

POSTED 3/15/2010

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

TUESDAY, MARCH 16, 2010
7:00 P.M.

- A.) PLEDGE OF ALLEGIANCE
- B.) ROLL CALL
- C.) CITIZENS FORUM

RECEIVED
VERNON TOWN CLERK
10 MAR 15 AM 8:40

D.) PUBLIC HEARINGS (RECESSED PUBLIC HEARING)

PUBLIC HEARING TO RECEIVE COMMENTS AND QUESTIONS RELATIVE TO AN ORDINANCE ENTITLED "**ORDINANCE NO. ____, AN ORDINANCE REQUIRING A CERTIFICATE OF APARTMENT OCCUPANCY.**"

- MAYOR MCCOY CALLS THE PUBLIC HEARING BACK TO ORDER TO RECEIVE COMMENTS AND ANSWER ANY QUESTIONS.
- MAYOR MCCOY AND TOWN COUNCIL RECEIVE PUBLIC COMMENT.
- ADJOURN THE PUBLIC HEARING.
- RETURN TO REGULAR TOWN COUNCIL MEETING.

E) PRESENTATIONS BY THE ADMINISTRATION

1. Mayor Jason L. McCoy to address the Town Council on the Town of Vernon proposed budget for 2010-2011.
2. Mayor Jason L. McCoy to discuss various topics and items of interest with the Town Council.

F) ACTION ON CONSENT AGENDA

- C 1. Request for Tax Refunds for the Current Year.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward, Town Administrator dated March 5, 2010 is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES ONE (1) TAX REFUND IN THE AMOUNT OF \$55.98 FOR PRIOR YEAR AND REFUNDS TOTALLING \$8758.74, FOR TAX REFUNDS FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED MARCH 5, 2010.

- C 2. Request the Town Council continue their support and authorize the purchase of recycling toter containers; refuse toter containers; and automated side loading trucks.** (A copy of a memorandum from DPW Director Robert Kleinhans to John D. Ward, Town Administrator and James Luddecke, Finance Officer, dated March 10, 2010; and a memorandum dated March 10, 2010 from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Vernon Town Council are included for Council's review.)

PROPOSED MOTION # 1

THE TOWN COUNCIL MOVES TO: (1) AUTHORIZE THE LEASE PURCHASE OF 5,000 REFUSE TOTES CONTAINERS AND 3,070 RECYCLING TOTES CONTAINERS, FOR THE TOTAL OF 8,070 CONTAINERS, COMPATIBLE WITH THE AUTOMATED REFUSE AND RECYCLING COLLECTION, AS WELL AS HOT STAMP OPTION FOR 5,000 RECYCLING TOTES CONTAINERS; FOR A TOTAL PURCHASE PRICE OF NOT TO EXCEED \$450,000 ON A SEVEN YEAR LEASE WITH PAYMENTS NOT TO EXCEED \$77,000 PER YEAR; AND FURTHER (2) AUTHORIZE MAYOR JASON L. MCCOY OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS TO COMPLETE THIS PROJECT.

PROPOSED MOTION # 2

THE TOWN COUNCIL MOVES TO: (1) AUTHORIZE THE LEASE PURCHASE OF ONE NEW AUTOMATED SIDE LOADING TRUCK, COMPATIBLE WITH THE AUTOMATED REFUSE OR RECYCLING COLLECTION, FOR A TOTAL PURCHASE PRICE OF NOT TO EXCEED \$220,000 ON A SEVEN YEAR LEASE WITH PAYMENTS NOT TO EXCEED \$37,000 PER YEAR; AND FURTHER (2) AUTHORIZE MAYOR JASON L. MCCOY OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS TO COMPLETE THIS PROJECT.

PROPOSED MOTION # 3

THE TOWN COUNCIL MOVES TO: (1) AUTHORIZE THE PURCHASE OF ONE ADDITIONAL USED AUTOMATED SIDE LOADING TRUCK, COMPATIBLE WITH THE AUTOMATED REFUSE OR RECYCLING COLLECTION, TO SERVE AS BACKUP EQUIPMENT FOR AUTOMATED REFUSE AND RECYCLING COLLECTION; FOR A TOTAL PURCHASE PRICE OF NOT TO EXCEED \$50,000; FURTHER (2) AUTHORIZE THE DESIGNATION OF AVAILABLE FUNDS IN THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT, TRANSFERRING UP TO \$50,000 FROM THE CRRA PROCEEDS SETTLEMENT TO THE USED AUTOMATED SIDE LOADING TRUCK; AND FURTHER (3) AUTHORIZE MAYOR JASON L. MCCOY OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS TO COMPLETE THIS PROJECT.

- C 3. Request the Town Council approve the Mayor's reappointment of Theresa Battaglio (D), 655 Talcottville Road, Unit 35, Vernon, Connecticut as an alternate member of the Historic Properties Commission for a term to commence on 04-04-2010 and end on 04-03-2013.** (A copy of Ms. Battaglio's resume is included in the Council packet.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE NO. 185 (TOWN CODE SEC. 2-122) THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF THERESA BATTAGLIO (D), 655 TALCOTTVILLE ROAD, UNIT 35, VERNON, CONNECTICUT AS AN ALTERNATE MEMBER OF THE HISTORIC PROPERTIES COMMISSION FOR A TERM TO COMMENCE ON 04-04-2010 AND END ON 04-03-2013.

- C 4. Request the Town Council approve the Mayor's reappointment of Melissa S. Saucier, (R), 84 Frederic Road, Vernon, Connecticut as a regular member of the Historic Properties Commission for a term to commence on 04-04-2010 and end on 04-03-2015.** (A copy of Ms. Saucier's resume is included in the Council packet.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE NO. 185 (TOWN CODE SEC. 2-122) THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF MELISSA S. SAUCIER, (R), 84 FREDERIC ROAD, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE HISTORIC PROPERTIES COMMISSION FOR A TERM TO COMMENCE ON 04-04-2010 AND END ON 04-03-2015.

- C 5. Request the Town Council approve the Mayor's appointment of Carol S. Nelson, (R), 419 Lady Bug Lane, Vernon, Connecticut as an alternate member of the Historic Properties Commission for a term to commence on 04-04-2010 and end on 04-03-2011.** (A copy of Ms. Nelson's resume is included in the Council packet.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE NO. 185 (TOWN CODE SEC. 2-122) THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF CAROL S. NELSON, (R), 419 LADY BUG LANE, VERNON, CONNECTICUT AS AN ALTERNATE MEMBER OF THE HISTORIC PROPERTIES COMMISSION FOR A TERM TO COMMENCE ON 04-04-2010 AND END ON 04-03-2011.

- C 6. Request the Town Council authorize the Mayor Jason L. McCoy to sign the ARRA -Talcottville Improvements Agreement for the construction, inspection and maintenance of the Talcottville enhancements. (See a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Vernon Town Council dated March 8, 2010.)**

PROPOSED RESOLUTION:

BE IT RESOLVED THAT MAYOR JASON L. MCCOY BE AND HEREBY IS AUTHORIZED TO SIGN THE AGREEMENT ENTITLED "AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE TOWN OF VERNON FOR THE CONSTRUCTION, INSPECTION AND MAINTENANCE OF THE TALCOTTVILLE ENHANCEMENTS UTILIZING FEDERAL FUNDS UNDER THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 PUBLIC LAW 111-5".

- C 7. Request the Town Council approve a Resolution entitled: "A Resolution adopting reimbursement for costs of qualified street lights within the Town of Vernon's residential condominium complexes and planned unit developments.**

PROPOSED RESOLUTION:

RESOLUTION ADOPTING REIMBURSEMENT FOR COSTS OF QUALIFIED STREET LIGHTS WITHIN THE TOWN OF VERNON'S RESIDENTIAL CONDOMINIUM COMPLEXES AND PLANNED UNIT DEVELOPMENTS.

WHEREAS, there exist within the Town of Vernon, Residential Condominium Complexes and Planned Unit Developments ("Associations"), and

WHEREAS, there exist private streets and roads within an Association that provide access to residences, parking areas and driveways within the association along which exist streetlights metered and charged to said association to provide for the safety and security of it's residents while traveling on said roads and streets ("Qualified Streetlights"), and

WHEREAS, there exist as well within said associations common and individually metered lighting that provide lighting for walkways, driveways, parking lots, recreational areas and other limited use areas ("Non-Qualified Streetlights"), and

WHEREAS, the Vernon Town Council has determined as a matter of general equity and fairness to residential home owners that the cost of operation of Qualified Streetlights for the Associations within the Town of Vernon should be included, as part of the General Government Budget for Fiscal Year 2010-2011, and

WHEREAS, the total cost of operation of Qualified Streetlights for Fiscal Year 2010-2011 will be determined by the survey of the Qualified Streetlights.

NOW, THEREFORE, BE IT RESOLVED, that the Vernon Town Council hereby approves, for Fiscal Year 2010-2011, the inclusion of the sum to be determined based on the survey of the Qualified Streetlights in the General Government Budget for the operation of Qualified Streetlights for Residential Condominium Complexes and Planned Unit

Developments within the Town of Vernon to be paid to those Associations that submit their cost data and an itemization of the number and locations of all Qualified Streetlights within their Association by April 15, 2010. The Town shall verify by June 1, 2010 the itemized locations are in fact Qualified Streetlights. Pursuant to this Resolution, Residential Condominium Complexes and Planned Unit Developments shall submit monthly invoices to the Finance Department, who in turn will pay the actual invoice up to the amount as specified on the data sheet supplied to the Town Assessor on or before June 30, 2010. In no event shall any amount submitted by Residential Condominium Complexes and Planned Unit Developments in excess of the amount submitted on or before June 30, 2011 be paid by the Town of Vernon. This Resolution shall be effective for Fiscal Year 2010-2011 only, subject to the adoption of said fiscal year budget. Appropriations for servicing the streetlights for Residential Condominium Complexes and Planned Unit Developments

for future fiscal years shall require timely submission of streetlight cost data by the Associations and a continuing Resolution by the Vernon Town Council by December 31st for consideration in the next fiscal year's budget.

- C 8. Request the Town Council authorize the Mayor Jason L. McCoy to sign the Memorandum of Agreement regarding the use of Federal Grant Funding and Custodial Ownership of Regional Assets from the State of Connecticut Department of Emergency Management and Homeland Security.**

PROPOSED RESOLUTION:

BE IT RESOLVED THAT THE TOWN OF VERNON MAY ENTER INTO WITH AND DELIVER TO THE STATE OF CONNECTICUT DEPARTMENT OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY ANY AND ALL DOCUMENTS WHICH IT DEEMS TO BE NECESSARY AND APPROPRIATE.

BE IT FURTHER RESOLVED THAT JASON L. MCCOY AS THE MAYOR OF THE TOWN OF VERNON IS AUTHORIZED AND DIRECTED TO EXECUTE AND DELIVER ANY AND ALL DOCUMENTS ON BEHALF OF THE TOWN OF VERNON AND TO DO AND PERFORM ALL ACTS AND THINGS WHICH HE DEEMS TO BE NECESSARY OR APPROPRIATE TO CARRY OUT.

- C 9. Request the Town Council authorize the Mayor Jason L. McCoy to apply for and sign all documents relative to the Connecticut State Library, Historic Documents Preservation Grant. (See memorandum dated March 9, 2010 from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Vernon Town Council.)**

PROPOSED RESOLUTION #1:

BE IT RESOLVED THAT MAYOR JASON L. MCCOY BE EMPOWERED TO EXECUTE AND DELIVER IN THE NAME OF AND ON BEHALF OF THIS MUNICIPALITY (TOWN OF VERNON) A CONTRACT WITH THE CONNECTICUT STATE LIBRARY FOR THE HISTORIC DOCUMENTS PRESERVATION GRANT.

PROPOSED RESOLUTION #2:

BE IT RESOLVED THAT THE TOWN OF VERNON HEREBY ADOPTS AS ITS POLICY TO SUPPORT NON-DISCRIMINATION AGREEMENTS AND WARRANTIES REQUIRED UNDER CONNECTICUT GENERAL STATUTES §4A-60(A)(1) AND §4A-60A (A) (1) AND 10(A) (1) OF PUBLIC ACT 07-142.

- C 10. Request the Town Council authorize two additional appropriations to the Parks and Recreation Department in the amount of \$13,735.00 for pool filling and \$18,094.00 for the community pool project.**

PROPOSED MOTION #1:

THE TOWN COUNCIL MOVES TO APPROVE THE ADDITIONAL APPROPRIATION OF \$13,735.00 TO ACCOUNT 10560254-54130 - MAINTENANCE - WATER, TO COVER ADDITIONAL UTILITY WATER EXPENSE.

PROPOSED MOTION #2:

THE TOWN COUNCIL MOVES TO APPROVE THE ADDITIONAL APPROPRIATION OF \$18,094.00 TO ACCOUNT 10560254-54390 - MAINTENANCE - OTHER REPAIR AND MAINTENANCE, TO COVER ADDITIONAL COMMUNITY POOL PROJECT EXPENSES.

G.) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS

H.) PENDING BUSINESS

1. **Discussion and Update on the previous meetings agenda item entitled 670 Dart Hill Road.** (See memorandum dated March 12, 2010 from Town Administrator John D. Ward. The requested log information from Mr. Abraham Ford will be on your table when you arrive on Tuesday.)

I.) NEW BUSINESS

1. **Discussion of Registrar of Voters recommendation of a voting district redistricting plan.** (Judith Beaudreau and Patty Noblet the Registrars of Voters will be present to discuss and answer questions.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY MOVES TO ACCEPT THE REDISTRICTING PLAN, TO REDUCE THE NUMBER OF POLLING PLACES FROM SIX (6) TO FOUR (4), EFFECTIVE IMMEDIATELY.

J.) INTRODUCTION OF ORDINANCES

K.) ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED

ORDINANCE ITEM NO. ONE

“ORDINANCE NO. _____, an Ordinance entitled “TOWN OF VERNON ENERGY IMPROVEMENT DISTRICT AND ENERGY IMPROVEMENT DISTRICT BOARD”.

PROPOSED MOTION:

IN ACCORDANCE WITH CHAPTER V, SECTIONS 4 AND 6 OF THE VERNON TOWN CHARTER, THE TOWN COUNCIL MOVES TO ADOPT AN ORDINANCE ENTITLED **“TOWN OF VERNON ENERGY IMPROVEMENT DISTRICT AND ENERGY IMPROVEMENT DISTRICT BOARD”.**

ORDINANCE ITEM NO. TWO

ORDINANCE NO. _____, "AN ORDINANCE REQUIRING A CERTIFICATE OF APARTMENT OCCUPANCY".

PROPOSED MOTION:

THE TOWN COUNCIL, CONSISTENT WITH CHAPTER V, SECTION 4 AND 6 OF THE VERNON TOWN CHARTER, HEREBY MOVES TO APPROVE **ORDINANCE NO. _____, "AN ORDINANCE REQUIRING A CERTIFICATE OF APARTMENT OCCUPANCY".**

ALTERNATE MOTION ONE :

THE TOWN COUNCIL, CONSISTENT WITH CHAPTER V, SECTIONS 4 AND 6 OF THE VERNON TOWN CHARTER, HEREBY MOVES TO REJECT **ORDINANCE NO. _____, "AN ORDINANCE REQUIRING A CERTIFICATE OF APARTMENT OCCUPANCY".**

ALTERNATE MOTION TWO :

THE TOWN COUNCIL, CONSISTENT WITH CHAPTER V, SECTION SIX OF THE VERNON TOWN CHARTER, ENTITLED "PUBLIC HEARING ON AND PUBLICATION OF ORDINANCES," HEREBY SCHEDULES A PUBLIC HEARING REGARDING AN ORDINANCE ENTITLED "**ORDINANCE NO. _____, AN ORDINANCE REQUIRING RESIDENTIAL RENTAL BUSINESS LICENSES**" AT 7:05 PM ON TUESDAY, APRIL 20, 2010 LOCATED AT THE COUNCIL CHAMBERS, THIRD FLOOR, 14 PARK PLACE, VERNON, CONNECTICUT TO RECEIVE COMMENTS AND ANSWER QUESTIONS RELATIVE TO THE PROPOSED ORDINANCE.

L.) DISCUSSION OF ADDITIONAL AGENDA ITEMS, PULLED CONSENT ITEMS FROM F) AND PULLED ITEMS FROM O) INFORMATIONAL ITEMS, ETC

M.) ADOPTION OF MINUTES

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF MARCH 2, 2010 AND THAT MINUTES OF SAID MEETING BE APPROVED.

N.) EXECUTIVE SESSION

O.) INFORMATIONAL ITEMS, PETITIONS, COMMUNICATIONS, CORRESPONDENCE, REPORTS, ETC. NOT REQUIRING ACTION

1. Building Department Monthly Report, February, 2010 as submitted by Harry Dan Boyko, Assistant Building Official.
2. Youth Service Bureau Monthly Report, January, 2010 as submitted by Alan M. Slobodien, Director.
3. EMS Monthly Report, February, 2010 as submitted by Jean Gauthier, EMS Coordinator.
4. Invitation to "The Stephen C. Marcham A Cappella Slam".
5. Letter to Chief James Kenny, Chairman of the Vernon Traffic Authority regarding the proposed one-way on Maple Street in front of Maple Street School.
6. Youth Service Bureau Monthly Report, February, 2010 as submitted by Alan M. Slobodien.
7. Town Clerk Monthly Report, February, 2010 as submitted by Town Clerk Bernice K. Dixon.