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VERNON TOWN CLERK

MINUTES
VERNON TOWN COUNCIL REGULAR MEETING
TOWN HALL - 14 PARK PLACE - 3rd Floor
VERNON, CONNECTICUT

09 DEC -3 PM 6: 06

December 1, 2009 7:30 PM

Mayor Jason L. McCoy called the meeting to order at 7:33 PM

A. PLEDGE OF ALLEGIANCE:

B. ROLL CALL:

Present: Council Members Bill Campbell, Daniel Champagne, Mark Etre, Marie Herbst, James Krupienski, Brian R. Motola, Sean O'Shea, Pauline Schaefer, Harry D. Thomas, Michael A. Winkler

Absent: Council Member Judy Hany

Entered During Meeting: Council Member Daniel Anderson (7:47 PM)

Also Present: Mayor Jason L. McCoy, Town Administrator John Ward, Recording Secretary Jill Kentfield

C. CITIZEN'S FORUM

Lance Cherniak, 50 Cubles Drive, spoke about the FOI request reviewed at the November 17, 2009. He presented further information regarding requests for FOI's.

Michael Carlo, 177 Dockerel Road, spoke about an individual within the Vernon Department of Education practicing with an expired certification, also explained his history of requests to the Board of Education regarding employee certification. Based on a Freedom of Information Request to the State Department of Education, he is expecting a list of all Vernon Dept of Education employees who require certification for employment and their certification expiration dates by December 31, 2009. Has not received any further information regarding his request. He asked "Town Council members to take legal action to return the money that was paid to the individual whose certification expired back to the people of the town." He also requested "Town Ethics board to come up with a by-law that states if a person's certification has run out or the person is not properly certified they be terminated."

Vernon Riley, 75 Hockanum Blvd. Spoke about the different assessments he has received on his motor vehicle to calculate taxes over the past few years. He requested a complete review of each resident's assessment for Motor vehicle taxes be completed.

Citizen's forum closed at 7:54 PM

D. PUBLIC HEARINGS
None

E. PRESENTATIONS BY THE ADMINISTRATION

Mayor Jason L. McCoy to present information regarding the State of Connecticut deficit recently received by the Town of Vernon.

Mayor McCoy provided information regarding the Governor's budget mitigation plan and the recommended budget reduction of 3%, which is equal to a \$300,000 impact on the town of Vernon. Based on this information, Mayor McCoy placed a spending freeze on departments, requested department heads review their expenses and provide feed back as to methods to decrease costs and increase revenue, imposed a hiring freeze and proposed minimum staffing on certain holidays. He requested Town Council Members provide suggestions regarding cutting

costs via e-mail. He also informed Town Council Members that he was asked to serve on Governor Rell's bipartisan panel to identify local savings and recommended mandate relief.

Town Council Members suggestions for cost saving measures:

Herbst: Requested a point of information regarding wage freezes as a cost saving. She requested when making changes in staffing follow the rules that are already on the books, which indicate recommendations must come from the Administrator to the Mayor who brings the information to the Town Council for approval.

Etre: Recommended speaking to the state regarding snow removal for DPW employees. As of now, Vernon DPW employees have to lift their plows when crossing a state road and put it back down when they get to a town road. He suggested discussing a cost sharing method with the state for Vernon DPW to plow the state roads and have the state reimburse the town.

Winkler: Requested the Mayor commit to trying to reduce or eliminate the 84 million in cuts to the town and make these cuts as a last resort.

Champagne: requested sending a reminder to department heads to advertise in the Reminder, which is less expensive than the Journal Inquirer.

Anderson: Requested a spread sheet from Department heads with recommendations for reducing the total number of town vehicles, and reviewing the schedule to open schools for extra curricular activities and condense the schedule in order to save on heating costs.

Herbst: Requested the Mayor review unfunded mandates and focus on eliminating them, even if they only make a small difference in funding.

Ward: Informed Council Members that he shared a list of unfunded mandates with department heads and requested they complete a cost analysis to implement the mandates.

Etre: Requested the Town take an inventory of street lights that can be shut off.

Motola: Suggested moving the leaf drop off point to where they are being mulched rather than legion field where they need to be cleaned up and brought to the mulching area. He also suggested providing the Town Council packets of information to Members electronically in order to save on printing costs.

O'Shea requested a review of town owned property that can be sold or leased.

F. ACTION ON CONSENT AGENDA

Council Member Motola, seconded by Council Member Champagne made a motion to approve the consent agenda items as presented. Council Member Herbst requested to pull consent agenda item #'s 3, 6 and 10; Council Member Krupienski requested to pull item #2; Council Member Anderson requested to pull item #'s 4, 5 and 6; Council Member Campbell requested to pull informational item #6 for discussion under additional agenda items. Motion carried unanimously to approve the consent agenda items #'s 1, 7, 8 and 9 as presented.

C 1. Request for Tax Refunds Prior Years and Current Year.

(A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward, Town Administrator dated November 23, 2009 is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES ONE (1) TAX REFUND TOTALING \$ 92.02 FOR PRIOR YEARS AND NINE (9) TAX REFUNDS TOTALING \$1004.59 FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED NOVEMBER 23, 2009.

Council Member Motola, seconded by Council Member Champagne made the above motion to approve the request for tax refunds prior years and current year. Motion carried unanimously.

- C 7. Request the Town Council approve the Mayor's appointment of Robert Kleinhans, Director of Public Works, 375 Hartford Turnpike, Vernon, Connecticut to the Traffic Authority, as a regular member, said new term to commence on December 2, 2009 and expires on February 20, 2011.** (Past practice has been that the DPW Director is a regular member of the Traffic Authority.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE #180, TOWN CODE SEC. 13-16 -13-18; THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF ROBERT KLEINHANS, DIRECTOR, DEPARTMENT OF PUBLIC WORKS, 375 HARTFORD TURNPIKE, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE VERNON TRAFFIC AUTHORITY, SAID NEW TERM TO COMMENCE ON DECEMBER 2, 2009 AND EXPIRES ON FEBRUARY 20, 2011.

Council Member Motola, seconded by Council Member Champagne made the above motion to approve the Mayor's appointment of Robert Kleinhans, Director of Public Works to the Traffic Authority as a regular member for a term to begin on December 2, 2009 through February 20, 2011. Motion carried unanimously.

- C 8. Request the Town Council approve the Mayor's appointment of Scott Brown (U), 62 Center Road, Vernon, Connecticut as a regular member of the Cemetery Commission, said term to commence on December 2, 2009 and expiring on June 30, 2010.** (A copy of Mr. Brown's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO C.G.S. §19A-296; CHARTER CHAPTER VIII, SECTION 10, THE TOWN COUNCIL APPROVES THE APPOINTMENT OF SCOTT BROWN (U), 62 CENTER ROAD, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE CEMETERY COMMISSION, SAID TERM TO COMMENCE ON DECEMBER 2, 2009 AND EXPIRES ON JUNE 30, 2010.

Council Member Motola, seconded by Council Member Champagne made the above motion to approve the Mayor's appointment of Scott Brown as a regular member of the Cemetery Commission to begin on December 2, 2009 through June 30, 2010. Motion carried unanimously.

- C 9. Request the Town Council approve a bid waiver for the Vernon Police Department's purchase of two patrol vehicles, from Crowley Ford LLC.** (A copy of a memorandum from James Luddecke, Finance Officer to John D. Ward, Town Administrator dated November 24, 2009 is included for Council's review.)

PROPOSED MOTION:

RESOLVED, THE TOWN COUNCIL CONSISTENT WITH THE TOWN CHARTER, CHAPTER 12, SECTION 9, DEEMS IT IS AGAINST THE BEST INTEREST OF THE TOWN TO INVITE SEALED BIDS FOR THE PURCHASE OF TWO (2) FORD CROWN VICTORIA POLICE CRUISERS, AND HEREBY WAIVES THE BID PROCEDURE AND AUTHORIZES THE TOWN ADMINISTRATOR TO EXECUTE THE PURCHASE OF THE CRUISERS FROM CROWLEY FORD, LLC., 225 NEW BRITAIN AVENUE, PLAINVILLE, CONNECTICUT, FOR AN AMOUNT NOT TO EXCEED \$45,000.00.

Council Member Motola, seconded by Council Member Champagne made the above motion to approve a bid waiver for the Vernon Police Department to purchase 2 patrol vehicles from Crowley Ford, LLC. For an amount not to exceed \$45,000.00. Motion carried unanimously.

G. IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS

H. PENDING BUSINESS

I. NEW BUSINESS

1. **Request the Town Council approve the Springhill Suites request for a reduction in assessment.** (See the memorandum dated November 27, 2009, from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council regarding same.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE REDUCTION IN ASSESSMENT PURSUANT TO VERNON CODE 3-4 FOR NINE YEARS AS PRESENTED. THE TOWN COUNCIL FURTHER AUTHORIZES THE MAYOR OR TOWN ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH SPRINGHILL SUITES CONSISTENT WITH ITS APPLICATION AND IN COMPLIANCE WITH THE CONNECTICUT GENERAL STATUTES AND TOWN ORDINANCE

Council Member Motola, seconded by Council Member Etre made the above motion to approve the Springhill Suites request for a reduction in assessment. Discussion took place.

Council Member Herbst made a motion to postpone until the next meeting or the January meeting for a full presentation.

8:55 PM Council Member Campbell left the table

Discussion took place.

9:00 PM Council Member Campbell returned.

Motion to postpone failed, Council Members Etre, Anderson, Motola, Campbell, O'Shea, Thomas and Champagne opposed. Discussion continued.

Council Member Champagne requested a 5 minute recess.

RECESS (9:17 PM)

RECONVENE (9:25 PM)

Council Member Etre, seconded by Council Member Campbell made a motion for an amendment to have the assessment tied to the project as presented in the application already submitted to planning and zoning. Motion passed, Council members Herbst and Krupienski abstained.

Original motion as amended passed, Council Member's Schaefer, Herbst, Winkler and Krupienski opposed.

J. INTRODUCTION OF ORDINANCES

None

K. ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED

None

L. DISCUSSION OF ADDITIONAL AGENDA ITEMS, Pulled consent items from (f) and pulled items from (o) informational items, etc.

- C 2. Request the Town Council approve the following Budget Amendments #7 & 8 for fiscal year 2009-2010, as provided by James Luddecke, Finance Officer. (A copy of the budget amendment request is included in the Council's packet.)**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENTS # 7 & 8, FOR FISCAL YEAR 2009-2010, AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY JAMES LUDDECKE, FINANCE OFFICER.

Council Member Motola, seconded by Council Member Krupienski made the above motion to approve budget amendments #7 and 8 for fiscal year 2009-2010. Discussion took place. Motion carried unanimously.

- C 3. Request the Town Council reaffirm the Mayor's appointment of Harold Cummings as Town Attorney.**

PROPOSED MOTION:

THE TOWN COUNCIL, CONSISTENT WITH CHAPTER XI, SECTION 5, ENTITLED 'OTHER OFFICERS', HEREBY REAFFIRMS THE MAYOR'S APPOINTMENT OF HAROLD CUMMINGS AS TOWN ATTORNEY.

Council Member Motola, seconded by Council Member Etre made the above motion to reaffirm the Mayor's appointment of Harold Cummings as Town Attorney. Discussion took place. Motion carried, Council Members Schaefer, Herbst and Winkler opposed, Council Member Krupienski abstained.

- C 4. Request the Town Council reaffirm the Mayor's appointment of Susan Boyan as Assistant Town Attorney.**

PROPOSED MOTION:

THE TOWN COUNCIL, CONSISTENT WITH CHAPTER XI, SECTION 5, ENTITLED 'OTHER OFFICERS', HEREBY REAFFIRMS THE MAYOR'S APPOINTMENT OF SUSAN BOYAN AS ASSISTANT TOWN ATTORNEY.

Council Member Motola, seconded by Council Member Thomas made the above motion to reaffirm the Mayor's appointment of Susan Boyan as Assistant Town Attorney. Discussion took place. Motion carried, Council Members Winkler, Schaefer and Herbst abstained.

C 5. Request the Town Council reaffirm the Mayor's appointment of Martin Burke as Assistant Town Attorney.

PROPOSED MOTION:

THE TOWN COUNCIL, CONSISTENT WITH CHAPTER XI, SECTION 5, ENTITLED 'OTHER OFFICERS', HEREBY REAFFIRMS THE MAYOR'S APPOINTMENT OF MARTIN BURKE AS ASSISTANT TOWN ATTORNEY.

Council Member Motola, seconded by Council Member Etre made the above motion to reaffirm the Mayor's appointment of Martin Burke as Assistant Town Attorney. Discussion took place. Motion carried, Council Member Winkler abstained.

C 6. Request the Town Council reaffirm the Mayor's appointment of Aaron Jainchill as Assistant Town Attorney.

PROPOSED MOTION:

THE TOWN COUNCIL, CONSISTENT WITH CHAPTER XI, SECTION 5, ENTITLED 'OTHER OFFICERS', HEREBY REAFFIRMS THE MAYOR'S APPOINTMENT OF AARON JAINCHILL AS ASSISTANT TOWN ATTORNEY.

Council Member Motola, seconded by Council Member Champagne made the above motion to reaffirm the Mayor's appointment of Aaron Jainchill as Assistant Town Attorney. Discussion took place. Council Member Krupienski requested the Mayor look into lowering the fee paid to Town Attorneys during the rough period. Mayor McCoy will look into this. Motion carried, Council Member Herbst opposed, Council Member Winkler abstained.

C 10. Request the Town Council reaffirm the Condominium Hydrant Resolution. (A copy of said Resolution and memorandum from John D. Ward, Town Administrator dated November 24, 2009 to Mayor Jason L. McCoy and the Town Council is included in the Council's packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY REAFFIRMS THE RESOLUTION ENTITLED "RESOLUTION ADOPTING REIMBURSEMENTS FOR COSTS OF FIRE HYDRANTS WITHIN THE TOWN OF VERNON'S RESIDENTIAL CONDOMINIUM COMPLEXES AND PLANNED UNIT DEVELOPMENTS".

Council Member Motola, seconded by Council Member Champagne made the above motion to reaffirm the Condominium Hydrant Resolution. Discussion took place. Council Member Etre made a motion for a friendly amendment to add "Subject to Appropriations in the 2010-2011 budget cycle" to the beginning of the motion.

AMENDED MOTION:

SUBJECT TO APPROPRIATIONS IN THE 2010 – 2011 BUDGE CYCLE, THE TOWN COUNCIL HEREBY REAFFIRMS THE RESOLUTION ENTITLED "RESOLUTION ADOPTING REIMBURSEMENTS FOR COSTS OF FIRE HYDRANTS WITHIN THE

TOWN OF VERNON'S RESIDENTIAL CONDOMINIUM COMPLEXES AND PLANNED UNIT DEVELOPMENTS".

Motion carried, Council Member Schaefer opposed, Council Members Herbst and Krupinski abstained.

Informational Item #6:

Council Member Campbell requested adding the mean response time to the monthly EMS reports. Mayor McCoy suggested breaking the mean response time reporting into 2 different types, lights and sirens and non lights and sirens. Mayor McCoy will ask Chief Call and Ms. Gottier attend the next meeting to provide further information regarding EMS reporting.

Informational Item #1

Mayor McCoy requested Town Council Members provide information regarding Charter Oak health care to those constituents and friends in need.

(10:10 PM) Council Member Winkler, seconded by Council Member Schaefer made a motion to extend curfew until 11:00. Motion carried unanimously.

M. ADOPTION OF MINUTES

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF NOVEMBER 17, 2009 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Motola, seconded by Council Member Anderson made a motion to approve the minutes of the November 17, 2009 Regular Town Council meeting. Discussion took place. Council Member Campbell requested corrections to the typos on page 2 under citizen's forum. Motion carried, Council Members Schaefer and Champagne abstained.

Discussion took place regarding Council Members Etre and Schaefer's review of the September 15, 2009 meeting audio and minutes.

N. EXECUTIVE SESSION

Council Member Motola, seconded by Council Member Schaefer made the following motion to go into executive session:

MOTION:

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES §1-200(6)(B) HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS LABOR NEGOTIATIONS WITH THE FOLLOWING: THE PROFESSIONAL UNION, THE WATER POLLUTION CONTROL AUTHORITY SUPERVISORS UNION, AND THE DEPARTMENT OF PUBLIC WORKS SUPERVISORS UNION. FURTHER, THE TOWN COUNCIL INVITES JOHN D. WARD, TOWN ADMINISTRATOR; AND ATTORNEY EDWARD O'DONNELL TO ATTEND.

Motion carried unanimously.

Council Member Campbell, seconded by Council Member Thomas made the following motion:

MOTION:

THE TOWN COUNCIL AUTHORIZES THE MAYOR TO ENTER INTO THE TERMS AND CONDITIONS WITH THE PROFESSIONAL EMPLOYEES REPRESENTED BY LCOAL 818 OF COUNCIL 4 AFSCME AFL-CIO, AMERICAN FEDERATION OF STATE, COUNTY AND

MUNICIPAL EMPLOYEES LOCAL 818 OF COUNCIL #4 AFL CIO, AND THE WATER POLLUTION CONTROL SUPERVISORS REPRESENTED BY LOCAL 818 OF COUNCIL 4 AFSCME AFL CIO AS SET IN THE AGREEMENTS PRESENTED.

Motion carried unanimously.

O. INFORMATIONAL ITEMS, Petitions, communications, correspondence, reports, etc. not requiring action

1. A Quick Guide to Charter Oak, updated April, 2009.
2. Town Council Rules of Procedure, as submitted by Jill Kentfield.
3. Resignation letter from Judith M. Hany resigning from the Cemetery Commission.
4. Resignation letter from Judith M. Hany resigning from the Conservation Commission.
5. Monthly Report for October, 2009 for the Youth Service Bureau as submitted by Alan Slobodien, Director.
6. Monthly Report for October, 2009 for EMS, as submitted by Jean Gauthier, EMS Coordinator.

Adjourn (10:50 PM)

Council Member Motola, seconded by Council Member Thomas made a motion to adjourn. Motion carried unanimously.

Received:

Approved:

Respectfully Submitted,

Jill Kentfield
Recording Secretary