

**AGENDA
VERNON TOWN COUNCIL
REGULAR MEETING
TOWN HALL 3RD FLOOR, COUNCIL CHAMBERS
14 PARK PLACE
TUESDAY, SEPTEMBER 2, 2008
7:30 P.M.**

A) **PLEDGE OF ALLEGIANCE:**

ROLL CALL:

CITIZEN'S FORUM:

MOVE TO RECESS THE TOWN COUNCIL MEETING UNTIL COMPLETION OF THE PUBLIC HEARING ON BOND ORDINANCES #B-08-01 and #B-08-02.

B) **PUBLIC HEARING: (7:35 P.M.)**

(A.) Public Hearing to receive comments and questions relative to Ordinance #B-08-01 entitled "An Ordinance Appropriating \$1,182,000 for Replacement of Phoenix Street Bridge and Authorizing the Issue of \$1,182,000 Bonds and Notes to Finance the Appropriation". Public Hearing to begin on September 2, 2008 at 7:35 P.M., 14 Park Place, Town Hall Memorial Building, 3rd Floor, Council Chambers. (Ordinance/Resolution attached)

(B.) Public Hearing to receive comments and questions relative to Ordinance #B-08-02 entitled “An Ordinance Appropriating \$3,320,000 for Replacement of Main Street Bridge and Authorizing the Issue of \$3,320,000 Bonds and Notes to Finance the Appropriation”. Public Hearing to begin on September 2, 2008 at 7:35 P.M., 14 Park Place, Town Hall Memorial Building, 3rd Floor, Council Chambers. (Ordinance/Resolution attached)

ADJOURN PUBLIC HEARING AND RECONVENE TOWN COUNCIL MEETING.

C) PRESENTATION:

NONE

D) CONSENT AGENDA ITEMS:

- C 1.** Request for Tax Refunds – Current Year.
- C 2.** Request that the Town Council approve the reappointment of Anthony P. Zappola, as a regular member of the Risk Management Advisory Committee.
- C 3.** Request that the Town Council approve the Mayor’s appointment of Bill Walach, as a regular member of the Vernon Arts Commission.
- C 4.** Request that the Town Council approve the budget amendment(s) for Fiscal Year 2007-2008 and 2008-2009 as provided by James Luddecke, Finance Officer.

NEW BUSINESS (CONSENT ITEMS)

- 1. Request for Tax Refunds – Current Year.** (Memorandum from Carol S. Nelson, Collector of Revenue, dated August 22, 2008 to John Ward, Interim Town Administrator, is in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL APPROVES TAX REFUNDS FOR THE CURRENT YEAR IN THE AMOUNT OF \$7865.71 AS OUTLINED IN THE MEMORANDUM FROM THE COLLECTOR OF REVENUE DATED AUGUST 22, 2008 TO JOHN WARD, INTERIM TOWN ADMINISTRATOR.

2. **Request that the Town Council approve the reappointment of Anthony P. Zappola, of 66 Brimwood Drive, Vernon (R), as a regular member of the Risk Management Advisory Committee for a term to expire on August 31, 2011.** (Resume is included in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE REAPPOINTMENT OF ANTHONY P. ZAPPOLA, AS A REGULAR MEMBER OF THE RISK MANAGEMENT COMMITTEE FOR A TERM TO EXPIRE ON AUGUST 31, 2011.

3. **Request that the Town Council approve the Mayor's appointment of Bill Walach, 12 Mountain Street, Vernon (U), as a regular member of the Vernon Arts Commission, for an indefinite term.** (Resume is included in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF BILL WALACH, AS A REGULAR MEMBER OF THE VERNON ARTS COMMISSION FOR AN INDEFINITE TERM.

4. **Request that the Town Council approve the budget amendment(s) for fiscal year 2007-2008 and 2008-2009 as provided by James Luddecke, Finance Officer.** (A copy of the budget amendments are in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE BUDGET AMENDMENT REQUESTS #95 FOR FISCAL YEAR 2007-2008 AND #1, #2 FOR 2008-2009 AS OUTLINED IN BUDGET AMENDMENT FORMS AS PROVIDED BY THE FINANCE OFFICER.

E) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS:

F) PENDING BUSINESS:

- 1. Town Council nomination and election of Mayor Pro Tempore (Deputy Mayor) to fill the vacancy as a result of the resignation of Diane Wheelock, as the Mayor Pro Tempore. (Copy of letter of resignation of Diane Wheelock attached).**

MOTION TO COME FROM THE FLOOR

G) NEW BUSINESS:

- 1. Request that the Town Council schedule a Public Hearing for September 16, 2008 to receive comments and questions regarding the renewal of Ordinance #220 entitled "An Ordinance Exempting Certain Activities of Charitable, Religious or Non-Profit Organizations from Taxation". (Memorandum from John Ward, Interim Town Administrator to Mayor Jason McCoy, dated August 28, 2008, and a copy of Ordinance #220 are included in the packet.)**

PROPOSED MOTION;

THE TOWN COUNCIL HEREBY SCHEDULES A PUBLIC HEARING FOR CONSIDERATION OF RENEWAL OF ORDINANCE 220, "AN ORDINANCE EXEMPTING CERTAIN ACTIVITIES OF CHARITABLE, RELIGIOUS OR NON-PROFIT ORGANIZATIONS FROM TAXATION," AS AMENDED AT 7:35 P.M. ON SEPTEMBER 16, 2008 AT VERNON TOWN HALL, 14 PARK PLACE AND THE TOWN ADMINISTRATORS IS TO TAKE SUCH ACTION AS IS NECESSARY TO SCHEDULE SAID HEARING.

2. **Request the Town Council approve 584 feet of additional reconstruction work to the one-way section of High Street.** (Copy of Memorandum from Jim Luddecke, Finance Officer to John Ward, Interim Town Administrator dated August 27, 2008, a copy of quoted work from VMS Construction to George Fetko, Director of Public Works dated August 5, 2008 and memorandum from John Ward, Interim Town Administrator dated August 28, 2008 are attached for your review)

PROPOSED MOTION

RESOLVED, THE TOWN COUNCIL HEREBY APPROVES THE DESIGNATION OF \$152,000.00 IN THE TOWN AID ROAD FUND FOR THE RECONSTRUCTION OF THE HIGH STREET ONE-WAY SECTION. THE SOURCE OF THE FUNDING WILL BE \$63,200.00 FROM THE TOWN AID FOR ROADS GRANT; AND \$88,800.00 FROM THE CONNECTICUT HOUSING PARTNERSHIP PROGRAM GRANT. UPON COMPLETION OF THE PROJECT, ANY REMAINING FUNDS IN SAID DESIGNATION WILL BE REMOVED AND RESTORED TO THE TOWN AID ROAD FUND BALANCE.

H) **INTRODUCTION OF ORDINANCES:**

NONE

I) **ACTION ON ORDINANCES PREVIOUSLY PRESENTED:**

1. **Report on the action taken by the Planning and Zoning Commission at its meeting on Thursday, August 21, 2008, relative to 8-24 referrals.**
2. **Town Council deliberation and decision on adoption of ordinances.**

Mayor recommends action on proposed ordinance.

PROPOSED MOTION # 1A:

THE TOWN COUNCIL HEREBY ADOPTS THE PROVISIONS OF BOND ORDINANCE B-08-01, "AN ORDINANCE APPROPRIATING \$1,182,000 FOR THE REPLACEMENT OF THE PHOENIX STREET BRIDGE AND AUTHORIZING THE ISSUE OF \$1,182,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION."

(Copy of full text attached)

PROPOSED MOTION # 1B:

THE TOWN COUNCIL HEREBY RESOLVES THAT A REFERENDUM BE HELD PURSUANT TO THE PROVISIONS OF CHAPTER XII, SECTION 12 OF THE TOWN CHARTER, TO BE HELD ON NOVEMBER 4, 2008, TO APPROVE OR DISAPPROVE THE FOLLOWING ENTITLED ORDINANCE:

“AN ORDINANCE APPROPRIATING \$1,182,000 FOR THE REPLACEMENT OF THE PHOENIX STREET BRIDGE AND AUTHORIZING THE ISSUE OF \$1,182,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION.”

The wording of the question shall be as follows:

“SHALL THE TOWN OF VERNON APPROPRIATE \$1,182,000 FOR THE REPLACEMENT OF THE PHOENIX STREET BRIDGE AND AUTHORIZE THE ISSUANCE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION?”

Voters approving said ordinance shall vote “yes” and voters opposing said ordinance shall vote “no”. Voting shall take place between the hours of 6:00 A.M. and 8:00 P.M at the polling places of the Town. Absentee ballots will be available from the Town Clerk’s office. The Town Clerk shall cause notice of said referendum to be published and posted.

Mayor recommends action on proposed ordinance.

PROPOSED MOTION # 2A:

THE TOWN COUNCIL HEREBY ADOPTS THE PROVISIONS OF BOND ORDINANCE B-08-02, “AN ORDINANCE APPROPRIATING \$3,320,000 FOR THE REPLACEMENT OF THE MAIN STREET BRIDGE AND AUTHORIZING THE ISSUE OF \$3,320,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION.”

(Copy of full text attached)

PROPOSED MOTION # 2B:

THE TOWN COUNCIL HEREBY RESOLVES THAT A REFERENDUM BE HELD PURSUANT TO THE PROVISIONS OF CHAPTER XII, SECTION 12 OF THE TOWN CHARTER, TO BE HELD ON NOVEMBER 4, 2008, TO APPROVE OR DISAPPROVE THE FOLLOWING ENTITLED ORDINANCE:

“AN ORDINANCE APPROPRIATING \$3,320,000 FOR THE REPLACEMENT OF THE MAIN STREET BRIDGE AND AUTHORIZING THE ISSUE OF \$3,320,000 BONDS AND NOTES TO FINANCE THE APPROPRIATION.”

The wording of the question shall be as follows:

“SHALL THE TOWN OF VERNON APPROPRIATE \$3,320,000 FOR THE REPLACEMENT OF THE MAIN STREET BRIDGE AND AUTHORIZE THE ISSUANCE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION?”

Voters approving said ordinance shall vote “yes” and voters opposing said ordinance shall vote “no”. Voting shall take place between the hours of 6:00 A.M. and 8:00 P.M. at the polling places of the Town. Absentee ballots will be available from the Town Clerk’s office. The Town Clerk shall cause notice of said referendum to be published and posted.

J) DISCUSSION OF ADDITIONAL AGENDA ITEMS:

K) ADOPTION OF MINUTES:

PROPOSED MOTION #1:

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF AUGUST 19, 2008 AND THAT MINUTES OF SAID MEETING BE APPROVED.

PROPOSED MOTION #2

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE SPECIAL MEETING OF AUGUST 25, 2008 AND THAT THE MINUTES OF SAID MEETING BE APPROVED.

L) **EXECUTIVE SESSION:**

1. **PROPOSED MOTION**

CONSISTENT WITH THE CONNECTICUT FREEDOM OF INFORMATION ACT, THE TOWN COUNCIL HEREBY MOVES TO GO INTO EXECUTIVE SESSION REGARDING A PERSONNEL MATTER, SPECIFICALLY, THE POSITION OF BUILDING OFFICIAL AND THE FOLLOWING INDIVIDUALS ARE INVITED TO ATTEND: JOHN WARD, INTERIM TOWN ADMINISTRATOR, AND PETER HOBBS, BUILDING OFFICIAL.

2. **PROPOSED MOTION**

CONSISTENT WITH THE CONNECTICUT FREEDOM OF INFORMATION ACT, THE TOWN COUNCIL HEREBY MOVES TO GO INTO EXECUTIVE SESSION REGARDING A PERSONNEL MATTER, SPECIFICALLY, THE EXECUTIVE ASSISTANT AND THE FOLLOWING INDIVIDUALS ARE INVITED TO ATTEND: JOHN WARD, INTERIM TOWN ADMINISTRATOR, AND DIANE WHEELLOCK, EXECUTIVE ASSISTANT.

3. **PROPOSED MOTION**

CONSISTENT WITH THE CONNECTICUT FREEDOM OF INFORMATION ACT, THE TOWN COUNCIL HEREBY MOVES TO GO INTO EXECUTIVE SESSION REGARDING CONTRACT NEGOTIATIONS, SPECIFICALLY, THE INTERIM TOWN ADMINISTRATOR. THE FOLLOWING INDIVIDUALS ARE INVITED TO ATTEND: JIM LUDDECKE, FINANCE OFFICER.

M) **INFORMATIONAL ITEMS:**

1. Minutes of the Board of Education Special Meeting from August 18, 2008.
2. Copy of the Police Department Monthly Report from July 2008.