

POSTED 1/29/2010  
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AGENDA  
VERNON TOWN COUNCIL  
**REGULAR MEETING**  
TOWN HALL - 14 PARK PLACE - 3<sup>rd</sup> Floor  
VERNON, CONNECTICUT

TUESDAY, February 2, 2010  
7:00 P.M.

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

RECEIVED  
VERNON TOWN CLERK  
10 JAN 29 PM 12:35

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D.) PUBLIC HEARINGS (7:05 PM)

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 TO ORDER TO RECEIVE COMMENTS AND ANSWER ANY QUESTIONS.
- MAYOR AND COUNCIL RECEIVE PUBLIC COMMENT.
- ADJOURN THE PUBLIC MEETING.
- RETURN TO REGULAR MEETING.

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E.) PRESENTATIONS BY THE ADMINISTRATION

1. Discussion with Mayor Jason L. McCoy on various topics.
2. Presentation from Mayor Jason L. McCoy to Holly Gibson for her contributions to our community thru her work with the Visiting Nurse and Health Services of Connecticut. Holly has been named "Health Care Hero for 2009" by the Hartford Business Journal. (Also present for the ceremony will be Dianne Welch, Director of Hospice and Judy Stone of the Visiting Nurse and Health Services of Connecticut.

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F.) ACTION ON CONSENT AGENDA

- C 1. Request for Tax Funds Prior Years and Current Year.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward, Town Administrator dated January 25, 2010 is included in the Council packet).

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY APPROVES FIVE (5) REFUNDS TOTALING \$13,557.57 FOR PRIOR YEARS AND TEN (10) TAX REFUNDS TOTALING \$1502.05 FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED JANUARY 25, 2010.

- C 2. Request the Town Council approve the budget amendment # 68 for fiscal year 2008-2009, and amendment # 12 for fiscal year 2009-2010 reflected on the budget amendment forms provided by James Luddecke, Finance Officer.** (A copy of the budget amendment requests are included in the Council packet.)

**PROPOSED MOTION 2A:**

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT # 68 FOR FISCAL YEAR 2008-2009, AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY THE FINANCE OFFICER JAMES LUDDECKE.

**PROPOSED MOTION 2B:**

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT # 12, FOR FISCAL YEAR 2009-2010 AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY THE FINANCE OFFICER JAMES LUDDECKE.

- C 3. Request the Town Council approve the Mayor's appointment of Robert D. McGarity, Jr., (R), 151 Hany Lane, Vernon, Connecticut as a regular member of Design Review Advisory Commission, said term to commence February 3, 2010 and expires on December 31, 2012.**  
(A copy of Mr. McGarity's resume is included for Council review.)

**PROPOSED MOTION:**

PURSUANT TO ORDINANCE #268, TOWN CODE SECTIONS 10-105 - 10-108 THE TOWN COUNCIL APPROVES THE MAYOR'S APPOINTMENT OF ROBERT D. MCGARITY, JR.,(R), 151 HANY LANE, VERNON, CONNECTICUT, AS A REGULAR MEMBER OF THE DESIGN REVIEW ADVISORY COMMISSION, SAID TERM SHALL COMMENCE ON FEBRUARY 3, 2010 AND EXPIRES ON DECEMBER 31, 2012.

- C 4. Request the Town Council approve the Mayor's appointment of Adam B. Weissberger, (R), 75 Hockanum Blvd., Unit 3313, Vernon, Connecticut, as a regular member of the Water Pollution Control Authority, said appointment to commence on February 3, 2010 and expires on December 31, 2012.** (A copy of Mr. Weissberger's resume is included for Council review.)

**PROPOSED MOTION:**

PURSUANT TO CHARTER CHAPTER VIII, SEC. 3; AND CHARTER CHAPTER XII, SEC. 4, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF ADAM B. WEISSBERGER, (R), 75 HOCKANUM BLVD., UNIT 3313, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE WATER POLLUTION CONTROL AUTHORITY, SAID APPOINTMENT TO COMMENCE ON FEBRUARY 3, 2010 AND EXPIRES ON DECEMBER 31, 2012.

- C 5. Request the Town Council approve the bid waiver for a used automated side loading truck.** (A copy of a memorandum from Robert Kleinahans, Director of the Department of Public Works dated January 29, 2010 to John Ward, Town Administrator and Mayor Jason L. McCoy; and a memorandum from John D. Ward Town Administrator to Mayor Jason L. McCoy and Town Council Members dated January 29, 2010 are included for the Council's 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 SEALED BID PROCEDURE FOR THE PURCHASE OF A USED AUTOMATED SIDE LOADING TRUCK IN THE AMOUNT OF FORTY-EIGHT THOUSAND, SIX HUNDRED DOLLARS (\$48,600.00).

- C 6. Request to schedule a Public Hearing to receive comments and questions regarding the establishment of An Ordinance entitled "An Ordinance Amending Ordinance #282"** (A copy of a memorandum dated January 28, 2010 from John D. Ward, Town Administrator to Mayor McCoy and the Vernon Town Council, and the proposed ordinance are included in the Council packet.)

**PROPOSED MOTION**

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 "**ORDINANCE NO. \_\_, AN ORDINANCE AMENDING ORDINANCE #282**", SAID PUBLIC HEARING TO TAKE PLACE AT 7:05 PM ON TUESDAY, FEBRUARY 16, 2010 LOCATED AT THE COUNCIL CHAMBERS, THIRD FLOOR, 14 PARK PLACE, VERNON, CONNECTICUT TO RECEIVE COMMENTS AND ANSWER QUESTIONS RELATIVE TO THE PROPOSED ORDINANCE.

- C 7. Request the Town Council to schedule a Public Hearing for February 16, 2010 to receive comments and questions regarding the establishment of an Ordinance entitled "TOWN OF VERNON ENERGY IMPROVEMENT DISTRICT AND ENERGY IMPROVEMENT DISTRICT BOARD".** (A copy of a memorandum dated January 28, 2010 from John D. Ward, Town Administrator to Mayor McCoy and the Vernon Town Council, and the proposed ordinance are included in the Council packet.)

**PROPOSED MOTION**

THE TOWN COUNCIL, CONSISTENT WITH CHAPTER V OF THE VERNON TOWN CHARTER, SEC. 6, ENTITLED "PUBLIC HEARING ON AND PUBLICATION OF ORDINANCES," HEREBY SCHEDULES A PUBLIC HEARING REGARDING THE PROPOSED ORDINANCE ENTITLED "TOWN OF VERNON ENERGY IMPROVEMENT DISTRICT AND ENERGY IMPROVEMENT DISTRICT BOARD" AT 7:20 PM ON TUESDAY, FEBURARY 16, 2010 LOCATED AT THE COUNCIL CHAMBERS, THIRD FLOOR, 14 PARK PLACE, VERNON, CT TO RECEIVE COMMENTS AND QUESTIONS RELATIVE TO THE PROPOSED ORDINANCE.

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G.) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS

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H.) PENDING BUSINESS

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I.) NEW BUSINESS

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J.) INTRODUCTION OF ORDINANCES

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K.) ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED

**ITEM # ONE:** ORDINANCE #291 “AN ORDINANCE ESTABLISHING PROCEDURE AND FEES FOR LICENSING AND PERMITS FOR WORK PERFORMED WITHIN A PUBLIC RIGHT OF WAY”. (Please see the attached memorandum, dated January 28, 2010 from John D. Ward, Town Administrator)

**PROPOSED MOTION:**

THE TOWN COUNCIL, CONSISTENT WITH CHAPTER V, SECTION SIX OF THE VERNON TOWN CHARTER, ENTITLED “PUBLIC HEARING ON AND PUBLICATION OF ORDINANCES,” HEREBY MOVES TO ADOPT AN ORDINANCE ENTITLED ORDINANCE 291, “AN ORDINANCE AMENDING ORDINANCE # 279 AN ORDINANCE ESTABLISHING PROCEDURE AND FEES FOR LICENSING AND PERMITS FOR WORK PERFORMED WITHIN A PUBLIC RIGHT OF WAY”.

**ITEM # TWO:** ORDINANCE NO. \_\_\_\_\_, “AN ORDINANCE REQUIRING A CERTIFICATE OF APARTMENT OCCUPANCY”. This is the ordinance from the February 2, 2010 Public Hearing. This was originally proposed by Councilman Etre. (Please see enclosed memorandum dated January 28, 2010 from Town Administrator, John. D. Ward.)

**PROPOSED MOTION:**

THE TOWN COUNCIL, CONSISTENT WITH CHAPTER V, SECTION SIX OF THE VERNON TOWN CHARTER, ENTITLED “PUBLIC HEARING ON AND PUBLICATION OF ORDINANCES,” HEREBY MOVES TO ADOPT ORDINANCE NO. \_\_\_\_\_, “AN ORDINANCE REQUIRING A CERTIFICATE OF APARTMENT OCCUPANCY”.

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

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M.) ADOPTION OF MINUTES

**THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE SPECIAL MEETING OF JANUARY 27, 2010 AND THAT MINUTES OF SAID MEETING BE APPROVED.**

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N.) EXECUTIVE SESSION ISSUES

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