

POSTED 8/15/2011
J.S.

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

TUESDAY, AUGUST 16, 2011
7:00 P.M.

11 AUG 15 AM 11:29

VERNON TOWN CLERK

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

D.) PUBLIC HEARINGS

PUBLIC HEARING AND SPECIAL TOWN MEETING TO RECEIVE COMMENTS RELATIVE TO "A RESOLUTION REGARDING AN ADDITIONAL APPROPRIATION FOR EDUCATION IN THE AMOUNT OF \$944,533.00." (A copy of the Resolution and the legal ad 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 ADJOURNED

MAYOR RECOMMENDS ACTION ON THE PROPOSED RESOLUTION

**TOWN COUNCIL SHALL RECESS MEETING UNTIL COMPLETION
OF THE SPECIAL TOWN MEETING**

SPECIAL TOWN MEETING

TOWN CLERK TO READ THE LEGAL NOTICE

MAYOR CALLS FOR NOMINATIONS FOR MODERATOR

CLOSE NOMINATIONS, VOTE ON NOMINEE AND DECLARE
MODERATOR

MODERATOR ASKS FOR PUBLIC COMMENTS

PUBLIC COMMENTS

VOTE ON RESOLUTION PRESENTED

ANNUAL TOWN MEETING PENDING BUSINESS:

**MOVE TO WAIVE THE READING OF THE MINUTES OF THE ANNUAL
TOWN MEETING HELD ON APRIL 26, 2011 AND THAT SAID
MINUTES BE APPROVED.**

MODERATOR WILL CALL FOR A MOTION TO ADJOURN

ADJOURN THE SPECIAL TOWN MEETING

MAYOR TO CALL TOWN COUNCIL MEETING BACK TO ORDER

E) PRESENTATIONS BY THE ADMINISTRATION

1. Presentation by Mayor Jason L. McCoy to the Town Council on various topics.
 2. Presentation of a Proclamation from Mayor Jason L. McCoy to Edward and Carole Slattery as a thank you for their years of service to the Town of Vernon.
 3. Presentation by Shaun Gately, Economic Development Coordinator.
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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 August 8, 2011 is included in the Council packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES TWENTY SEVEN (27) OVERPAYMENTS FOR THE CURRENT YEAR TOTALLING \$ 5756.04 AND ONE (1) OVERPAYMENT FOR PRIOR YEARS TOTALLING \$ 357.39 AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED AUGUST 8, 2011.

- C 2. Request the Town Council approve budget amendments #61-65 for fiscal year 2010-2011 and budget amendments #1-3 for fiscal year 2011-2012 as provided by Finance Officer James Luddecke.** (A copy of budget amendment forms are attached for Council review. A motion has been prepared for each Fiscal Year for Council consideration.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT REQUEST #61-65 FOR FISCAL YEAR 2010-2011 AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY THE FINANCE OFFICER JAMES LUDDECKE.

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT REQUEST #1-3 FOR FISCAL YEAR 2011-2012 AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY THE FINANCE OFFICER JAMES LUDDECKE.

- C 3. Request the Town Council endorse the appointment of William J. Nicholson, (R), 86 Huntington Drive, Vernon, Connecticut, to the Board of Education, said appointment requested to fill the vacancy created by the resignation of Vicky Rispoli.** (A copy of a letter from Harold R. Cummings, Chairman of the Republican Town Committee to Mayor Jason L. McCoy dated July 29, 2011 is included for Council review as well as Mr. Nicholson's resume.) Mr. Nicholson has been invited to attend the Council 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 MR. WILLIAM J. NICHOLSON, (R), 86 HUNTINGTON DRIVE, VERNON, CONNECTICUT TO FILL THE VACATED SEAT ON THE VERNON BOARD OF EDUCATION BY THE RESIGNATION OF VICKY RISPOLI, SAID APPOINTMENT COMMENCES ON AUGUST 20, 2011 AND EXPIRES ON NOVEMBER 13, 2011.

- C 4. Request the Town Council schedule a Public Hearing on September 20, 2011 relative to the Sale of Town Owned Property specifically 35 Village Street.** (A copy of a memorandum to Mayor Jason L. McCoy and the Vernon Town Council from John D. Ward, Town Administrator dated August 11, 2011 is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY SCHEDULES A PUBLIC HEARING TO HEAR COMMENT AND ANSWER QUESTIONS RELATIVE TO THE DISPOSITION OF 35 VILLAGE STREET ON SEPTEMBER 20, 2011 AT 7:05 PM, THIRD FLOOR, MEMORIAL BUILDING, 14 PARK PLACE, VERNON, CONNECTICUT.

- C 5. Request the Town Council approve Mayor Jason L. McCoy's appointment of Joy Hollister, 375 Hartford Turnpike, Vernon, Connecticut as Municipal Agent for the Elderly.**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES MAYOR JASON L. MCCOY'S APPOINTMENT OF JOY HOLLISTER, 375 HARTFORD TURPIKE, VERNON, CONNECTICUT AS MUNICIPAL AGENT FOR THE ELDERLY FOR THE TOWN OF VERNON SAID TERM TO COMMENCE ON JULY 20, 2011 AND EXPIRES JULY 19, 2015.

- C 6. Request the Town Council approve Mayor Jason L. McCoy's reappointment of Ellen Kates (R), 100 Dobson Road #2, Vernon, Connecticut as a regular member of the Risk Management Advisory Committee.** (A copy of Ms. Kates' resume is included in the packet for Council review.)

PROPOSED MOTION:

PURSUANT TO THE TOWN COUNCIL RESOLUTION DATED NOVEMBER 18, 1986 AND TOWN CHARTER CHAPTER XV, SECTION 3, THE TOWN COUNCIL APPROVES MAYOR JASON L. MCCOY'S REAPPOINTMENT OF ELLEN KATES (R), 100 DOBSON ROAD #2, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE RISK MANAGEMENT ADVISORY COMMITTEE, SAID TERM TO COMMENCE ON SEPTEMBER 1, 2011 AND EXPIRES ON AUGUST 31, 2014.

- C 7. Request the Town Council approve Mayor Jason L. McCoy's reappointment of Anthony P. Zappola, (R), 66 Brimwood Drive, Vernon, Connecticut as a regular member of the Risk Management Advisory Committee.** (A copy of Mr. Zappola's resume is included in the packet for Council review.)

PROPOSED MOTION

PURSUANT TO THE TOWN COUNCIL RESOLUTION DATED NOVEMBER 18, 1986 AND TOWN CHARTER CHAPTER XV, SECTION 3, THE TOWN COUNCIL APPROVES MAYOR JASON L. MCCOY'S REAPPOINTMENT OF ANTHONY P. ZAPPOLA, (R), 66 BRIMWOOD DRIVE, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE RISK MANAGEMENT ADVISORY COMMITTEE, SAID TERM TO COMMENCE ON SEPTEMBER 1, 2011 AND EXPIRES ON AUGUST 31, 2014.

- C 8. Request the Town Council authorize the Mayor Jason L. McCoy to enter into and execute all necessary documents for DOT Grant entitled State Matching Grant for Elderly and Disabled Responsive Transportation.**

PROPOSED MOTION

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR JASON L. MCCOY TO ENTER INTO AND EXECUTE ALL NECESSARY DOCUMENTS FOR A GRANT CONTRACT COMMENCING JULY 1, 2011 AND ENDING JUNE 30, 2016 IN THE AMOUNT NOT TO EXCEED \$173,371.00 WITH THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION FOR A PROGRAM ENTITLED "STATE MATCHING GRANT FOR ELDERLY AND DISABLED RESPONSIVE TRANSPORTATION".

- C 9. Request the Town Council approve the bid waiver to use the Cooperative Purchasing Process.** (A copy of a memorandum from Peter Graczykowski, Assistant Town Administrator dated July 29, 2011 to Mayor Jason L. McCoy and Town Council members is included for Council review.)

PROPOSED RESOLUTION

THE TOWN COUNCIL, HEREBY RESOLVES IN ACCORDANCE WITH CHAPTER TWELVE (12) SECTION NINE (9) OF THE TOWN CHARTER, THAT IT IS IN THE BEST INTEREST OF THE TOWN TO: (1) WAIVE THE TRADITIONAL SEALED BID REQUIREMENTS FOR THE PURCHASE OF MATERIALS, SUPPLIES, EQUIPMENT AND SERVICES UNDER THE COOPERATIVE PURCHASING WITH OTHER GOVERNMENTAL UNITS, COOPERATIVES, COUNCILS OR BOARDS OF EDUCATION FOR THE DURATION OF TWELVE (12) MONTHS, FROM SEPTEMBER 8, 2011 TO SEPTEMBER 7, 2012; AND (2) AUTHORIZE THE TOWN ADMINSTRATOR AS THE MAYOR'S DESIGNEE TO EXECUTE ON BEHALF OF THE TOWN OF VERNON ANY INSTRUMENT (S) TO THAT EFFECT.

- C 10. Request the Town Council approve a Bid Waiver for the purchase of Optical Fiber Storage.** (A copy of a memorandum from Art Beirn, Data Processing Director to the Town Council is included for Council review.)

PROPOSED RESOLUTION:

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 PURCHASE OF OPTICAL FIBER FROM SERTEX FOR AN AMOUNT NOT TO EXCEED \$80,000.00.

- C 11. Request the Town Council approve a Bid Waiver for an interim solution to the disposal of collected leaves.** (A copy of a memorandum dated August 12, 2011 from Peter Graczykowski, Assistant Town Administrator to the Vernon Town Council and Mayor Jason L. McCoy and a memorandum from Robert J. Kleinhans, Director of Public Works dated August 12, 2011 to John D. Ward, Town Administrator are included for Council review.) Please note that budget transfer #2 FY 2011-2012 – Consent #2 also relates to this agenda item.

PROPOSED RESOLUTION:

THE TOWN COUNCIL, HEREBY RESOLVES IN ACCORDANCE WITH CHAPTER TWELVE (12) SECTION NINE (9) OF THE VERNON TOWN CHARTER, THAT IT IS IN THE BEST INTEREST OF THE TOWN TO: (1) WAIVE THE SEALED BID REQUIREMENTS FOR THE PURCHASE OF HAULING AND DISPOSAL OF LEAVES COLLECTED IN THE TOWN OF VERNON DURING FISCAL YEAR 2011-2012 FROM CONNECTICUT MULCH DISTRIBUTORS, INC., OF 1515 NORTH STONE STREET, WEST SUFFIELD, CONNECTICUT 06093, FOR AN

AMOUNT NOT TO EXCEED \$55,000.00; AND (2) AUTHORIZE THE TOWN ADMINSTRATOR AS THE MAYOR'S DESIGNEE TO EXECUTE ON BEHALF OF THE TOWN OF VERNON ANY INSTRUMENT(S) TO THAT EFFECT.

- C 12. Request the Town Council authorize Mayor Jason L. McCoy to submit applications for the State of Connecticut Local Capital Improvement Program (LOCIP).** (A copy of a memorandum from James M. Luddecke, Finance Officer and Treasurer dated August 12, 2011 to John D. Ward, Town Administrator is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL AUTHORIZES THE MAYOR TO SUBMIT APPLICATIONS TO THE STATE OF CONNECTICUT LOCAL CAPITAL IMPROVEMENT PROGRAM (LOCIP) FOR A GRANT IN THE AMOUNT OF \$340,000.00 TO BE EXPENDED FROM THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT AS FOLLOWS: \$100,000.00 FOR THE **POLICE RADIO COMMUNICATIONS UPGRADE**; AND \$240,000.00 FOR **ROADWAY IMPROVEMENTS**; AND TO AMEND THE TOWN'S SIX-YEAR CAPITAL IMPROVEMENT PLAN TO MOVE THE RADIO COMMUNICATIONS UPGRADE TO FISCAL YEAR 2011-2012.

- C 13. Request the Town Council move the annual compensation increase for the Registrar's of Voters.** (A copy of a memorandum from Peter Graczykowski, Assistant Town Administrator dated August 10, 2011 to Vernon Town Council and Mayor Jason L. McCoy; and memorandum from Judith Beaudreau, Democrat Registrar of Voters and Cynthia Madden, Republic Registrar of Voters to the Town Council relative to same are included for Council review.)

PROPOSED MOTION

THE TOWN COUNCIL, CONSISTENT WITH THE CONNECTICUT GENERAL STATUTES SECTIONS 9-194 AND 9-195, MOVES TO APPROVE THE INCREASE IN ANNUAL COMPENSATION FOR EACH REGISTRAR OF VOTERS FOR THE TOWN OF VERNON FROM \$25,000 TO \$27,000, EFFECTIVE JULY 1, 2011, AS BUDGETED FOR FISCAL YEAR 2011-2012.

G.) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS

H.) PENDING BUSINESS

1. **Discussion and bid waiver for the License Plate Reader System purchase as presented at the July 19, 2011 meeting.** (A copy of a memorandum from James Luddecke, Finance Officer and Treasurer dated August 12, 2011 to John D. Ward, Town Administrator is included for Council review. PLEASE NOTE: Budget Transfer #65 in Consent #2).

PROPOSED RESOLUTION:

THE TOWN COUNCIL, HEREBY RESOLVES IN ACCORDANCE WITH CHAPTER TWELVE (12) SECTION NINE (9) OF THE VERNON TOWN CHARTER, THAT IT IS IN THE BEST INTEREST OF THE TOWN TO: (1) WAIVE THE SEALED BID REQUIREMENTS FOR THE PURCHASE OF ONE VIGILANT VIDEO CAR DETECTOR - DSP BASED MOBILE LICENSE PLATE RECOGNITION - 3-CAMERA SYSTEM FROM WARNOCK FLEET AUTOMOTIVE, 175 ROUTE 10, EAST HANOVER, NEW JERSEY, FOR AN AMOUNT NOT TO EXCEED \$13,500.00; AND (2) AUTHORIZE THE TOWN ADMINSTRATOR AS THE MAYOR'S DESIGNEE TO EXECUTE ON BEHALF OF THE TOWN OF VERNON ANY INSTRUMENT(S) TO THAT EFFECT.

I.) NEW BUSINESS

1. **Request the Town Council authorize Mayor Jason L. McCoy or his designee to modify the COPS GRANT.** (A memorandum dated August 12, 2011 from John D. Ward, Town Administrator to the Vernon Town Council and Mayor Jason L. McCoy is included for Council review.)

PROPOSED MOTION:

THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO MODIFY THE PREVIOUSLY ACCEPTS DEPARTMENT OF JUSTICE COPS GRANT TO ALLOW ITS USE FOR THE PROPOSED DIGITAL RADIO SYSTEM.

J.) INTRODUCTION OF ORDINANCES

K.) ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED

- 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 JULY 19, 2011 DRAFT 2 AND THAT MINUTES OF SAID MEETING BE APPROVED.

THE TOWN COUNCIL WAIVES THE READING OF THE DRAFT 2 MINUTES OF THE JUNE 21, 2011 MEETING AND THAT SAID MINUTES BE APPROVED.

N.) EXECUTIVE SESSION

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES SECTION 1-200 (6) (B) 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 SECTION 1-200 (2) HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS STRATEGIES AND/OR NEGOTIATIONS WITH RESPECT TO COLLECTIVE BARGAINING. THE FOLLOWING INDIVIDUALS ARE INVITED TO ATTEND: JOHN D. WARD, TOWN ADMINISTRATOR; PETER GRACZYKOWSKI, ASSISTANT TOWN ADMINISTRATOR; ATTORNEY EDWARD F. O'DONNELL, WITH THE LAW FIRM SIEGEL, OCONNOR, O'DONNELL AND BECK; AND JAMES LUDDECKE, FINANCE OFFICER AND TREASURER.

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES SECTION 1-200 (6) (D) HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS SITE SELECTION AND INVITES THE FOLLOWING INDIVIDUALS TO ATTEND: SHAUN GATELY, ECONOMIC DEVELOPMENT COORDINATOR, AND JOHN D. WARD, TOWN ADMINISTRATOR.

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

1. Memorandum from John Leary, Chairman PMBC to the Town Council dated July 27, 2011 relative to Annual Inspections of Town Buildings.

2. Monthly Report for May, 2011 from the Town Clerk as submitted by Bernice Dixon.
3. Monthly Report for June, 2011 from the Town Clerk as submitted by Bernice Dixon.
4. Copies of Ordinance #290, #291, #292 and #293 for the Town Council Code Books as submitted by Karen Daigle, Assistant Town Clerk.
5. Copy of a letter dated July 25, 2011 and check in the amount of \$1274.00 from CIRMA for the Member's Equity Distribution.
6. Letter from Marilyn Wilson and James Kost, 35 Forest View Drive, Vernon, Connecticut thanking Mayor Jason L. McCoy for his assistance with their street dated July 13, 2011.
7. Letter relative to Forms RC-075 for disposal of records for Rockville High School, Vernon Center Middle School and Central Administration.
8. Monthly Report for July, 2011 from Town Clerk as submitted by Bernice Dixon.
9. Monthly EMS Report for July, 2011 as submitted by Jean Gauthier, EMS Coordinator.
10. Monthly Report for July, 2011 as submitted by Harry Boyko, Building Official.
11. Fund Balance FY 2010-2011 Report dated 08-12-2011 as submitted by Finance Officer James Luddecke.
12. Fund Balance FY 2011-2012 Report dated 08-12-2011 as submitted by Finance Officer James Luddecke.