

AGENDA  
VERNON TOWN COUNCIL  
**REGULAR MEETING**  
TOWN HALL - 14 PARK PLACE - 3<sup>rd</sup> Floor  
VERNON, CONNECTICUT

TUESDAY, SEPTEMBER 15, 2009  
7:30 P.M.

A.) PLEDGE OF ALLEGIANCE

ROLL CALL

CITIZEN'S FORUM

RECEIVED  
VERNON TOWN CLERK  
09 SEP 14 AM 10:28

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B.) PUBLIC HEARING

PUBLIC HEARING #1 (7:35 PM) TO RECEIVE COMMENTS RELATIVE TO **"AN ORDINANCE AMENDING ORDINANCE #248 TO AUTHORIZE THE APPOINTMENT OF TWO ADDITIONAL MEMBERS TO THE BOARD OF ASSESSMENT APPEALS FOR TAX YEARS 2009 AND FOLLOWING."** (A copy of the Legal Notice and a copy of the proposed Amended Ordinance are included in the Council's agenda packet.)

MAYOR CALLS THE PUBLIC HEARING TO ORDER

CLERK READS THE LEGAL NOTICE

MAYOR CALLS FOR PUBLIC COMMENT

MAYOR DECLARES THE PUBLIC HEARING CLOSED

PUBLIC HEARING #2 (7:40 PM) TO RECEIVE COMMENTS RELATIVE TO 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**". (A copy of the Legal Notice and a copy of the proposed Amended Ordinance are included in the Council's agenda packet.)

MAYOR CALLS THE PUBLIC HEARING TO ORDER

CLERK READS THE LEGAL NOTICE

MAYOR CALLS FOR PUBLIC COMMENT

MAYOR DECLARES THE PUBLIC HEARING CLOSED

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C.) PRESENTATION

1. Mayor Jason L. McCoy to present proclamations to David O'Rourke, Hockanum Valley Community Council, and Chris Luginbuhl, co-founder, of "Become a Part of the Solution" here in Vernon, declaring September 2009 as **National Alcohol & Drug Addiction Recovery Month** in the Town of Vernon.
  2. Mayor Jason L. McCoy to present a proclamation to Geraldine Strong, Daughter's of the American Revolution, declaring September 17-23, 2009 as **Constitution Week** in Vernon.
  3. Mayor Jason L. McCoy along with Anne Fischer, Vernon Board of Education, and Steve Krajewski, Assistant Director, Vernon Parks and Recreation and Charlie Chatterton to announce the Winning School for the "Vernon Keeps Moving Initiative". This is part of the Mayor's Cup Challenge Program.
  4. Mayor Jason L. McCoy to present a proclamation to Ray Walker, Fire Marshal declaring October 4 - 10, 2009 **Fire Prevention Week** in Vernon and October 4, 2009 **Fire Prevention Day**.
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## 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 4, 2009 is included in the Council packet.)

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY APPROVES NINE (9) TAX REFUNDS TOTALLING \$8,074.04 FOR PRIOR YEARS, AND 59 TAX REFUNDS TOTALLING \$8,201.36 FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED SEPTEMBER 4, 2009.

- C 2. Request the Town Council approve the following Budget Amendment #5 as for fiscal year 2009-2010, as provided by James Luddecke, Finance Officer.** (A copy of the budget amendment request is included in the Council packet.)

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT #5, FOR FISCAL YEAR 2009-2010, AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY JAMES LUDDECKE, FINANCE OFFICER.

- C 3. Request the Town Council approve the disposition of equipment as per attached documentation by the Cemetery Commission.** (A copy of a memorandum from James M. Luddecke, Finance Officer and Treasurer to John D. Ward, Town Administrator dated September 10, 2009 is included for your review.)

**PROPOSED MOTION:**

THE TOWN COUNCIL APPROVES THE DISPOSAL OF FIXED ASSETS LISTED ON THE FORM DATED SEPTEMBER 15, 2009 AS REQUESTED BY THE VERNON CEMETERY COMMISSION.

- C 4. Request the Town Council approve the bid waiver for Fire Extraction Equipment.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and Town Council Members dated 09-10-2009 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 IN REGARD TO THE PURCHASE OF THE FOLLOWING EQUIPMENT FROM HURST FOR THE VERNON FIRE DEPARTMENT: HEAVY DUTY SPREADERS, CUTTERS AND RAMS, POWER UNITS AND STABILIZATION EQUIPMENT FOR THE SUM OF FORTY FOUR THOUSAND, EIGHT HUNDRED AND FORTY DOLLARS AND SEVENTY FOUR CENTS (\$44,840.74). AFTER A THOROUGH INVESTIGATION, THIS SUPPLIER IS FOUND TO MATCH THE NEEDS OF VERNON AND THE COSTS OF SAME.

- C 5. Request the Town Council approve the Bid Waiver for the emergency repairs to the 1994 Aerial Ladder Truck.** (A copy of a memorandum from James M. Luddecke, Finance Officer and Treasurer to John D. Ward, Town Administrator dated 09-10-2009 is included for your 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 EMERGENCY REPAIR PARTS FOR THE AERIAL LADDER FIRE TRUCK, AND HEREBY WAIVES THE BID PROCEDURE AND AUTHORIZES THE TOWN ADMINISTRATOR TO EXECUTE THE PURCHASE OF REPAIR PARTS FROM GREENWOOD EMERGENCY VEHICLES OF NORTH ATTLEBORO, MASSACHUSETTS, FOR AN AMOUNT NOT TO EXCEED \$12,600.00.

- C 6. Request the Town Council approve the assignment of tax liens for #52 Village Street to the Vernon Housing Authority.** (A copy of a memorandum from John D. Ward, Town Administrator dated September 10, 2009 to Mayor Jason L. McCoy and the Town Council Members is included for your review.)

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY ASSIGNS ANY AND ALL OUTSTANDING TAX LIENS ON 52 VILLAGE STREET, SAID PARCEL FURTHER DESCRIBED AS TAX MAP #23-093-00022 INCLUDING LIENS ON THE GRAND LIST OCTOBER 1, 2001 AND OCTOBER 1, 2002 TO THE VERNON HOUSING AUTHORITY.

- C 7. Request the Town Council approve the Mayor's appointment of Victor Riscassi, (U) 71 Bette Circle, Vernon, Connecticut 06066, as an Alternate Member of the Planning and Zoning Commission for a term effective September 16, 2009 and ending December 31, 2014.** (A copy of Mr. Riscassi's resume is included in the Council packet.)

**PROPOSED MOTION:**

PURSUANT TO CHARTER CHAPTER VIII, SEC. 1, 6 & 11 01/01/1985; C.G.S. §8-4A&B, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF VICTOR RISCASSI, (U) 71 BETTE CIRCLE, VERNON, CONNECTICUT 06066, AS AN ALTERNATE MEMBER OF THE PLANNING AND ZONING COMMISSION FOR A TERM EFFECTIVE SEPTEMBER 16, 2009 AND ENDING DECEMBER 31, 2014.

- C 8. Request the Town Council approve the reappointment of Carole Guttman, (D), and 6 Lantern Lane Vernon, Connecticut as a regular member of the Board of Assessment Appeals for a term beginning September 16, 2009 and ending June 30, 2012.** (A copy of Ms. Guttman's resume is included in the Council packet.)

**PROPOSED MOTION:**

PURSUANT TO 2 C.G.S. §7-105; CHARTER CHAPTER IX, SEC. 3, THE TOWN COUNCIL HEREBY APPROVES THE REAPPOINTMENT OF CAROLE GUTTMAN, (D), 6 LANTERN LANE AS A REGULAR MEMBER OF THE BOARD OF ASSESSMENT APPEALS FOR A TERM BEGINNING SEPTEMBER 16, 2009 AND ENDING JUNE 30, 2012.

- C 9. Request the Town Council approve the Mayor's reappointment of Mark S. Etre, (R), 5 Rheel Street, Vernon, Connecticut as a regular member of the Capital Improvement Committee for a term effective September 16, 2009 and ending August 31, 2012.** (A copy of Mr. Etre's resume is included in the Council packet.)

**PROPOSED MOTION:**

PURSUANT TO ORDINANCE 138; TOWN CODE SEC. 10-61 - 10-63, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF MARK S. ETRE, (R), 5 RHEEL STREET, VERNON CONNECTICUT AS A REGULAR MEMBER OF THE CAPITAL IMPROVEMENT COMMITTEE FOR A TERM EFFECTIVE SEPTEMBER 16, 2009 AND ENDING AUGUST 31, 2012.

- C 10. 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 \$23,069.00.** (A copy of a memorandum from Alan Slobodien, Director of the Youth Service Bureau to Town Council Members dated 09-10-2009 and a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and Town Council Members dated 09-10-2009 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 \$23,069.00 AND FURTHER AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR SAID APPLICATION.

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E.) IDENTIFICATION OF ADDITIONAL AGENDA ITEMS

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F.) PENDING BUSINESS

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G.) NEW BUSINESS

1. **Request the Town Council adopt the Tankerhoosen River Watershed Stakeholders Agreement.** (A copy of a memorandum from Len Tundermann, Town Planner dated September 4, 2009 to John D. Ward, Town Administrator, the draft of the Stakeholders Agreement, the Executive Summary of the Tankerhoosen Watershed Plan and IWC minutes of 03-24-2009 and PZC minutes of 04-02-2009 are included for your review.)

**PROPOSED MOTION:**

THE VERNON TOWN COUNCIL ENDORSES THE CONCEPT OF THE TANKERHOOSSEN WATERSHED MANAGEMENT PLAN AND AUTHORIZES THE MAYOR TO SIGN ON BEHALF OF THE TOWN OF VERNON THE "STAKEHOLDERS AGREEMENT FOR THE TANKERHOOSSEN WATERSHED MANAGEMENT PLAN" AS PRESENTED.

2. **Request that the Town Council approve a re-allocation of bond funding for a new roof at Rockville High School.** (A copy of a memorandum from John D. Ward, Town Administrator to the Mayor Jason L. McCoy and Town Council Members dated 09-11-2009; a letter from Town Attorney Harold Cummings dated 12-05-2008 to John Leary, Chairman of the School Building Advisory Commission and an email from Mr. Sam Caligiuri, Bond Counsel dated August 16, 2009 to John Leary, Chairman of the School Building Advisory Commission are included for your review.)

**PROPOSED RESOLUTION :**

BE IT RESOLVED, THE VERNON TOWN COUNCIL HEREBY CONFIRMS THAT THE ROCKVILLE HIGH SCHOOL ROOF REPLACEMENT PROJECT, STATE PROJECT TMP-146-RFVZ IS COVERED UNDER ORDINANCE #257. THE TOWN COUNCIL FURTHER RESOLVES THAT THE FUNDING OF \$34,657,000.00 APPROVED BY THE TOWN VOTERS ON MARCH 29, 2005 INCLUDES THE PROPOSED ROOF REPLACEMENT AND THAT \$3,120,000.00 OF THOSE FUNDS MAY BE ALLOCATED TO THE ROOF REPLACEMENT PROJECT.

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

**PROPOSED MOTION:**

NONE

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H.) INTRODUCTION OF ORDINANCES

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I.) ACTION ON ORDINANCES PREVIOUSLY PRESENTED

**ACTION ON ORDINANCE NO. 248**

**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 NO. 248 TO AUTHORIZE THE APPOINTMENT OF TWO ADDITIONAL MEMBERS TO THE BOARD OF ASSESSMENT APPEALS FOR TAX YEARS 2009 AND FOLLOWING**".

**ACTION ON ORDINANCE NO. 242**

**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**".

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J.) DISCUSSION OF ADDITIONAL AGENDA ITEMS

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K.) ADOPTION OF MINUTES

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF AUGUST 18, 2009 AND THAT MINUTES OF SAID MEETING BE APPROVED.

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE SPECIAL TOWN COUNCIL MEETING - AUGUST 24, 2009 AND THAT MINUTES OF SAID MEETING BE APPROVED.

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L.) EXECUTIVE SESSION

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: THE SALE OF TOWN-OWNED PROPERTY - OVIATE ROAD. THE TOWN COUNCIL INVITES JOHN D. WARD, TOWN ADMINISTRATOR AND TOWN ATTORNEY HAROLD CUMMINGS TO ATTEND.

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES §1-200 (6) (E) HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS: CONTRACT NEGOTIATIONS RELATIVE TO ROOSEVELT MILLS, AND INVITES JOHN D. WARD, TOWN ADMINISTRATOR AND TOWN ENGINEER, TERRY MCCARTHY TO ATTEND.

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M.) INFORMATIONAL ITEMS

1. Town Clerk's Office Report for July 2009, submitted by Bernice K. Dixon, Town Clerk.
2. Town Clerk's Office Report for August, 2009, submitted by Bernice K. Dixon, Town Clerk.
3. Town of Vernon Fire Department EMS report for July 2009, submitted by Jean Gauthier, Ambulance Supervisor.
4. Vernon Police Department report for July 2009, submitted by Captain Stephen Clark.
5. Building Department monthly report for August, 2009 as submitted by B. Peter Hobbs, Building Official.
6. Vernon Community Network Progress Report handout requested from Alan Slobodien, Director, Youth Service Bureau.
7. Youth Service Bureau Monthly Reports for July – August, 2009 submitted by Alan Slobodien, Director of YSB.