THE STATE OF CONNECTICUT LOCAL CAPITAL IMPROVEMENT PROGRAM (LOCIP) FOR A GRANT IN THE AMOUNT OF \$175,000.00 TO BE EXPENDED FROM THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT FOR REBUILDING THE EAST PEAK OF TOWN HALL.

- Councilmember Herbst, seconded by Councilmember Schaefer moved a motion to authorize the Mayor to submit an application for LOCIP funding for a grant to rebuild the east peak pf Town Hall.
- Councilmember McCoy asked where the money is coming from.
- Christopher Clark, Town Administrator indicated it was to apply for funds that are available through LOCIP.
- Councilmember Champagne asked if any work has begun on the Third Floor. Mayor Marmer indicated that the contract has been signed and work should begin within the next week.
- Councilmember Campbell if approved by council then denied by state what would happen.
- Mayor Marmer stated that LOCIP funds request have never been denied, if they were to it would come back to the council for further discussion.
- Motion carried unanimously.

11. Request Town Council to adopt the resolution relative to the Small Cities Program. Copy of resolution is in packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY ADOPTS THE RESOLUTION RELATIVE TO THE SMALL CITIES PROGRAM.

- Discussion was held.
- Councilmember Herbst, seconded by Councilmember Schaefer moved a motion to adopt the Small Cities Program Resolution. Motion carried unanimously.

IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS

1. Councilmember Apel, seconded by Councilmember McCoy to add discussion on Fund Balance and Encumbered Funds. Motion carried unanimously.
2. Councilmember Etre, seconded by Councilmember Champagne to pull Information #4 for Discussion. Motion carried unanimously.

Introduction of Ordinances:

1. Request for Town Council to schedule a Public Hearing regarding Ordinance entitled "An Ordinance to Grant an Exemption of Property Tax for Hybrid Electric Vehicles and Certain Authorized Alternative Fuel Vehicles." (Copy of the draft ordinance along with a copy of a memorandum from Susan Boyan, Town Attorney and copy of letter and information from State Representative Claire L. Janowski is in the packet.)

PROPOSED MOTION:

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 TO GRANT AN EXEMPTION OF

PROPERTY TAX FOR HYBRID ELECTRIC VEHICLES AND CERTAIN AUTHORIZED ALTERNATIVE FUEL VEHICLES" TUESDAY, SEPTEMBER 18, 2007 AT 7:35 P.M. AT THE SECOND FLOOR OF THE VERNON SENIOR CENTER, 26 PARK PLACE, VERNON, CONNECTICUT.

- Councilmember McCoy, seconded by Councilmember Schaefer moved schedule a Public hearing on Tuesday, September 18, 2007 at 7:35 P.M. Motion carried. Councilmember Apel abstained.

OLD BUSINESS:

1. Request the Town Council to approve an §8-24 Review by the Planning and Zoning Commission for the sale of Town-Owned Real Estate. (Copy of memorandum from Christopher Clark, Town Administrator is in packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY DIRECTS THE TOWN ADMINISTRATOR TO SEEK CONNECTICUT GENERAL STATUTE §8-24 REVIEW FROM THE PLANNING AND ZONING COMMISSION AS IT APPLIES TO THE SALE OF PROPERTIES AT BAMFORTH ROAD, ECHO RIDGE DRIVE, 28 GRAND AVENUE, 108-110 HIGH STREET, 14 LAUREL STREET, 47 SOUTH STREET, 70 UNION STREET AND VERNON AVENUE.

- Councilmember Herbst, seconded by Councilmember Schaefer moved to send the listed properties to the Planning & Zoning Commission for 8-24 review.
- Discussion was held.
- Motion carried. Councilmember Anderson opposed.

NEW BUSINESS:

1. Discussion regarding the Tri-Town Shelter. Paula Claydon, Director, Social Services and Wesley Shorts, Chairman, Human Services Advisory Commission will be present.

- Wesley Shorts, Chairman of the Human Services Commission spoke regarding water damage at the shelter and had suggested to them to attempt fundraising efforts to assist with declining funding.

2. Request Town Council to approve new job description and title for the Director of Data Processing. (Copy of new job description and legal opinion from Town Attorney Susan Boyan is in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES NEW JOB DESCRIPTION AND TITLE: "DIRECTOR OF INFORMATION AND COMMUNICATION TECHNOLOGY"

- Councilmember Herbst, seconded by Councilmember Schaefer moved to approve the revised Job Description and Title.
- Councilmember Campbell, seconded by Councilmember Etre made a friendly amendment to keep the Title on the Job Description be changed to the Present Job Description "Director of Data Processing". Motion carried unanimously.
- Main Motion – Motion carried with Councilmember Apel, Champagne, Campbell, Fox, Etre, Schaefer, Motola voting in favor. Councilmember Herbst and McCoy abstained. Councilmember Oliver and Anderson opposed.

EXECUTIVE SESSION:

- None

DISCUSSION OF ADDITIONAL AGENDA ITEMS:

A.I.I.1. Councilmember Apel, seconded by Councilmember McCoy to add discussion on Fund Balance and Encumbered Funds. Motion carried unanimously.

- Councilmember Apel, seconded by Councilmember McCoy moved to request the Mayor to direct the Finance Office to present a written report at the next council meeting on September 18, 2007, with the status of the Town's Unrestricted Fund Balance as well as the Encumbered Funds, with what they are for and when they were encumbered.
- Discussion was held.
- Motion carried unanimously.

A.I.I.2. Councilmember Etre, seconded by Councilmember Champagne to pull Information #4 for Discussion. Motion carried unanimously.

- Councilmember Etre requested that the presentation be placed at the beginning of the meeting and a projection screen for visual aid for a clear presentation.
- Mayor Marmar indicated that she will try to have Tim Timberman, State Officials and the Construction Company
- Councilmember Champagne asked that approved plan that were in place prior to the start of the project and plans showing changes and who was responsible for those changes.
- Councilmember Anderson would like to see the original plans and revisions that were made, when homeowners were informed of changes. Need to address the issue of trash at the construction site.
- Councilmember Oliver reviewed history of how the project has evolved.
- Councilmember Herbst felt the Department of Transportation (DOT) has caused problems with other road projects and was opposed to the Vernon Avenue project from the beginning.
- Councilmember Schaefer felt the meeting should be a Special Meeting just for the Vernon Avenue resident to voice their concerns and gather information.
- Councilmember Etre felt that the blasting issue that was raised needs to be looked into and would like to know if a pre-blasting survey was conducted.

INFORMATIONAL ITEMS:

1. Letter from Finance Officers Association awarding Certificate of Achievement to James M. Luddecke, Finance Officer, Treasurer.
2. Letter from Claire Janowski, State Representative commending Finance Officer, Jim Luddecke, Town Assessor David Wheeler and Deputy Assessor Christine Clark for their assistance into inquiries concerning property tax bills.
3. Letter from Carol N. Burke regarding outstanding job by employees – re-build of stone bridges, Bolton Rd.
4. Copy of letter from Town Administrator Christopher Clark to Frank Guadagnino of 290 Vernon Avenue.

ADJOURNMENT:

- Councilmember Schaefer, seconded by Councilmember Oliver made a motion to adjourn. Motion carried unanimously.
- Meeting Adjourned at 10:04 P.M.

Received: September 4, 2007
Approved: September 18, 2007
Vernon Town Council

Respectively Submitted,

A handwritten signature in black ink, appearing to read "James Krupinski". The signature is fluid and cursive, with the first name "James" and last name "Krupinski" clearly distinguishable.

James Krupinski
Recording Secretary