

Posted 7-15-11  
BKIS

AGENDA  
VERNON TOWN COUNCIL  
**REGULAR MEETING**  
TOWN HALL - 14 PARK PLACE - 3<sup>rd</sup> Floor  
VERNON, CONNECTICUT  
TUESDAY, JULY 19, 2011  
7:00 P.M.

RECEIVED  
VERNON TOWN CLERK  
11 JUL 15 AM 11:31

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

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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 CREATING AN OTHER POST EMPLOYMENT BENEFITS TRUST FUND AND AN OTHER POST EMPLOYMENT BENEFITS BOARD"**.

MAYOR MCCOY TO OPEN THE PUBLIC HEARING

CLERK READ THE LEGAL NOTICE

MAYOR AND TOWN COUNCIL RECEIVE PUBLIC COMMENT

ADJOURN PUBLIC HEARING

RETURN TO REGULAR MEETING

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E.) PRESENTATIONS BY THE ADMINISTRATION

1. Deputy Mayor, Brian Motola requested a demonstration of the License Plate Reader (LPR) system by Kevin Schneider of Warnock Auto. No action is requested at this time.
  2. Mayor Jason L. McCoy to report to the Town Council on various topics.
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F.) ACTION ON CONSENT AGENDA

- C 1. Request for Tax Refunds for Prior and Current Years.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward, Town Administrator dated July 11, 2011 is included in the Council packet.)

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY APPROVES SIX (6) OVERPAYMENTS FOR PRIOR YEAR TOTALLING \$2,346.17 AND FIVE (5) OVERPAYMENTS FOR CURRENT YEAR TOTALLING \$423.36 AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED JULY 11, 2011.

- C 2. Request the Town Council approve budget amendments #54-60 for fiscal year 2010-2011, as provided by Finance Officer James Luddecke.** (A copy of budget amendment forms are attached for Council review.)

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT REQUESTS # **54-60 FOR** FISCAL YEAR 2010-2011, AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY THE FINANCE OFFICER, JAMES LUDDECKE.

- C 3. Request the Town Council approve Mayor Jason L. McCoy's appointment of Ronald C. Kane (R), 15 Tobias Court, Vernon, Connecticut as a member of the Senior Citizens Advisory Committee, said appointment to begin on July 20, 2011 and expire on June 30, 2014.** (A copy of Mr. Kane's resume is included for Council review.)

**PROPOSED MOTION:**

PURSUANT TO VERNON'S CHARTER CHAP. XV, SEC. 3; EST. 03-02-1982, THE TOWN COUNCIL APPROVES THE MAYOR'S APPOINTMENT OF RONALD C. KANE (R), 15 TOBIAS COURT, VERNON, CONNECTICUT AS A MEMBER OF THE SENIOR CITIZENS ADVISORY COMMITTEE, SAID APPOINTMENT TO BEGIN ON JULY 20, 2011 AND EXPIRE ON JUNE 30, 2014.

- C 4. Request the Town Council approve Mayor Jason L. McCoy's reappointment of William G. Fox (D), 2 Eastview Drive, Vernon, Connecticut as a regular member of the Human Services Advisory Commission, said appointment to begin on July 1, 2011 and expires June 30, 2013.** (A copy of Mr. Fox's resume is included for Council review.)

**PROPOSED MOTION:**

PURSUANT TO CHARTER CHAPTER XV, SEC. 3, 05-02-1989  
TOWN RESOLUTION VOL. 24, PAGE 382 AS AMENDED /VOL. 37  
PAGE 266 AND TOWN COUNCIL RESOLUTION DATED 02-19-  
2002, THE TOWN COUNCIL HEREBY APPROVES MAYOR JASON  
L. MCCOY'S APPOINTMENT OF WILLIAM G. FOX (D), 2  
EASTVIEW DRIVE, VERNON, CONNECTICUT, AS A REGULAR  
MEMBER OF THE HUMAN SERVICES ADVISORY COMMISSION,  
SAID APPOINTMENT TO BEGIN ON JULY 1, 2011 AND EXPIRE  
ON JUNE 30, 2013.

- C 5. Request the Town Council approve Mayor Jason L. McCoy's reappointment of Timothy J. Poloski (D), 38 Risley Road, Vernon, Connecticut as a regular member of the Capital Improvement Committee, said appointment to begin on September 1, 2011 and expires August 30, 2014.**

**PROPOSED MOTION:**

PURSUANT TO VERNON TOWN CODE, ARTICLE V, SECTIONS  
10-61-10-63, THE TOWN COUNCIL HEREBY APPROVES THE  
MAYOR'S REAPPOINTMENT OF TIMOTHY J. POLOSKI (D), 38  
RISLEY ROAD, VERNON, CONNECTICUT AS A REGULAR  
MEMBER OF THE CAPITAL IMPROVEMENTS COMMITTEE, SAID  
APPOINTMENT TO BEGIN ON SEPTEMBER 1, 2011 EXPIRES  
AUGUST 30, 2014.

- C 6. Request the Town Council approve Mayor Jason L. McCoy's reappointment of M. Lisa Moody, (R), 89 Campbell Avenue, Vernon, Connecticut as a regular member of the Capital Improvement Committee, said appointment to begin on September 1, 2011 and expires on August 30, 2014.** (A copy of Ms. Moody's resume is included for Council review.)

**PROPOSED MOTION:**

PURSUANT TO VERNON TOWN CODE, ARTICLE V, SECTIONS 10-61-10-63, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF M. LISA MOODY, (R), 89 CAMPBELL AVENUE, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE CAPITAL IMPROVEMENTS COMMITTEE, SAID APPOINTMENT TO BEGIN ON SEPTEMBER 1, 2011 EXPIRES AUGUST 30, 2014.

- C 7. Request the Town Council approve Mayor Jason L. McCoy's reappointment of Jeffrey A. Boulrice, (D), 15 Hilltop Avenue, Vernon, Connecticut as a regular member of the Energy Improvement District Board, said term to begin July 20, 2011 and expires on June 30, 2016.** (A copy of Mr. Boulrice's resume is included for Council review.)

**PROPOSED MOTION:**

PURSUANT TO TOWN OF VERNON ORDINANCE #292, AND TOWN CODE SECTION 3 (a), THE TOWN COUNCIL HEREBY APPROVES MAYOR JASON L. MCCOY'S REAPPOINTMENT OF JEFFREY A. BOULRICE, (D), 15 HILLTOP AVENUE, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE ENERGY IMPROVEMENT DISTRICT BOARD, SAID TERM TO BEGIN JULY 20, 2011 AND EXPIRES ON JUNE 30, 2016.

- C 8. Request the Town Council approve Mayor Jason L. McCoy's reappointment of Mark St. Germain (R), 25 Grier Road, Vernon, Connecticut as a regular member of the Energy Improvement District Board, said term to begin July 20, 2011 and expires on June 30, 2016.** (A copy of Mr. St. Germain's resume is included for Council review.)

**PROPOSED MOTION:**

PURSUANT TO TOWN OF VERNON ORDINANCE #292, AND TOWN CODE SECTION 3 (A), THE TOWN COUNCIL HEREBY APPROVES MAYOR JASON L. MCCOY'S REAPPOINTMENT OF MARK ST. GERMAIN (R), 25 GRIER ROAD , VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE ENERGY IMPROVEMENT DISTRICT BOARD, SAID TERM TO BEGIN JULY 20, 2011 AND EXPIRES ON JUNE 30, 2016.

- C 9. Request the Town Council authorize Mayor Jason L. McCoy to execute all necessary documents in order to make application to the State Department of Education for a Youth Service Bureau Grant for FY 2011-2013 in the amount of \$23,085.** (A copy of a memorandum from Alan Slobodien dated July 19, 2011 to the Vernon Town Council is included for Council review.)

**PROPOSED MOTION:**

THE TOWN COUNCIL AUTHORIZES THE MAYOR JASON L. MCCOY (OR HIS DESIGNEE) TO EXECUTE ALL NECESSARY PAPERWORK TO MAKE APPLICATION FOR AND RECEIVE YOUTH SERVICES BUREAU FUNDS FROM THE STATE DEPARTMENT OF EDUCATION IN THE AMOUNT OF \$23,085.

- C 10. Request the Town Council authorize Mayor Jason L. McCoy to execute all necessary documents in order to make application to the State Department of Education for a Youth Service Bureau Enhancement Grant for FY 2011-2012 in the amount of \$6,250.**

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY AUTHORIZES THE MAYOR JASON L. MCCOY (OR HIS DESIGNEE) TO EXECUTE ALL NECESSARY PAPERWORK TO MAKE APPLICATION FOR AND RECEIVE YOUTH SERVICES BUREAU FUNDS FROM THE STATE DEPARTMENT OF EDUCATION IN THE AMOUNT OF \$6,250.

- C 11. Request the Town Council authorize both a Public Hearing and Special Town Meeting for August 02, 2011 regarding an additional appropriation for Education in an amount not to exceed \$944,533.00 to the Fiscal Year 2010-2011 Education Budget, Account 10990330-58900 to pay for excess costs related to Special Education.** (A copy of said legal notice and resolution are in the packet for Town Council review.)

**PROPOSED MOTION:**

IN ACCORDANCE WITH CHAPTER XII SECTION 10 (F) OF THE VERNON TOWN CHARTER, THE TOWN COUNCIL HEREBY SCHEDULES A PUBLIC HEARING AND SPECIAL TOWN MEETING FOR AUGUST 02, 2011 AT 7:05 PM ON THE THIRD FLOOR, TOWN COUNCIL CHAMBERS IN THE TOWN HALL MEMORIAL BUILDING, 14 PARK PLACE, VERNON, CONNECTICUT TO HEAR COMMENT AND TAKE THE NECESSARY ACTION RELATIVE TO

“A RESOLUTION REGARDING AN ADDITIONAL APPROPRIATION FOR EDUCATION IN THE AMOUNT OF \$944,533.00.”

- C 12. Request the Town Council approve the Shoppes at Eastview, LLC, 425 Talcottville Road, request for a reduction in future assessment increases.** (See the letter from Shaun Gately, Economic Development Coordinator to John D. Ward, Town Administrator dated July 11, 2011; memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated July 15, 2011 included for Council review.)

**PROPOSED MOTION**

THE TOWN COUNCIL HEREBY APPROVES THE REDUCTION IN FUTURE ASSESSMENT INCREASES PURSUANT TO VERNON CODE 3-4 FOR YEARS SEVEN (7) YEARS AS PRESENTED. FURTHER THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY TO ENTER INTO AN AGREEMENT WITH SHOPPES AT EASTVIEW, LLC, IN COMPLIANCE WITH THE CONNECTICUT GENERAL STATUTES AND TOWN ORDINANCE.

- C 13. Request the Town Council refer Town-owned land to the Planning and Zoning Commission for §8-24 review, and upon completion, authorize the Town Administrator to conduct a sale or lease of said properties via sealed bid or public auction.** (See memorandum from John D. Ward dated July 14, 2011 to Mayor Jason L. McCoy and the Vernon Town Council as well as property cards for all properties are included for Council review.)

**PROPOSED MOTION 1:**

THE TOWN COUNCIL HEREBY AUTHORIZES THE REFERRAL OF **8 WARD STREET, PARCEL ID 23010500010; 11 WARD STREET PARCEL ID 23009200019; 12 WARD STREET PARCEL ID 23010500011; 13 MORRISON STREET, PARCEL ID 22006000021; 55 LAWRENCE STREET, PARCEL ID 41011400004 AND 35 VILLAGE STREET, PARCEL ID 23009200018** TO THE PLANNING & ZONING COMMISSION FOR §8-24 REVIEW.

- C 14. Request the Town Council approve job re-classifications as recommended by the annual review of the Town of Vernon pay plan for non-unionized employees.** (A memo dated July 8, 2011 from Mayor Jason L. McCoy to the Vernon Town Council, and a memo dated July 5, 2011 from John D. Ward, Town Administrator to Mayor Jason L. McCoy, as well as supporting research, are included for Council review)

**PROPOSED MOTION:**

THE TOWN COUNCIL, CONSISTENT WITH THE TOWN OF VERNON PERSONNEL RULES AND REGULATIONS, SECTIONS 5.0 THROUGH 5.3, MOVES TO APPROVE THE JOB RECLASSIFICATIONS AS RECOMMENDED BY THE TOWN ADMINISTRATOR JOHN D. WARD TO MAYOR JASON L. MCCOY, AS A RESULT OF THE ANNUAL REVIEW OF THE TOWN OF VERNON PAY PLAN FOR THE NON-UNIONIZED EMPLOYEES, DATED JULY 5, 2011; SUCH RECLASSIFICATIONS TO BE EFFECTIVE JULY 1, 2011.

- C 15. Request the Town Council authorize a bid waiver in the amount of \$79,000 for snow removal related structural work to Maple Street School.** (A copy of a memorandum from Peter Graczykowski, Assistant Town Administrator dated July 15, 2011 to Mayor Jason L. McCoy and the Vernon Town Council is included for Council review.)

**PROPOSED MOTION:**

RESOLVED, THE TOWN COUNCIL CONSISTENT WITH THE TOWN CHARTER, CHAPTER 12, SECTION 9, DETERMINES THAT IT IS IN THE BEST INTEREST OF THE TOWN TO WAIVE THE BID PROCEDURE FOR CONTRACTOR JP MAGUIRE ASSOCIATES, INC. 266 BROOKSIDE ROAD WATERBURY CT, FOR CONSTRUCTION RELATED TO SNOW REMOVAL AT MAPLE STREET SCHOOL, IN AN AMOUNT NOT TO EXCEED \$79,000.00

- C 16. Request the Town Council modify a previous bid waiver in the amount of \$3230.32 for additional snow removal related expenses for the National Guard.** (A copy of a memorandum from Peter Graczykowski, Assistant Town Administrator to Mayor Jason L. McCoy and the Vernon Town Council dated July 14, 2011 is included for Council review.)

**PROPOSED MOTION:**

RESOLVED, THE TOWN COUNCIL CONSISTENT WITH THE TOWN CHARTER, CHAPTER 12, SECTION 9, DETERMINES THAT IT IS IN THE BEST INTEREST OF THE TOWN TO WAIVE THE BID PROCEDURE FOR THE EMERGENCY HIRING OF THE CONNECTICUT NATIONAL GUARDSMEN, FOR THE EMERGENCY SNOW REMOVAL SERVICES PROVIDED, IN AN AMOUNT NOT TO EXCEED \$20,530.32; SUCH WAIVER BEING AN AMENDMENT

OF THE BID WAIVER FOR THE SAME PURPOSE, AUTHORIZED  
ON FEBRUARY 15, 2011.

- C 17. Request the Town Council accept the street known as Ogden View Drive as a Town of Vernon road.** (A copy of a memorandum from Len Tundermann to the Town Council is included as well as a sketch showing Ogden View Drive; the Warranty Deed – Statutory Form, Conveyance of Ogden View Drive for Council review.)

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY MOVES TO ACCEPT THE WARRANTY DEED FROM OGDEN BROOK DEVELOPERS, LLC FOR A CERTAIN PIECE OR PARCEL OF LAND SITUATED IN THE TOWN OF VERNON, COUNTY OF TOLLAND AND STATE OF CONNECTICUT, BEING THAT ROAD DESIGNATED AS "OGDEN VIEW DRIVE" ON A CERTAIN MAP OR PLAN ENTITLED "AS BUILT RECORD DRAWING" OGDEN BROOK ESTATES OGDEN VIEW DRIVE, VERNON, CONNECTICUT TABELL, HEINTZ AND ASSOCIATES, INC., CIVIL ENGINEERS – LAND SURVEYORS, 1227 BURNSIDE AVENUE, SUITE 31, EAST HARTFORD, CONNECTICUT NO. 1 BY: RHH DATE: 9-21-10 REVISION DESCRIPTION APPROVED EGW DRAWN DATE 11-13-09 RHH DESIGNED PROJECT NO. 1151 EMW CHECKED SHEET 1 OF 1"

- C 18. Request that the Town Council approve the state of Connecticut, Department of Transportation, Hybrid Electric Vehicle funding, under the 2011 Connecticut Clean Fuel Program for the Town's Public Works Department.** (A copy of a letter to Dwight E. Ryniewicz, Fleet Supervisor, Town of Vernon DPW, dated June 14, 2011 from Michael A. Sanders, Transit Administrator is included for Council review.)

**PROPOSED MOTION:**

THE TOWN COUNCIL AUTHORIZES THE DESIGNATION OF AVAILABLE FUNDS IN THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURE ACCOUNT, ALLOCATING \$24,685.00 FROM INVESTMENT EARNINGS TO THE VEHICLE REPLACEMENT DESIGNATION. THIS INCREASES THE VEHICLE REPLACEMENT DESIGNATION TO \$32,985.00. FURTHER, THE TOWN COUNCIL AUTHORIZES THE APPLICATION AND ACCEPTANCE OF FUNDING FROM THE CONNECTICUT CLEAN FUEL PROGRAM TOWARD THE PURCHASE OF EITHER A 2011 OR 2012 FORD ESCAPTE 4x4 HYBRID ELECTRIC VEHICLE.



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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

**“AN ORDINANCE NO. \_\_, AN ORDINANCE CREATING AN OTHER POST EMPLOYMENT BENEFITS TRUST FUND AND AN OTHER POST EMPLOYMENT BENEFITS BOARD”.**Legal Notice is in the Public Hearing Section of this agenda along with a copy of the proposed ordinance for your review.)

**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 “ **AN ORDINANCE NO. \_\_, AN ORDINANCE CREATING AN OTHER POST EMPLOYMENT BENEFITS TRUST FUND AND AN OTHER POST EMPLOYMENTS BENEFITS BOARD**”.

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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 REGULAR MEETING OF JUNE 21, 2011 AND THAT MINUTES OF SAID MEETING BE APPROVED.

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N.) EXECUTIVE SESSION

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES SECTION 1-200 (B) (6) HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION RELATIVE TO KAUTILYA VERNON HOTEL LLC. AND INVITES ATTORNEY MARTIN BURKE AND TOWN OF VERNON ASSESSOR DAVID WHEELER TO ATTEND.

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES §1-200(6) (B) HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION REGARDING TOWN OF VERNON VS BLOTNISKI, DOCKET NUMBER CV-09-500 4287-S PENDING IN TOLLAND SUPERIOR COURT AND INVITES TERRY HJARNE, COLLECTOR OF REVENUE, ATTORNEY HAROLD CUMMINGS AND JOHN D.WARD, TOWN ADMINISTRATOR TO ATTEND.

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

1. EMS Report for June, 2011 by Jean Gauthier, EMS Coordinator.
2. Certificate of Partnership from Employer Partnership of the Armed Forces.
3. Police Department monthly report for May 2011, submitted by Captain Stephen M. Clark.
4. Police Department monthly report for June, 2011, submitted by Captain Stephen M. Clark.
5. Building Department monthly report for June 2011, submitted by Building Official Harry Boyko.
6. Letter from Principal Eric R. Baim, Rockville High School thanking the Public Works Department and Director Kleinhans for the departments work at the RHS Courtyard Improvement Project.
7. Thank You letter from Laura S. DeMartino, School to Career Coordinator, VCMS to Mayor Jason L. McCoy for his participation in the VCMS Career Day.

8. Award letter to the Town of Vernon for a \$6000.00 Historic Documents Preservation Grant recently applied for, letter is dated June 22, 2011.
9. Memorandum from Chester Morgan, Chair, Vernon Planning and Zoning Commission to Mayor Jason L. McCoy dated July 7, 2011 relative to the distribution and next steps for the Vernon Plan of Conservation & Development.
10. Letter received July 5, 2011 from Council Member Herbst relative to her FOI request. See attachments per Council Member Herbst request.
11. Analysis of Workers Compensation Losses for policy years 2005/2006 – 2010/2011 for Council Member Polly Schaefer. See memorandum from Peter Graczykowski dated July 12, 2011 relative to same.
12. Progress on the steps taken to implement the immediate goals of the Risk Management Program. See memorandum from Peter Graczykowski dated July 13, 2011 relative to same.