

Posted 4/1/11
BKD

AGENDA
VERNON TOWN COUNCIL
REGULAR MEETING
TOWN HALL - 14 PARK PLACE - 3rd Floor
VERNON, CONNECTICUT
TUESDAY, APRIL 5, 2011
7:00 P.M.

RECEIVED
VERNON TOWN CLERK
11 APR - 1 AM 11:59

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

D.) PUBLIC HEARINGS (7:05 PM)

PUBLIC HEARING TO RECEIVE COMMENTS AND QUESTIONS
RELATIVE TO AN ORDINANCE ENTITLED "**ORDINANCE NO. AN
ORDINANCE CREATING THE FREEDOM OF INFORMATION ADVISORY
BOARD FOR THE TOWN OF VERNON**".

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

E.) PRESENTATIONS BY THE ADMINISTRATION

- 1. Mayoral Proclamation Proclaiming April, 2011 - "Fair Housing Month".
 - 2. Presentation to the Town Council by Mayor Jason L. McCoy on a variety of 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 March 28, 2011 is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES ONE (1) OVERPAYMENT FOR PRIOR YEARS TOTALING \$278.52 AND SEVEN (7) OVERPAYMENTS FOR CURRENT YEAR TOTALING \$960.18 AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED MARCH 28, 2011.

- C 2. Request the Town Council approve budget amendments # 19 and #20 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 #19 and #20 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 adopt the attached annual Town of Vernon Affirmative Action Policy Statement required by DECD and the Small Cities Grant Program.** (A copy of the Affirmative Action Policy is included for Council review)

PROPOSED RESOLUTION:

THE TOWN COUNCIL HEREBY ADOPTS THE "TOWN OF VERNON **AFFIRMATIVE ACTION POLICY STATEMENT** AND HEREBY AUTHORIZES MAYOR JASON L. MCCOY TO EXECUTE THIS DOCUMENT, DESIGNATING JOHN D. WARD, TOWN ADMINISTRATOR, AS THE TOWN'S AFFIRMATIVE ACTION OFFICER.

- C 4. Request the Town Council in accordance with the requirements for the Small Cities, Community Development Block Grant, endorse the Fair Housing Resolution for the Town of Vernon during April, 2011 Fair Housing Month.**

PROPOSED RESOLUTION:

THE TOWN COUNCIL HEREBY WAIVES THE READING AND ADOPTS THE TOWN OF **VERNON FAIR HOUSING RESOLUTION** AND AUTHORIZES JOHN WARD, TOWN ADMINISTRATOR, AND FAIR HOUSING OFFICER TO SIGN ON BEHALF OF THE TOWN OF VERNON. SAID FAIR HOUSING RESOLUTION IS A REQUIREMENT OF THE SMALL CITIES, COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR 2011.

- C 5. Request the Town Council in accordance with the requirements for the Small Cities, Community Development Block Grant, endorse the Fair Housing Policy Statement for the Town of Vernon during April, 2011 Fair Housing Month.**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY WAIVES THE READING AND ADOPTS THE **FAIR HOUSING POLICY STATEMENT** AND AUTHORIZES JOHN D. WARD, TOWN ADMINISTRATOR, AND FAIR HOUSING OFFICER TO SIGN ON BEHALF OF THE TOWN OF VERNON. SAID POLICY STATEMENT IS REQUIRED BY THE SMALL CITIES, COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR 2011.

- C 6. Request the Town Council in accordance with the requirements for the Small Cities, Community Development Block Grant, endorse the Title VI Document for the Town of Vernon during April, 2011 Fair Housing Month.**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY WAIVES THE READING AND AUTHORIZES JOHN D. WARD, TOWN ADMINISTRATOR AND FAIR HOUSING OFFICER TO SIGN THE **TITLE VI DOCUMENT** DECLARING THE TOWN OF VERNON'S COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964. SAID COMPLIANCE IS REQUIRED BY THE SMALL CITIES, COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR 2011.

- C 7. Request the Town Council in accordance with the requirements for the Small Cities, Community Development Block Grant, endorse the ADA Notice for the Town of Vernon during April, 2011 Fair Housing Month.**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY WAIVES THE READING AND RE-ADOPTS THE **ADA NOTICE** AND AUTHORIZES JOHN D. WARD, TOWN ADMINISTRATOR AND FAIR HOUSING OFFICER TO PUBLISH SAID NOTICE IN A LOCAL NEWSPAPER. SAID COMPLIANCE IS REQUIRED BY THE SMALL CITIES, COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR 2011.

- C 8. Request the Town Council in accordance with the requirements for the Small Cities, Community Development Block Grant, endorse the ADA Grievance Procedure for the Town of Vernon during April, 2011 Fair Housing Month.**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY WAIVES THE READING AND RE-ADOPTS THE **ADA MUNICIPAL GRIEVANCE** PROCEDURE NOTICE AND AUTHORIZES JASON L. MCCOY, MAYOR TO SIGN THE ADA MUNICIPAL GRIEVANCE PROCEDURE NOTICE DECLARING THE TOWN OF VERNON'S COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. SAID COMPLIANCE IS REQUIRED BY THE SMALL CITIES, COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR 2011.

- C 9. Request the Town Council schedule a Public Hearing on May 3, 2011 to Discuss and Receive Public Comment Regarding the Fiscal Year 2011 Community Development Block Grant (CBDG) Program application.**

PROPOSED MOTION:

THE TOWN COUNCIL, PER THE REQUIREMENTS FOR CDBG FUNDING, HEREBY SCHEDULES A PUBLIC HEARING TO DISCUSS AND RECEIVE PUBLIC COMMENT REGARDING THE FISCAL YEAR 2011 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, SAID HEARING TO TAKE PLACE AT 7:05 PM ON TUESDAY, MAY 3, 2011 IN THE COUNCIL CHAMBERS, THIRD FLOOR, 14 PARK PLACE, VERNON, CONNECTICUT.

- C 10. Request the Town Council endorse the appointment of Terri J. Goldich, (D) 22 Center Street, Vernon, Connecticut, to the Board of Education said appointment requested to fill the vacancy created by the resignation of Susan Norlie-Hesnan.** (A copy of a memorandum from Steve Taylor, Chairman of the Democratic Town Committee to Mayor McCoy and the Vernon Town Council as well as a copy of Ms. Goldich's resume are included for Council review.) Ms. Goldich will attend the meeting to answer any questions you might have.

PROPOSED MOTION:

PURSUANT TO THE VERNON TOWN CHARTER, CHAPTER IV, SECTION 9 "FILLING VACANCIES", THE TOWN COUNCIL HEREBY APPOINTS TERRY GOLDICH, (D), 22 CENTER STREET, VERNON, CONNECTICUT TO FILL THE VACATED SEAT ON THE VERNON BOARD OF EDUCATION BY THE RESIGNATION OF SUSAN NORLIE-HESNAN, SAID APPOINTMENT COMMENCES ON APRIL 6, 2011 AND EXPIRES NOVEMBER 6, 2011.

- C 11. Request the Town Council approve application for Historic Documents Preservation Grant Cycle I -2012.** (A memorandum from Bernice K. Dixon, Town Clerk dated March 8, 2011 to Mayor Jason L. McCoy; John D. Ward, Town Administrator; Peter Graczykowski, Assistant Town Administrator and the Vernon Town Council Members is included for Council review.)

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), AS AMENDED IN STATE OF CONNECTICUT PUBLIC ACT 07-245 AND SECTIONS 9(A)(1) AND 10(A)(1) OF PUBLIC ACT 07-142.

- C 12. Request the Town Council approve Mayor Jason L. McCoy's reappointment of Carol Nelson, (R), 419 Lady Bug Lane, Vernon, Connecticut as an alternate member of the Historic Properties Commission, said term to commence on April 6, 2011 and expires on April 5, 2014.** (A copy of Ms. Nelson's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE NO. 185 (TOWN CODE SEC. 2-122) THE TOWN COUNCIL HEREBY APPROVES MAYOR JASON L. MCCOY'S REAPPOINTMENT OF CAROL NELSON (R), 419 LADY BUG LANE, VERNON, CONNECTICUT AS AN ALTERNATE MEMBER OF THE HISTORIC PROPERTIES COMMISSION FOR A TERM TO COMMENCE ON APRIL 6, 2011 AND EXPIRES ON APRIL 5, 2014.

- C 13. Request the Town Council review the 8-24 Referral of the Planning and Zoning Commission relative to the Tancanhoosen, LLC property offer.** (A copy of a memorandum from John D. Ward, Town Administrator dated March 11, 2011 to Mayor Jason L. McCoy and the Vernon Town Council; a letter from Leonard K. Tundermann, Town Planner to John D. Ward, Town Administrator dated March 22, 2011 and a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Vernon Town Council dated March 31, 2011 are included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY ACCEPTS THE OFFER OF TANCANHOUSEN, LLC TO CONVEY RIGHTS OF WAY, ENSURING A STANDARD WIDTH OF 50 FEET WHERE RESERVOIR ROAD, BAKER ROAD, FISH AND GAME ROAD, AND BRANDY HILL ROAD RUN ADJACENT TO TANCANHOUSEN, LLC PROPERTY, MINUS THE AREA WHERE IT ADJOINS FISH AND GAME ROAD, WHERE THE ROAD WOULD BE 25 FEET.

- C 14. Request the Town Council approve Mayor Jason L. McCoy's re-appointment of Richard J. Quinn, (D), 110 Main Street, Talcottville, Connecticut as a regular member of the Historic Properties Commission, said term to commence on April 6, 2011 and expires on April 5, 2016.** (A copy of Mr. Quinn's resume is included for Council review. We have also requested an updated resume.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE NO. 185 (TOWN CODE SEC. 2-122) THE TOWN COUNCIL HEREBY APPROVES MAYOR JASON L. MCCOY'S REAPPOINTMENT OF RICHARD J. QUINN, (D), 110 MAIN STREET, TALCOTTVILLE , CONNECTICUT AS A REGULAR MEMBER OF THE HISTORIC PROPERTIES COMMISSION FOR A TERM TO COMMENCE ON APRIL 6, 2011 AND EXPIRES ON APRIL 5, 2016.

- C 15. Request motion to rescind the previous action of the Town Council at the March 1, 2011 meeting relative to the Social Service Director.** (See memo dated March 15, 2011 from James Krupienski, Town Council member to Jason L. McCoy, Mayor, John D. Ward, Town Administrator, Peter Grazykowski, Assistant Town Administrator and the Vernon Town Council is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY RESCIND THE ACTION TAKEN BY THE TOWN COUNCIL AT THE MARCH 1, 2011 MEETING RELATIVE TO THE POSITION OF SOCIAL SERVICES DIRECTOR.

G.) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS

H.) PENDING BUSINESS

I.) NEW BUSINESS

J.) INTRODUCTION OF ORDINANCES

K.) ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED

“ORDINANCE NO., __, AN ORDINANCE CREATING THE FREEDOM OF INFORMATION ADVISORY BOARD FOR THE TOWN OF VERNON”. *(A copy of the proposed ordinance and the legal notice are included for Council review.)*

PROPOSED MOTION:

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 NO. __, AN ORDINANCE CREATING THE FREEDOM OF INFORMATION ADVISORY BOARD FOR THE TOWN OF VERNON”.**

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 TOWN COUNCIL REGULAR MEETING OF MARCH 15, 2011 AND THAT MINUTES OF SAID MEETING BE APPROVED.

N.) EXECUTIVE SESSION**EXECUTIVE SESSION #1:**

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 RELATIVE TO DOCKET NO. 200007832 JOHN KENTFIELD VS TOWN OF VERNON AND INVITES THE FOLLOWING INDIVIDUALS TO ATTEND: JOHN D. WARD, TOWN ADMINISTRATOR; PETER GRACZYKOWSKI, ASSISTANT TOWN ADMINISTRATOR AND ATTORNEY RICHARD S. BARTLETT OF MCGANN, BARTLETT & BROWN, LLC.

EXECUTIVE SESSION #2:

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES SECTION 1-200(2) HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS STRATEGY AND NEGOTIATIONS WITH RESPECT TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF VERNON AND LOCAL 1471 OF COUNCIL 4 OF THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO; AND INVITES THE FOLLOWING INDIVIDUALS TO ATTEND: JOHN D. WARD, TOWN ADMINISTRATOR, AND PETER GRACZYKOWSKI, ASSISTANT TOWN ADMINISTRATOR.

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

1. Monthly Report – EMS – February, 2011 as submitted by Jean Gauthier, EMS Coordinator.
2. Monthly Report – Youth Services Bureau – February, 2011 as submitted by Alan Slobodien, Director Youth Services Bureau.
3. Invitation to the 14th Annual Rockville Rotary Golf Tournament – May 16, 2011.
4. Grant Award – from Connecticut Trust for Historic Preservation dated March 9, 2011 relative to the Technical Assistance Grant for the reuse of the Talcott Brothers Mill, Talcottville.