

MINUTES
VERNON TOWN COUNCIL MEETING
TOWN HALL - 14 PARK PLACE - 3rd Floor
VERNON, CONNECTICUT
TUESDAY, MAY 5, 2009 - 7:30 P.M.

The meeting was called to order at 7:30 PM

A) PLEDGE OF ALLEGIANCE:

ROLL CALL:

Present: Council Members Daniel Anderson, Bill Campbell, Daniel Champagne, Mark Etre, Bill Fox, Marie Herbst, Nancy E Herold, Brian R. Motola, Sean O'Shea, Michael A. Winkler

Absent: Pauline Schaefer, Harry D. Thomas

Entered During Meeting:

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

CITIZEN'S FORUM

There were no speakers at citizen's forum.

Citizen's forum closed at 7:31 PM

B.) PUBLIC HEARING

PUBLIC HEARING TO RECEIVE COMMENTS AND QUESTIONS RELATIVE TO AN AGREEMENT ENTITLED "INTER-AGENCY AGREEMENT FOR THE DESIGNATION OF FIRE MARSHALS".

Appendix A

Council Member Fox, seconded by Council Member Motola made a motion to open the public hearing. Motion carried unanimously.

Open Public Hearing (7:32 PM)

Mayor McCoy called the public hearing to order to receive comments and answer any questions from the public.

Mr. Walker explained the need for the Public Hearing and was available to answer questions. Discussion took place with Council Members. There were no speakers from the public.

Council Member Fox, seconded by Council Member Motola made a motion to adjourn the public hearing. Motion carried unanimously.

Close Public Hearing (7:35 PM)

C.) PRESENTATIONS

1. Presentation of the ***Police/Fire Trophy*** to Police Chief Kenny and Fire Chief William Call by Mr. John T. Garoppolo, Tournament Chairman, the Thirteenth Annual Fenix Memorial Bowling Tournament, benefiting the Fidelco Guide Dog Foundation.

Mr. Garoppolo presented the Chief trophy to Police Chief Kenny and Fire Chief Call and thanked them for their support. He stated that this year's benefit raised \$13,000. He also thanked the businesses in Vernon and surrounding areas for their sponsorship.

2. Certificate of Appreciation presented by Mayor Jason L. McCoy to the Lake Street Cub Scouts Pack #21, in honor of their work at Valley Falls Park for Earth Day.

Mayor McCoy presented a certification of appreciation to Lake Street Cub Scouts Pack #221 and thanked them for their work in removing invasive plant species at Valley Falls Park.

3. Certificate of Appreciation presented by Mayor Jason L. McCoy to the Vernon Teen Center, for their work at Central Park and Cogswell Fountain in honor of Earth Day.

Mayor McCoy presented a certificate of appreciation to the Vernon Teen Center and thanked them for their work in landscaping Central Park and Cogswell Fountain in honor of Earth Day.

4. Mayoral Proclamation presented by Mayor Jason L. McCoy to Dr. April Little, Local Coordinator, Kid's Day America.

Mayor McCoy presented a mayoral proclamation to Dr. April Little for her coordination of Kid's Day America which is taking place on May 16, 2009 at CT Golf Land. The event is to educate the youth on nutrition, safety, health and the environment. The event proceeds will go to a child in the town of Vernon who suffers from spina biffeda.

Council Member Motola, seconded by Council Member O'Shea made a motion to approve the consent agenda items as presented. Council Member Winkler pulled consent item #2 and Council Member Fox pulled consent item #3 for discussion. Motion carried unanimously to approve the consent agenda items 1, 4 and 5 as presented.

D.) CONSENT AGENDA ITEMS

- C 1. Request for Tax Refunds Prior Years and Current Year.** (A copy of the memorandum from Terry Hjarne, Assistant Collector of Revenue to John D. Ward, Town Administrator dated April 27, 2009 is included for your review.) **Appendix B**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES FOUR (4) TAX REFUNDS TOTALLING \$474.68 FOR THE CURRENT FISCAL YEAR, AS OUTLINED IN THE MEMORANDUM FROM THE ASSISTANT COLLECTOR OF REVENUE DATED APRIL 27, 2009 TO TOWN ADMINISTRATOR JOHN D. WARD.

Council Member Motola, seconded by Council Member O'Shea made a motion to approve the request for tax refunds prior years and current years in the amount of \$474.68. Motion carried unanimously.

- C 2. Request the Town Council approve budget amendments #28-#31 for fiscal 2008-2009, as provided by James Luddecke, Finance Officer.** **Appendix C**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT REQUESTS #28-#31 FOR FISCAL YEAR 2008-2009, AS OUTLINED IN BUDGET AMENDMENT FORMS PROVIDED BY THE FINANCE OFFICER.

Council Member Motola, seconded by Council Member Champagne made a motion to approve the budget amendments #28 – 31 for Fiscal Year 2008-2009. Discussion took place. Motion carried unanimously.

- C 3. Request the Town Council approve the Mayor's appointment of Francis O. Kaplan, (R) of 344 Merline Road, Vernon Connecticut as a regular member of the Planning and Zoning Commission, effective May 6, 2009 and ending December 31, 2009, filling the unexpired term of Pat Settembrino that began January 01, 2007 and ends December 31, 2009.** (An updated resume has been requested from Mr. Kaplan and will be at the table on Tuesday.)

PROPOSED MOTION:

PURSUANT TO CHARTER CHAPTER VIII, SECTIONS 1,6 &11; ESTABLISHED 01-01-1985; CGS § 8-4 a & b, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF FRANCIS O. KAPLAN, (R) OF 344 MERLINE ROAD, VERNON CONNECTICUT TO THE PLANNING AND ZONING COMMISSION AS A REGULAR MEMBER, TO COMPLETE THE UNEXPIRED TERM OF PAT SETTEMBRINO, WHICH BEGAN JANUARY 01, 2007 AND ENDS ON DECEMBER 31, 2009. SAID APPOINTMENT IS EFFECTIVE ON 05-06-2009 AND ENDS ON DECEMBER 31, 2009.

Council Member Motola, seconded by Council Member Champagne made a motion to approve the Mayor's appointment of Francis O. Kaplan as a regular member of the Planning and Zoning Commission effective May 6, 2009 ending December 31, 2009. Discussion took place. Motion carried unanimously.

- C 4. Request the Town Council authorize Mayor Jason L. McCoy to make application for the 2009-2011 School Readiness Grant.** (A copy of a memorandum dated 05-05-2009 from Alan M. Slobodien, YSB Director to the Town Council and a memorandum from John D. Ward to the Mayor Jason L. McCoy and the Town Council dated 05-01-2009 are included for your review.)

PROPOSED MOTION:

THE TOWN COUNCIL AUTHORIZES THE MAYOR JASON L. MCCOY TO EXECUTE ALL FORMS NECESSARY TO APPLY FOR AND ACCEPT SCHOOL READINESS FUNDS IN THE AMOUNT OF \$107,000 FOR FY 2009-2010 AND \$107,000 FOR FISCAL YEAR 2010-2011.

Council Member Motola, seconded by Council Member O'Shea made a motion to authorize Mayor McCoy to apply for the 2009-2011 School Readiness Grant. Motion carried unanimously.

- C 5. Request the Town Council authorize Mayor Jason L. McCoy to enter into and execute the necessary documentation required for an Agreement between the Town of Vernon and Fay, Spofford & Thorndike, LLC for construction inspection services required in conjunction with the replacement of the Spring Street Bridge (No 04572) over the Hockanum River.** (A copy of a memorandum dated May 1, 2009 from John D. Ward, Town Administrator to the Mayor Jason L. McCoy and the Town Council is included for your review.)

PROPOSED MOTION:

THE TOWN COUNCIL IN ACCORDANCE WITH CHAPTER XII, SECTION 9, OF THE TOWN CHARTER, DETERMINES THAT IT IS IN THE BEST INTEREST OF THE TOWN TO WAIVE THE BID PROCEDURE FOR ENTERING INTO A CONTRACT WITH THE CONTRACTOR FAY, SPOFFORD & THORNDIKE AND AUTHORIZES MAYOR JASON L. MCCOY TO EXECUTE THE CONTRACT FOR INSPECTION SERVICES FOR THE SPRING STREET BRIDGE PROJECT IN THE AMOUNT OF TWO HUNDRED AND SIXTY THOUSAND NINE HUNDRED AND TWENTY DOLLARS (\$260,920.00).

Council Member Motola, seconded by Council Member O'Shea made a motion to authorize Mayor McCoy to enter into and execute the necessary documentation required for an agreement between the Town of Vernon and Fay, Spofford & Thorndike, LLC for construction inspection services required in conjunction with the replacement of the Spring Street Bridge in the amount of \$260,920.00. Motion carried unanimously.

E.) IDENTIFICATION OF ADDITIONAL AGENDA ITEMS

F.) PENDING BUSINESS

1. **Discussion with David Ignatowicz, Director of the Water Pollution Control Authority, regarding the WPCA Budget that was returned by the Town Council for additional review and reduction by the WPCA Board.** (A copy of a memorandum dated April 28, 2009 from Dave Ignatowicz, Director of Water Pollution Control is included in the Council packet for your review.)

Mr. Ignatowicz presented the WPCA budget recommendation to reduce object code 58400 by \$20,000.

Council Member Campbell, seconded by Council Member Etre made a motion to approve the budget reduction for a total WPCA budget of \$5,708,145.00. Discussion took place. Motion carried unanimously.

G.) NEW BUSINESS

None

H.) INTRODUCTION OF ORDINANCES

None

I.) ACTION ON ORDINANCES PREVIOUSLY PRESENTED

None

J.) DISCUSSION OF ADDITIONAL AGENDA ITEMS

Council Member Herbst made a motion to go into Executive Session for a brief discussion and update on wages for Non-union and union contracts presently in negotiation related to the 2009-2010 budget.

RECESS (8:00 PM)

RECONVENE (8:05 PM)

Motion failed, as there was no second.

K.) ADOPTION OF MINUTES

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF APRIL 21, 2009 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Motola, seconded by Council Member Campbell made a motion to approve the April 21, 2009 minutes. Council Member Campbell requested a correction to the motion made on page 5 regarding WPCA – original motion passed. Motion carried with corrections, Council Member Herbst abstained.

Note: Please amend date of September 16, 2008 to read April 28, 2009

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE SPECIAL MEETING OF APRIL 28, 2009 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Motola, seconded by Council Member Champagne made a motion to approve the April 28, 2009 minutes with the amended date to read April 28, 2009. Council Member Winkler requested the minutes reflect his concern about the final version of the budget may not be balanced. Council Member Motola and Council Member Champagne withdrew their motion.

L.) EXECUTIVE SESSION

None

M.) INFORMATIONAL ITEMS

1. Dedication Ceremony for the Restoration of the First Civil War Soldiers Monument, Sunday May 24, 2009 at 9:30 am at the Talcottville Congregational Church.
2. Report from Vernon Youth Services Bureau Director Alan Slobodien, dated March 2009.
3. Vernon Parks and Recreation Spring/Summer Guide 2009

Adjourn (8:11 PM)

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

Received: May 6, 2009

Approved: May 19, 2009

Respectfully Submitted,
Jill Kentfield
Recording Secretary

James Krupienski, Asst.

Appendix A

Interagency Agreement for the Designation of Fire Marshals

WHEREAS, Conn. Public Act No. 01-117 authorizes two or more municipalities to jointly perform any function that each municipality may perform separately under any provisions of the general statutes or of any special act, charter, or home rule ordinances,

WHEREAS, the Town of Vernon and the Town of South Windsor believe that the mutual assistance in the sharing of the expertise and services of their respective Fire Marshal and / or Deputy Fire Marshals is in the best interests of each town; and

WHEREAS, the Town of Vernon and the Town of South Windsor is each willing to designate its Fire Marshal and/or Deputy Fire Marshal to act as Deputy Fire Marshal in the other town; and

Towards that end, The Town of Vernon and the Town of South Windsor do hereby agree as follows:

1. That each town hereby designates it's Fire Marshal and/or Deputy Fire Marshals to have the authority to act as a Deputy Fire Marshal in the other town and such designation shall be consistent with and conform to all of the provisions of CT General Statutes Section 29-297.
2. The parties to this agreement each acknowledge that the primary responsibility and duty of each Fire Marshal and Deputy Fire Marshal is to serve the Town of his or her employment. There is no obligation to provide service to the Town which is not the primary employer, except to the extent his or her primary duties allow.
3. In the event the services of one town's Fire Marshal or Deputy Fire Marshal are requested outside that individual's normal work day, such services and any other services contemplated by this arrangement shall not create an employer – employee relationship between the requesting town and that individual.
4. The Town of Vernon and the Town of South Windsor shall indemnify each other and hold each other harmless from and against any and all claims arising out of any of the services performed by the personnel of one town on behalf of the other.

Appendix A (cont)

Page 2 of 2

5. This mutual assistance shall be activated upon the request for assistance from the Fire Marshal of the receiving town. In the absence of that Fire Marshal the assistance may be activated by a Deputy Fire Marshal, the Fire Chief, or the fire officer of the receiving town serving as Incident Commander at an incident.
6. Any appointment made pursuant to this arrangement shall terminate as to any appointed individual upon the termination of that individual's employment or the failure of that individual to maintain his or her certification as a Fire Marshal. Either town may terminate this arrangement by giving written notice, with the termination being effective thirty (30) days from the date of the notice. Furthermore, this agreement shall be reviewed by each municipality no later than 5 years from the date of implementation and periodically thereafter.

TOWN OF VERNON

TOWN OF SOUTH WINDSOR

Jason L. McCoy
Mayor
Town of Vernon

Mathew B. Galligan
Town Manager
Town of South Windsor

Date

Date

Appendix B



OFFICE OF THE
COLLECTOR OF REVENUE

CONSENT #1
TOWN OF VERNON

8 PARK PLACE, VERNON, CT 06066
Tel: (860) 870-3660
Fax: (860) 870-3585

TO: John Ward, Town Administrator
FROM: Terry Hjarne, Assistant Collector of Revenue *Terry Hjarne*
DATE: April 27, 2009
SUBJECT: Refunds for Town Council Approval

PRIOR YEARS: None

CURRENT YEAR:

Althaus Nathan D.....	35.69
Paid Wrong Amount	
Arbogast Jeffrey E.....	238.94
Assessor's Correction – Out of State	
Calvello Jessica L.....	170.05
Assessor's Correction – Vehicle Totaled	
Magnan Edmond F.....	30.00
Paid Wrong Amount	

(4) Current Overpayments \$ 474.68

Appendix C

CONSENT # 2

5/1/2009

TOWN OF VERNON

ADDITIONAL APPROPRIATIONS FROM GENERAL FUND BALANCE
FISCAL YEAR 2008 - 2009

Date	Description	#	Pass Through	Additional Appropriation	Total
09/02/08	Collector of Revenue - Rebate for recall on fax machine	2	\$ 100.00	-	\$ 100.00
12/02/08	Data Processing - Building Inspection GEOTMS software	6	-	25,000.00	25,000.00
	Note: Total cost is \$35,000.00 / Contingency provides \$10,000.00				
02/17/09	Public Works - 11 chemical control units with GPS	8	-	69,080.00	69,080.00
	General Election - Advertising / Telephones	9	6,250.00	-	6,250.00
	General Election - Election worker wages	9	-	6,034.00	6,034.00
	General Election - Advertising / Supplies / Food [Encb. Liquid.]	10	1,417.00	-	1,417.00
	Collector of Revenue - Printing of tax bills [Encb. Liquid.]	11	647.56	-	647.56
03/17/09	Fire Department - Rescue truck transmission repair	18	-	8,000.00	8,000.00
	Fire Department - "Jaws of Life" and related equipment	18	-	45,000.00	45,000.00
04/21/09	Elections - Office supplies (to be funded by encumb. liquidation)	19	180.00	-	180.00
	Law - Town Attorney, special counsel, and labor relations	20	-	68,000.00	68,000.00
	Parks - Horowitz pool repairs due to harsh winter	21	-	30,000.00	30,000.00
	Capital Improvements - Hybrid grants	22	11,400.00	-	11,400.00
	Arts Commission - Encumbrance liquidation change - performers	23	800.00	-	800.00
05/05/09	Elections - Voting machines (to be funded by encumb. liquidation)	30	372.58	-	372.58
	Youth Services - School Readiness Manager	31	11,188.00	-	11,188.00
Totals to Date:			\$ 32,355.14	\$ 251,114.00	\$ 283,469.14
<i>Original Budget:</i>					75,451,602.00
<i>Revised Budget:</i>					\$ 75,735,071.14
Balance brought forward:			\$ 32,355.14	\$ 251,114.00	\$ 283,469.14

Appendix C (cont)

Budget Amendment Request

Total Amount Requested: \$200.00 Fiscal Year 2008 - 2009 Date: April 30, 2009

To: Finance Officer	From (Department): <u>Fire Fighting & Administration</u>	Amendment #: <u>28</u>
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Type of Amendment (X): Additional Appropriation Pass-Through Transfer

Request is hereby submitted for amendment(s) of budget as indicated.

Department	Account Description	Org Code	Object	Amount
From:				
Fire Fighting & Administration	Computer Hardware	10231183	57710	\$200.00
"FROM" Subtotal:				\$200.00

Department	Account Description	Org Code	Object	Amount
TO:				
1. Fire Fighting & Administration	Food	10231183	56300	\$200.00
2.				
3.				
4.				
"TO" Subtotal:				\$ 200.00

No.	COMMENTS CONCERNING BUDGET AMENDMENT REQUEST
1.	To cover food costs.
2.	

	1	2	3	4
Balance in account for which funds are requested:	\$129.26			
Original appropriation in account:	1,000.00			
Plus or minus prior amendments:	-			
Amount of appropriation to date:	\$ 1,000.00			

William Call
Department Head

William Call
Signature

April 30, 2009
Date

At a meeting of the Town Council held on _____ the above request(s) was/were approved in the amount of: _____

Signature of Town Administrator: _____

Appendix C (cont)

Budget Amendment Request

Total Amount Requested: \$280.⁰⁰ Date: 04-29-09 FY 08-09

To: Finance Officer	From:(Department) Elections	Amendment # 29
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Request is hereby submitted for amendment(s) of budget as indicated.

Department	Account Description	Org Code	Object	Amount
FROM:				
Office Registration	Yoter Canvass Fees	10113130	53014	280. ⁰⁰

Department	Account Description	Org Code	Object	Amount
TO:				
1. Office Registration	Postage + Delivery	10113130	56172	280. ⁰⁰
2.				
3.				
4.				

COMMENTS CONCERNING BUDGET AMENDMENT REQUEST

- Additional Appropriation
- Pass-Through
- Transfer

Need to transfer these funds to pay for all town of Vernon Permits that now come out of our Budget. Would like these transferred and bills paid by May 11th 2009 so that we do not have to pay the higher rate when postal services go up on the 11th.

	1	2	3	4
Balance in account for which funds are requested:	875.00			
Original appropriation in account:	4,000. ⁰⁰			
Plus or minus prior amendments:	<145. ⁰⁰ >			
Amount of appropriation to date:	3,855. ⁰⁰			

DEPARTMENT HEAD: Beaudreau/Noblet SIGNATURE: [Signature] DATE: 04-29-09

At a meeting of the Town Council held on _____, the above request(s) was/were approved in the amount of \$ _____ Town Administrator: _____

Appendix C (cont)

Budget Amendment Request

Total Amount Requested: \$372.58 Fiscal Year 2008 - 2009 Date: April 30, 2009

To: Finance Officer From (Department): General Election Amendment #: **30**

Type of Amendment (X): Additional Appropriation Pass-Through Transfer

Request is hereby submitted for amendment(s) of budget as indicated.

Department	Account Description	Org Code	Object	Amount
From:				
General Fund	Fund Balance	100	31200	\$372.58
"FROM" Subtotal:				\$372.58

Department	Account Description	Org Code	Object	Amount
TO:				
1. General Elections	Voting Machines	10113131	57550	\$372.58
2.				
3.				
4.				
"TO" Subtotal:				\$ 372.58

No. *COMMENTS CONCERNING BUDGET AMENDMENT REQUEST*

1. Request to liquidate the balance of encumbered P.O. #20085283 and reappropriate into the current year's budget to pay for items associated with the voting machines that were needed from a different vendor.

	1	2	3	4
Balance in account for which funds are requested:	\$0.00			
Original appropriation in account:	-			
Plus or minus prior amendments:	-			
Amount of appropriation to date:	\$ -			

Judith Beaudreau/Patricia Noblet
Department Head


Signature

April 30, 2009
Date

At a meeting of the Town Council held on _____ the above request(s) was/were approved in the amount of: _____
Signature of Town Administrator: _____

Appendix C (cont)

Budget Amendment Request

Total Amount Requested: \$ 11,188.00 Date: 4/23/2009 FY 2008/09

To: Finance Officer	From: (Department) Youth Services Bureau	Amendment # 31
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REQUEST IS HEREBY SUBMITTED FOR AMENDMENT(S) OF BUDGET AS INDICATED.

DEPARTMENT	ACCOUNT DESCRIPTION	ORG. CODE	OBJECT	AMOUNT
FROM:				
General Fund	Fund Balance	100	31200	\$11,188.00
TO:				
Youth Services	Part time salaries	10456241	51030	\$11,188.00

Comments Concerning Budget Amendment Request

- Additional Appropriation
- Pass-Through
- Transfer

School Readiness Project Manager Salary.

	1	2	3	4
Balance in account for which funds are requested:	67,367.45			
Original appropriation in account:	\$15,276.00			
Plus or minus prior amendments:	- 0 -			
Amount of appropriation to date:	\$15,276.00			

Department Head Alan M. Slobodien Signature *Alan M. Slobodien* Date: April 23, 2009

At a meeting of the Town Council held on _____, the above request(s) was/were approved

In the amount of \$ _____ Town Administrator: _____