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

Tuesday, October 6, 2009 7:30 PM

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

A) PLEDGE OF ALLEGIANCE:

ROLL CALL:
Present: Council Members Bill Campbell, Daniel Champagne, Mark Etre, Bill Fox, Nancy E Herold, Brian R. Motola, Sean O'Shea, Pauline Schaefer, Harry D. Thomas, Michael A. Winkler
Absent: Council Members Daniel Anderson, Marie Herbst
Entered During Meeting:
Also Present: Mayor Jason L. McCoy, Town Administrator John Ward, Recording Secretary Jill Kentfield

CITIZEN'S FORUM
Christy Vale, 100 Dobson Road spoke as the vice chair of the Vernon Non Profit Housing Corporation. She informed Council Members that 2 houses on Village Street have sold and 2 other homes are under contract. She thanked those involved with the project.

7:41 PM Council Member Herold left the table

Lyman Risley, 29 Anchorage Road, still has concerns about Vernon's representation on the Bolton Lakes Regional Water Pollution Control Authority board not being equal to Bolton's representation.

7:46 PM Council Member Winkler left the table
7:46 PM Council Member Winkler returned

Lance Chernak, 50 Cubles Drive, spoke about concerns with the sewers becoming a catalyst for development

Bill Smith, 30 Brentwood Drive, asked for a moment of silence for the Connecticut soldier who died in Afghanistan.

7:49 PM Council Member Herold returned.

Lana Vaccaro, 49 Grier Road, thanked the Mayor for his efforts on the Bolton Lake ordinance changes and communication with citizens.

Citizen's forum closed at 7:50 PM

B.) **PUBLIC HEARING**
None

Mayor McCoy requested the discussion regarding Ordinance #242 be moved up in the agenda before discussing Consent agenda items pulled.

C.) **PRESENTATION**

1. Mayor Jason L. McCoy to present Congratulatory Citations to the Vernon 11-12 year old Girls Softball Tournament Team members and their coaches for bringing the District #8 Championship home to Vernon.

   The coaches and team members were present to receive their citations.

2. Mayor Jason L. McCoy to present Citations of Appreciation to the Vernon Volunteer Firefighters for their assistance to the Board of Education and the Fire Marshal's Office during the days leading up to the opening of Vernon's Schools for the new school year 2009-2010.

   Members of the Vernon Volunteer Firefighters were present to receive their citations Mayor McCoy thanked them for their time volunteered - equaling 180 hours - on August 25, 26, and 27, 2009 to inspect schools.

7:59 PM Council Member O'Shea left the table
7:59 PM Council Member O'Shea returned

3. Mayor Jason L. McCoy to present Citations of Appreciation to the Vernon Volunteer Firefighters who assisted the Vernon Parks and Recreation Department in preparing Horowitz Pool for its summer opening.

   Members of the Vernon Volunteer Firefighters were present to receive their citations, Mayor McCoy thanked them for their time volunteered on July 12, 2009 to assist in the filling of the Horowitz pool in time for the summer opening.

4. Mayor Jason L. McCoy to update the Town Council on various topics.

   This item was postponed until further in the agenda.

Council Member Motola, seconded by Council Member Thomas made a motion to approve the consent agenda presented. Council Member Campbell requested to pull consent agenda item # 3 for discussion. Council Member Etre requested to pull consent agenda item #5 for discussion. Discussion of these items will be moved to the end of the agenda. Motion carried unanimously to approve the consent agenda items # 1, 2 and 4 as presented.

D. **CONSENT AGENDA ITEMS**

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 September 28, 2009 is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES SIX (6) TAX REFUNDS TOTALING $2221.35 FOR PRIOR YEARS AND TWENTY (20) TAX REFUNDS TOTALING $1256.52 FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED SEPTEMBER 28, 2009.

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

C 2. **Request the Town Council authorizes Mayor Jason L. McCoy to apply for the Connecticut State Department of Education Grant for the Youth Service Bureau in the amount of $6,250.00.** (A copy of a memorandum from Alan Slobodien, Director of the Youth Service Bureau to Town Council Members dated 10-03-2009 and a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and Town Council Members dated 10-03-2009 are included in the packet for your review.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES THE APPLICATION BY THE TOWN OF VERNON FOR A GRANT FROM THE CONNECTICUT STATE DEPARTMENT OF EDUCATION IN THE AMOUNT OF $6,250.00 AND FURTHER AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR SAID APPLICATION.

Council Member Motola, seconded by Council Member Thomas made the above motion to authorize Mayor McCoy to apply for the CT State Department of Education grant for the Youth Service Bureau in the amount of $6250.00. Motion carried unanimously.

C 4 **Request the Town Council renew the Town of Vernon Freeze Property Tax Relief Program to September 30, 2011.** (The Property Tax Relief for elderly is up for re-adoption. The Director of Finance James Luddecke and Town Assessor David Wheeler will be present and available to answer any questions on the matter.)

PROPOSED RESOLUTION:

THE TOWN COUNCIL APPROVES THE RESOLUTION TO EXTEND THE ELDERLY FREEZE PROPERTY TAX RELIEF PROGRAM AS ADOPTED ON SEPTEMBER 18, 2007.

Council Member Motola, seconded by Council Member Thomas made the above motion to approve the renewal of the Town of Vernon Freeze Property Tax Relief Program through September 30, 2011. Motion carried unanimously.

E.) **IDENTIFICATION OF ADDITIONAL AGENDA ITEMS**
Council Member Motola requested to pull informational item # 6

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

Amendment to Ordinance No. 242

On August 18, 2009, the Town Council voted to send the Proposed Ordinance to a Public Hearing on September 15, 2009. Said public hearing was held and citizen commentary was received. The proposed ordinance is before you for your consideration. (Please see the enclosed memorandum from John D. Ward, Town Administrator, dated October 2, 2009, to Mayor Jason L. McCoy, the memorandum from John D. Ward concerning the Committee Membership, a Map of the District showing the Commercial property in question). BLRWPCA members and Representatives of Fuss & O'Neil will be present to discuss the status of the project, engineering details, and the district, along with Mr. David Ignatowicz, Director of the Town of Vernon's Water Pollution Control Authority.

Daniel Wright of the Bolton Lakes WPCA, and Marshall Gaston from Fuss and O'Neil presented information about the project and provided a large map of the service area and the different phases of connection. Other members of the Bolton Lakes WPCA and Fuss and O'Neil joined the discussion once they arrived.

8:15 Mayor McCoy left the table
8:16 Mayor McCoy returned

Members of the public and town council asked questions and discussion took place regarding the size of the pipes vs the flow and the reason behind them; cost for services; lots outside the geographical area; vacant lots; and phase timeframes for hooking up to the system. The different funding sources for the project was also discussed. The inter-municipal agreement with the Town of Manchester consists of up to 200,000 gallons per day flow rate. The average residence will have a flow of 200 gallons per day.

8:41 PM Council Members O'Shea and Herold left the table.

Council Member Winkler requested the corrected ordinance information from the Town Clerk's office. James Krupienski, Assistant Town Clerk handed out the information to members.

8:47 PM Council Member Herold returned.
8:49 PM Council Member O'Shea returned.

Extend Curfew: Council Member Campbell made a motion to extend curfew to 11:30 PM, motion carried, Council Member Herold opposed.

PROPOSED MOTION:

IN ACCORDANCE WITH CHAPTER V SECTION 4 AND 6 OF THE VERNON TOWN CHARTER, THE VERNON TOWN COUNCIL HEREBY MOVES THE ADOPTION OF AN ORDINANCE ENTITLED "**AN ORDINANCE AMENDING ORDINANCE #242 TO AUTHORIZE THE BOLTON LAKES REGIONAL WATER POLLUTION CONTROL AUTHORITY TO ADD PROPERTIES TO THE JURISDICTIONAL AREA".**

Council Member Campbell, seconded by Council Member O'Shea made a motion to adopt an ordinance entitled "An Ordinance Amending Ordinance #242 To Authorize The Bolton Lakes Regional Water Pollution Control Authority To Add Properties To The Jurisdictional Area."

9:49 PM Council Member Etre left the table

At the request of the Assistant Town Clerk Krupienski, Council Member Campbell, seconded by Council Member O'Shea agreed to an amendment to the motion in order to keep the original name of the ordinance and still be consistent with the changes presented in the agenda. Motion to read as follows:

IN ACCORDANCE WITH CHAPTER V SECTION 4 AND 6 OF THE VERNON TOWN CHARTER, THE VERNON TOWN COUNCIL HEREBY MOVES TO MAKE THE CHANGES TO ORDINANCE #242 ENTITLED "**AN ORDINANCE AMENDING ORDINANCE #242 AN ORDINANCE CREATING THE BOLTON REGIONAL WATER POLLUTION CONTROL AUTHORITY."**

9:56 Council Member Etre returned.

Discussion about the amendment took place.

Vote on the motion as amended failed, Council Members Winkler, Fox, Herold and Schaefer opposed.

RECESS (10:04 PM)

RECONVENE (10:07 PM)

Council Member Etre requested a point of order and point of information. He requested to have the recording from the September 15, 2009 meeting reviewed to determine if a motion was already on the table regarding this ordinance. Page 7 and 8 of the draft minutes from that meeting does not reflect a motion. He also questions why the ordinance changes were not included in the Town Council member packets. Mayor McCoy and the Town Clerks office will work out logistics regarding the ordinance corrections before the next meeting.

F.) **PENDING BUSINESS**
None

G.) **NEW BUSINESS**

1. **Update from Vernon Superintendent Richard Paskiewicz and Board of Education Member and Budget Steering Committee Chairman George Apel regarding the 2009-2010 budget.**

   Chairman Apel and Superintendent Paskiewicz provided a breakdown of the $300,000 cut to the board of education budget. A furlough day will be taken by all school staff including teachers, custodians, paraprofessional staff, support staff and the Superintendent on January 15, 2010 for a savings of $160,000 to the budget. Other cuts were made by changing school days from 184 to 182, workmen's compensation, copier lease, whiteboards, St. Bernard's School, language lab, and music coordinator to the teacher for a total of $146,000 in savings. The mid-week detentions at RHS and Paras were added back into the budget for a total of $6000.00. Discussion took place.

2. **Request that the Town Council approve participation in CRCOG'S RFP for a Trash Authority.** (Enclosed is a memorandum from John D. Ward, Town Administrator, dated 10/2/09 to Mayor McCoy and the Town Council).

   PROPOSED RESOLUTION:

THE TOWN COUNCIL, HEREBY RESOLVES TO: (1) ALLOW THE TOWN TO EXPRESS ITS PRELIMINARY INTEREST IN PARTICIPATING IN THE SOLID WASTE AUTHORITY FORMED BY THE CAPITOL REGION COUNCIL OF GOVERNMENTS, THE "CENTRAL CONNECTICUT SOLID WASTE AUTHORITY;" AND (2) AUTHORIZE THE MAYOR AND/OR HIS DESIGNEE TO SIGN ALL NECESSARY AGREEMENTS AND TAKE ALL NECESSARY ACTIONS TO ALLOW THE TOWN TO PAY A FEE OF FIVE HUNDRED DOLLARS ($500.00) TO HELP DEFRAY THE PROFESSIONAL FEES NECESSARY TO DRAFT A MODEL ORDINANCE WHICH THE TOWN MAY ADOPT, IF THE TOWN DECIDED TO BECOME A MEMBER OF THE ABOVE REFERENCED AUTHORITY.

Council Member Motola, seconded by Council Member Champagne made the above motion to approve the participation in CROCOG's RFP for a trash authority. Motion carried unanimously.

3. **Update and discussion with Jay Malcynski, Esq. and Jeffrey Zyjeski, Esq., of Gaffney, Bennett and Associates, Inc.** (This is just a discussion there are no documents included in the agenda.)

Jay Malcynski and Jeffrey Zyieski of Gaffney Bennett and Associates were present to answer any questions Town Council Members may have. They provided an overview regarding their activities and legislation of interest. Discussion took place

10:43 PM Council Member Etre left the table
10:46 PM Council Member Etre returned.

4. **Update to the Town Council from the Ordinance Review Task Force regarding their progress on the review of all of Town of Vernon Ordinances.** (A copy of a memorandum from Jason L. McCoy, Mayor to the Members of the Ordinance Review Task Force, Attorney Martin Burke and Town Clerk Bernice Dixon dated 09-30-09 and a letter from Diane Wheelock, Executive Assistant to Task Force dated 08-28-09 are included for Council review.)

Discussion took place regarding the progress of the Task Force. This item was left open for the next meeting.

H.) **INTRODUCTION OF ORDINANCES**
None

D.) **CONSENT AGENDA ITEMS continued.**

C 3 **Request the Town Council renew the Town of Vernon Elderly and Disabled Property Tax Relief Program § 12-129N, to September 30, 2011.** (The Property Tax Relief for elderly or disabled property owners is up for re-adoption. The Director of Finance James Luddecke and Town Assessor David Wheeler will be present and available to answer any questions on the matter.)

PROPOSED RESOLUTION:

THE TOWN COUNCIL HEREBY APPROVES THE RESOLUTION TO EXTEND ITS ELDERLY AND DISABLED PROPERTY TAX RELIEF PROGRAM AUTHORIZED PURSUANT TO CONN. GEN. STAT. §12-129N, ENTITLED "OPTIONAL TAX RELIEF PROGRAM FOR CERTAIN HOMEOWNERS AGE 65 OR OVER OR WHO ARE PERMANENTLY AND TOTALLY DISABLED AS ADOPTED ON SEPTEMBER 18, 2007 FOR AN ADDITIONAL TWO (2) YEARS UNTIL AND ENDING SEPTEMBER 30, 2011.

Council Member Motola, seconded by Council Member Campbell made the above motion to approve the renewal of the Town of Vernon Elderly and Disabled Property Tax Relief Program through September 30, 2011. Discussion took place

Council Member Campbell, seconded by Council Member Thomas made a motion for an amendment to change the qualifying income level caps from $30,500 to $37,300. Motion on amendment carried, Council Member Fox abstained.

Original Motion as amended carried, Council Member Fox abstained.

C 5 **Request the Town Council approve a budget transfer for the demolition of #8, #11 and #12 Ward Streets.**

PROPOSED MOTION:

THE TOWN COUNCIL AUTHORIZES THE RE-DESIGNATION OF AVAILABLE FUNDS IN THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT, TRANSFERRING $120,900.00 FROM THE CRRA SETTLEMENT PROCEEDS TO A DESIGNATION FOR THE REMOVAL OF STRUCTURES 8, 11 AND 12 WARD STREET.

Council Member Motola, seconded by Council Member Etre made the above motion to approve a budget transfer in the amount of $120,900 from the CRRA Settlement proceeds for the demolition of #8, #11 and #12 Ward Streets.

Council Member Champagne requested to amend the motion to require the project go out to bid. Amendment not necessary as the Town has a bid requirement for anything over $10,000 to go out to bid or reverse auction.

11:28 PM – Extend Curfew: Council Member Etre, seconded by Council Member O'Shea made a motion to extend curfew until end of business, motion carried, Council Members Fox and Herold opposed.

Original motion carried, Council Member Herold abstained.

J.) **DISCUSSION OF ADDITIONAL AGENDA ITEMS**

Council Member Motola requested to pull Informational item #6 to make it part of the official record. He recognized Ms. Wheelock for her efforts in negotiating cell phone contracts resulting in a cost savings to the town.

K.) **ADOPTION OF MINUTES**

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 15, 2009 AND THAT MINUTES OF SAID MEETING BE APPROVED.

This item will be discussed at the next council meeting pending a review of the recording regarding Ordinance #242.

L.) **EXECUTIVE SESSION**

Council Member Motola, seconded by Council Member Champagne 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) (D) HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS POTENTIAL CLAIM. THE TOWN COUNCIL INVITES JOHN D. WARD, TOWN ADMINISTRATOR, TOWN ATTORNEY HAROLD CUMMINGS, AND TERRY MCCARTHY, TOWN ENGINEER TO ATTEND.

Motion carried unanimously.

No action taken.

M.) **INFORMATIONAL ITEMS**

1. Senior Center Report for August 2009, submitted by Penny Rand, Senior Center Director.

2. Copy of letter from Deputy Mayor Brian Motola and Town Council to Bernice Dixon, Town Clerk dated September 16, 2009 regarding future Ordinance revisions.

3. Vernon Police Department report for August 2009, submitted by Captain Stephen Clark.

4. Building Department monthly report for August 2009 as submitted by B. Peter Hobbs, Building Official.

5. Copy of letter from Mayor Jason McCoy to Governor M. Jodi Rell dated September 15, 2009 regarding the potential use of DOT electronic highway signs to welcome home military units.

6. Memorandum from Diane Wheelock, Executive Assistant to Mayor Jason L. McCoy dated October 1, 2009 regarding cost savings on TOV Verizon bills.

7. Letter from Chester W. Morgan to Mayor Jason L. McCoy dated September 22, 2009 regarding an article dated September 2009, relative to the National Guard Bureau's Counterdrug Program "Stay on Track". 1SG Dan Morgan, US Army is a graduate of Rockville High School and former Town Council Member Chester Morgan's son.

8. Ambulance Report for September 2009, submitted by EMS Coordinator, Jean Gauthier.

Adjourn (12:13 AM)

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

Received:

Approved:

Respectfully Submitted,

Jill Kentfield
Recording Secretary