

July 21, 2009

**APPROVED MINUTES  
VERNON TOWN COUNCIL  
REGULAR MEETING  
TOWN HALL - 14 PARK PLACE - 3<sup>rd</sup> Floor  
VERNON, CONNECTICUT  
TUESDAY, JULY 21, 2009, 7:30 P.M.**

**A.) PLEDGE OF ALLEGIANCE**

**Mayor Jason L. McCoy called the meeting to Order at 7:32 PM**

**ROLL CALL:**

**Present:** Council Members Daniel Anderson, Bill Campbell, Bill Fox, Marie Herbst, Nancy E Herold, Brian R. Motola, Sean O'Shea, Pauline Schaefer, Daniel Champagne, Michael A. Winkler.

**Absent:** Council Members Mark Etre

**Entered During Meeting:** Harry D. Thomas (7:35 PM)

**Also Present:** Mayor Jason L. McCoy, Town Administrator John Ward, Recording Secretary James Krupienski

**CITIZEN'S FORUM**

Walter & Marilyn Mealy, 312 South Street – Grateful thanks to the Vernon Police Department, Townspeople and specific thanks to Officer Tim Murphy during difficult times.

Harry Thomas entered the meeting at 7:35 PM

Citizen's Forum was closed at 7:39 PM

**B.) PUBLIC HEARING**

**C.) PRESENTATION**

**THE TOWN OF VERNON BICENTENNIAL COMMITTEE WILL PRESENT A  
COMMEMORATIVE PLAQUE TO ACCOMPANY THE BICENTENNIAL FLAG RECENTLY  
PRESENTED TO THE TOWN COUNCIL.**

Bicentennial Committee Members Chester Morgan, Steven Wakefield, Carl Schaefer, Bill Smith, Claire Janowski, Rudolph Rossmey, Pauline Schaefer, Brian Motola and Marie Herbst presented a Commemorative Plaque to Mayor Jason L. McCoy. Committee thanked the Administration and Finance Departments for support received.

Mayor Jason L. McCoy requested taxpayers and Public Officials contact Senators Dodd and Lieberman regarding restoration of funding for the Bolton Lakes Sewer Project. (See Additional Agenda Item – Information #9)

Council Member Herbst questioned the failure to notify Council members of lateness of the Agenda packets.

**D.) CONSENT AGENDA ITEMS**

Council member Motola, seconded by Council member Campbell moved to approve the Consent Agenda, excluding Item #7.

Council member Herold requested the Consent Agenda Items be addressed separately.

Council member Herold, seconded by Council member Winkler moved a motion to discuss Consent Items separately. Motion failed.

Council member Herbst requested to pull Consent Items #8,12,14,15 & 16 for discussion.

Council member Winkler requested to pull Consent Items # 2 & 3 for discussion.

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Council member Herold requested to pull Consent Item #1 for discussion.

Original motion left open on the Table.

Council member Motola, seconded by Council member O'Shea moved a motion to approve Consent Item's #4, 5, 6, 9, 10, 11 & 13. Motion carried. Council member Herold abstained.

- C 1. Request for Tax Refunds Prior Years and Current Year.** (A copy of a memorandum from Terry Hjarne, Acting Collector of Revenue, to John D. Ward, Town Administrator dated July 10, 2009 is included in the Council packet.)

**PROPOSED MOTION:**

**THE TOWN COUNCIL HEREBY APPROVES SIX (6) TAX REFUNDS TOTALLING \$1,595.32 FOR PRIOR YEARS, AND ONE (1) TAX REFUND TOTALLING \$22.56 FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, ACTING COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED JULY 10, 2009.**

**Moved to New Business #2**

- C 2. Request the Town Council approve budget amendments #51, and #53 – #64 for fiscal year 2008-2009, as provided by James Luddecke, Finance Officer.**

**PROPOSED MOTION:**

**THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENTS #51, and #53-#64, FOR FISCAL YEAR 2008-2009, AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY THE JAMES LUDDECKE, FINANCE OFFICER.**

**Moved to New Business #3**

- C 3. Request the Town Council authorize the Mayor Jason L. McCoy to sign a new lease with Tancanhoosen LLC. for the purposes of leaf composting.** (A copy of the lease and a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council Members is included in the packet.)

**PROPOSED MOTION:**

**THE TOWN COUNCIL AUTHORIZES THE MAYOR JASON L. MCCOY TO EXECUTE THE ONE (1) YEAR LEASE FOR THE PERIOD AUGUST 1, 2009 THROUGH JULY 31, 2010, IN THE AMOUNT OF \$32,000.00 WITH FOUR (4) ONE YEAR EXTENSION OPTIONS WITH THE PAYMENT SCHEDULE GRADUATED FROM THE INITIAL TERM BY \$1,000.00 WITH EACH EXTENSION, DEPENDENT ON SUBSEQUENT FUNDING, BETWEEN TANCANHOUSEN LLC., AND THE TOWN FOR THE LEASE OF A PARCEL OF LAND LOCATED ON RESERVOIR ROAD WHICH IS UTILIZED FOR A LEAF COMPOSTING SITE.**

**Moved to New Business #4**

- C 4. Request the Town Council approve the Mayor's appointment of William Francis, (R), 41 Pinnacle Road, Vernon, Connecticut 06066, as an alternate member of the Zoning Board of Appeals for a term beginning on 07-22-2009 and ending on 06-30-2012.**

**PROPOSED MOTION:**

**PURSUANT TO THE VERNON TOWN CHARTER, CHAPTER VIII, SEC. 2 & 6; TOWN CODE SEC 10-1; AND C.G.S. §8-5 to 8-5b, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF WILLIAM FRANCIS, (R), 41 PINNACLE ROAD, VERNON, CONNECTICUT 06066, AS AN ALTERNATE MEMBER OF THE ZONING BOARD OF APPEALS FOR A TERM BEGINNING ON 07-22-2009 AND ENDING ON 06-30-2012.**

Council Member Motola, seconded by Council Member O'Shea moved a motion to approve the reappointment of William Francis as an alternate member of the Vernon Zoning Board of Appeals for a term of 7-22-2009 through 6-30-2012. Motion carried. Council member Herold abstained.

- C 5. Request the Town Council approve the Mayor's reappointment of Thomas A. Hazel, (U), 547 Bolton Road, Vernon, Connecticut 06066, as a regular member of the Permanent**

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**Municipal Building Committee for a term to begin on 07-01-2009 and ending on 06-30-2012, effective as of 07-22-2009.**

**PROPOSED MOTION:**

**PURSUANT TO THE VERNON TOWN CHARTER, CHAPTER VIII, SEC. 7, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF THOMAS A. HAZEL, (U), 547 BOLTON ROAD, VERNON, CONNECTICUT 06066, AS A REGULAR MEMBER OF THE PERMANENT MUNICIPAL BUILDING COMMITTEE FOR A TERM TO BEGIN ON 07-01-2009 AND ENDING ON 06-30-2012, EFFECTIVE AS OF 07-22-2009.**

Council Member Motola, seconded by Council Member O'Shea moved a motion to approve the reappointment of Thomas A. Hazel as a regular member of the Permanent Municipal Building Committee for a term of 7-22-2009 through 6-30-2012. Motion carried. Council member Herold abstained.

- C 6. Request the Town Council approve the Mayor's reappointment of John P. Leary, (R), 26 Hany Lane, Vernon, Connecticut 06066, as a regular member of the Permanent Municipal Building Committee for a term to begin on 07-01-2009 and ending on 06-30-2012, effective as of 07-22-2009.**

**PROPOSED MOTION:**

**PURSUANT TO THE VERNON TOWN CHARTER, CHAPTER VIII, SEC. 7, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF JOHN P. LEARY, (R), 26 HANY LANE, VERNON, CONNECTICUT 06066, AS A REGULAR MEMBER OF THE PERMANENT MUNICIPAL BUILDING COMMITTEE FOR A TERM TO BEGIN ON 07-01-2009 AND ENDING ON 06-30-2012, EFFECTIVE AS OF 07-22-2009.**

Council Member Motola, seconded by Council Member O'Shea moved a motion to approve the reappointment of John P. Leary as a regular member of the Permanent Municipal Building Committee for a term of 7-22-2009 through 6-30-2012. Motion carried. Council member Herold abstained.

- C 7. Request the Town Council approve the appointment of Keith R. Lauzon, (U) 49 Brookview Drive, Vernon, Connecticut, as a regular member of the Planning and Zoning Commission for a term commencing 07-22-2009 and ending on 12-31-2009, filing the vacancy created by the resignation of Ralph Zahner.**

**PROPOSED MOTION:**

**PURSUANT TO THE VERNON TOWN CHARTER, CHAPTER VIII, SEC. 1 & 6, AND CONNECTICUT GENERAL STATUTES SEC. 8-4a &b, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF KEITH R. LAUZON (U), 49 BROOKVIEW DRIVE, VERNON, CONNECTICUT, TO ALTERNATE MEMBER OF THE PLANNING AND ZONING COMMISSION FOR A TERM COMMENCING ON 07-22-2009 AND ENDING ON 12-31-2009.**

**Moved to New Business #5**

- C 8. Request the Town Council approve the Mayor Jason L. McCoy's appointments for Collector of Revenue and Director of Public Works.** (A copy of a memorandum from Mayor Jason L. McCoy to the Town Council members dated July 16, 2009 is included in the Council packet for review.)

**PROPOSED MOTION:**

**THE TOWN COUNCIL PURSUANT TO CHAPTER X, SEC. 3 AND CHAPTER XI, SEC. 3 AND 4 OF THE VERNON TOWN CHARTER APPROVE THE MAYOR'S APPOINTMENTS OF MS. TERRY HJARNE, AS COLLECTOR OF REVENUE AND MR. ROBERT KLEINHANS, DIRECTOR OF PUBLIC WORKS, FOR THE TOWN OF VERNON.**

**Moved to New Business #6**

- C 9. Request the Town Council authorize a bid waiver for the purchase of QSCEND Citizen Request Software and SMARTSEARCH Document Management Software for Town Offices.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated 07-17-2009 is included in the packet for your review.)

**PROPOSED MOTION ONE:**

**THE TOWN COUNCIL, IN ACCORDANCE WITH CHAPTER XII, SECTION 9, OF THE VERNON TOWN CHARTER, DETERMINES THAT IT IS IN THE BEST INTEREST OF THE TOWN TO WAIVE THE BID PROCEDURE FOR THE PURCHASE BY THE TOWN OF THE SOFTWARE SOLUTIONS – SMARTSEARCH AT THE COST OF \$31,418.00 AND QSCEND AT A COST OF \$22,700.00 - WITH PROFESSIONAL SERVICES FOR SETUP, TRAINING AND MAINTENANCE. AFTER INVESTIGATION, THESE SOLUTIONS FROM THEIR SUPPLIERS ARE FOUND TO MATCH THE SPECIFIC NEEDS AND COST REQUIREMENTS OF VERNON.**

Council Member Motola, seconded by Council Member O'Shea moved a motion to approve a bid waiver for purchase of Smartsearch at a cost of \$31,418.00 and QSend at a cost of \$22,700.00 with professional services for setup, training and maintenance, and determines that these solutions are found to match the specific needs and cost requirements of Vernon. Motion carried. Council member Herold abstained.

**PROPOSED MOTION TWO:**

**THE TOWN COUNCIL APPROVES FUNDING IN THE AMOUNT OF \$22,700.00 FOR THE PURCHASE OF QSCEND CITIZEN REQUEST SYSTEM SOFTWARE FROM THE GENERAL FUND DATA PROCESSING ACCOUNT, 10117160-57720.**

Council Member Motola, seconded by Council Member O'Shea moved a motion to approve funding of QSend Citizen Request System Software from the General Fund Data Processing Account, 10117160-57720 a cost of \$22,700.00. Motion carried. Council member Herold abstained.

- C 10. Request the Town Council waive the bid procedure and authorize Mayor Jason L. McCoy to execute the contract for inspection services for the River Street Bridge Project.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated July 14, 2009 is included in the packet.)

**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 FOR ENTERING INTO A CONTRACT WITH THE CONTRACTOR FAY, SPOFFORD & THORNDIKE.**

Council Member Motola, seconded by Council Member O'Shea moved a motion to approve a bid waiver for entering into a contract with the contractor Fay, Spofford & Thorndike. Motion carried. Council member Herold abstained.

- C 11. Request the Town Council authorize both a Public Hearing and Special Town Meeting for August 18, 2009 regarding an Additional Appropriation for Education in an amount not to exceed \$932,644.00 to the fiscal year 2008-2009 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.) **Appendix A**

**PROPOSED MOTION:**

**THE TOWN COUNCIL HEREBY SCHEDULES A PUBLIC HEARING AND SPECIAL TOWN MEETING FOR AUGUST 18, 2009 AT 7:35 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 \$932,644.00."**

Council Member Motola, seconded by Council Member O'Shea moved a motion to schedule a Public Hearing and Special Town Meeting for August 18, 2009 at 7:25 PM on the Third Floor, 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 and Additional Appropriation for Education in the Amount of \$932,644.00". Motion carried. Council member Herold abstained.

- C 12. Request the Town Council authorize the re-designation of available funds in the Reserve for Capital and Non-Recurring Expenditures Account, transferring \$250,000.00 from the Phoenix Street Bridge Replacement to the Main Street Bridge Replacement Project.** (A

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copy of a memorandum from James M. Luddecke, Finance Officer and Treasurer to John D. Ward, Town Administrator dated July 15, 2009 is included in the packet for your review.)

**PROPOSED MOTION:**

**THE TOWN COUNCIL AUTHORIZES THE RE-DESIGNATION OF AVAILABLE FUNDS IN THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT, TRANSFERRING \$250,000.00 FROM THE PHOENIX STREET BRIDGE REPLACEMENT TO THE MAIN STREET BRIDGE REPLACEMENT.**

Moved to New Business #7

- C 13. Request the Town Council authorizes the Vernon Local Historic Properties Commission to charge a fifty (\$50.00) application fee.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council members dated July 16, 2009 is included in the packet.) **Appendix B**

**PROPOSED MOTION:**

**THE TOWN COUNCIL AUTHORIZES THE VERNON LOCAL HISTORIC PROPERTIES COMMISSION TO CHARGE A FIFTY DOLLAR (\$50.00) APPLICATION FEE, ALL CHECKS TO BE MADE PAYABLE TO THE TOWN OF VERNON, COLLECTOR OF REVENUE.**

Council Member Motola, seconded by Council Member O'Shea moved a motion to authorize the Vernon Local Historic properties Commission to charge a Fifty dollar (\$50.00) application fee, all checks to be made payable to the Town of Vernon, Collector of Revenue. Motion carried. Council member Herold abstained.

- C 14. Request the Town Council authorize the utilization of the CCM Reverse Auction Program for a one year period.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated July 15, 2009 is included in the packet.)

**PROPOSED RESOLUTION:**

**THE TOWN COUNCIL, HEREBY RESOLVES IN ACCORDANCE WITH CHAPTER XII, SECTION 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 AND AUTHORIZES THE USE OF A SEALED BID REVERSE AUCTION PROGRAM ADMINISTERED BY THE CONNECTICUT CONFERENCE OF MUNICIPALITIES, LLC, FOR THE INITIAL DURATION OF TWELVE (12) MONTHS, FROM JULY 22, 2009 TO JULY 21, 2010; AND (2) AUTHORIZE THE TOWN ADMINISTRATOR AS THE MAYOR'S DESIGNEE TO EXECUTE ON BEHALF OF THE TOWN OF VERNON ANY AGREEMENT (S) TO THAT EFFECT.**

Moved to New Business #8

- C 15. Request the Town Council authorize the use of CRRA funding for a portion of the Optical Fiber Structure and authorize the Mayor to apply for a grant for same.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated July 20, 2009 is included for your review.)

**PROPOSED MOTION ONE:**

**THE TOWN COUNCIL AUTHORIZES THE RE-DESIGNATION OF AVAILABLE FUNDS IN THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT, TRANSFERRING \$200,000 FROM THE CRRA SETTLEMENT PROCEEDS TO A DESIGNATION FOR OPTICAL FIBER INFRASTRUCTURE.**

Moved to New Business #8

**PROPOSED MOTION TWO:**

**THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO APPLY FOR A BTOP GRANT ON BEHALF OF VERNON INDIVIDUALLY OR JOINTLY WITH PARTICIPATING NEIGHBORING MUNICIPALITIES PURSUANT TO THE AMERICAN REINVESTMENT AND RECOVERY ACT UTILIZING A MATCH OF \$200,000 FROM VERNON.**

Moved to New Business #8

**PROPOSED MOTION THREE:**

**THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY TO ENTER INTO AN INTRA-TOWN AGREEMENT TO ESTABLISH AND SHARE FIBER LINKAGES WITH OTHER MUNICIPALITIES.**

**Moved to New Business #8**

- C 16. Request the Town Council redesignate Capital and Non-recurring funds for the prepayment of leases.** (A copy of a memorandum from James M. Luddecke, Finance Officer to John D. Ward, Town Administrator dated July 15, 2009 and a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated July 19, 2009 are included in your packet.)

**PROPOSED MOTION:**

**THE TOWN COUNCIL AUTHORIZES THE RE-DESIGNATION OF AVAILABLE FUNDS IN THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT, TRANSFERRING \$510,000.00 FROM THE INTERMODAL TRANSPORTATION CENTER LOCAL MATCH DESIGNATION; AND \$189,425.00 FROM THE 55 WEST MAIN STREET TOP FLOOR RENOVATION DESIGNATION AND \$1,872.95 FROM AVAILABLE FUNDS TO A DESIGNATION OF \$701,297.95 FOR THE PREPAYMENT OF LEASES.**

**Moved to New Business #9**

**E.) IDENTIFICATION OF ADDITIONAL AGENDA ITEMS**

1. Information #9 - Funding issues related to the Bolton Lakes Sewer Project.

**F.) PENDING BUSINESS**

**None**

**G.) NEW BUSINESS**

1. **Request the Town Council waive the Bid Process for the purposes of hiring the consulting firm of Planimetrics of Avon.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council regarding same is included for your review.) **Appendix C**

**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 ENTERING INTO A CONTRACT WITH THE FIRM PLANIMETERICS OF AVON, CT, AND AUTHORIZES PLANNING & ZONING COMMISSION CHAIR LESTER FINKLE AND/OR THE TOWN ADMINISTRATOR TO ENTER INTO NEGOTIATIONS FOR A ONE-YEAR CONTRACT FOR A SUM NOT TO EXCEED THE AMOUNT APPROPRIATED.**

Council Member Motola, seconded by Council Member O'Shea moved a motion 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 entering into a contract with the Firm Planimetrics of Avon, CT, and/or authorizes Planning and Zoning Commission Chair Lester Finkle and/or the Town Administrator to enter into negotiations for a one-year contract for a sum not to exceed the amount appropriated.

Planning and Zoning Commission presented information on the selection process.

Discussion took place.

Council member Motola, seconded by Council member Schaefer moved a motion to amend the motion to read "...Lester Finkle or designee". Amendment carried unanimously.

Council member Anderson, seconded by Council member Campbell moved a motion to amend the motion to strike "...for a one-year contract." Amendment carried unanimously.

**APPROVED 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 ENTERING INTO A CONTRACT WITH THE FIRM PLANIMETRICS OF AVON, CT, AND AUTHORIZES PLANNING & ZONING COMMISSION CHAIR LESTER FINKLE OR DESIGNEE AND/OR THE TOWN ADMINISTRATOR TO ENTER INTO NEGOTIATIONS FOR A SUM NOT TO EXCEED THE AMOUNT APPROPRIATED.

Motion carried unanimously as amended.

- C 2. Request for Tax Refunds Prior Years and Current Year.** (A copy of a memorandum from Terry Hjarne, Acting Collector of Revenue, to John D. Ward, Town Administrator dated July 10, 2009 is included in the Council packet.) **Appendix D**

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY APPROVES SIX (6) TAX REFUNDS TALLING \$1,595.32 FOR PRIOR YEARS, AND ONE (1) TAX REFUND TALLING \$22.56 FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, ACTING COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED JULY 10, 2009.

Council Member Motola, seconded by Council Member Schaefer moved a motion to approve six tax refunds totaling \$1,595.32 for prior years, and one (1) tax refund totaling \$22.56 for the current year as outlined in the memorandum from Terry Hjarne, Acting Collector of Revenue to John D Ward. Town Administrator dated July 10, 2009.

Discussion took place.

Motion carried.

Council member Herold requested that the Finance Officer, James Luddecke be added to correspondence relative to Tax refunds going forward.

- C 3. Request the Town Council approve budget amendments #51, and #53 – #64 for fiscal year 2008-2009, as provided by James Luddecke, Finance Officer.** **Appendix E**

**PROPOSED MOTION:**

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENTS #51, and #53-#64, FOR FISCAL YEAR 2008-2009, AS OUTLINED IN THE BUDGET AMENDMENT FORMS PROVIDED BY THE JAMES LUDDECKE, FINANCE OFFICER.

Council Member Motola, seconded by Council Member Thomas moved a motion to approve budget amendments #51 and #53-#64 for Fiscal Year 2008-2009.

Discussion took place.

Motion carried unanimously.

- C 4. Request the Town Council authorize the Mayor Jason L. McCoy to sign a new lease with Tancanhoosen LLC. for the purposes of leaf composting.** (A copy of the lease and a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council Members is included in the packet.) **Appendix F**

**PROPOSED MOTION:**

THE TOWN COUNCIL AUTHORIZES THE MAYOR JASON L. MCCOY TO EXECUTE THE ONE (1) YEAR LEASE FOR THE PERIOD AUGUST 1, 2009 THROUGH JULY 31, 2010, IN THE AMOUNT OF \$32,000.00 WITH FOUR (4) ONE YEAR EXTENSION OPTIONS WITH THE PAYMENT SCHEDULE GRADUATED FROM THE INITIAL TERM BY \$1,000.00 WITH EACH EXTENSION, DEPENDENT ON SUBSEQUENT FUNDING, BETWEEN TANCANHOUSEN LLC., AND THE TOWN FOR THE LEASE OF A PARCEL OF LAND LOCATED ON RESERVOIR ROAD WHICH IS UTILIZED FOR A LEAF COMPOSTING SITE.

Council Member Motola, seconded by Council Member Campbell moved a motion to authorize Mayor Jason L. McCoy to execute the one (1) year lease for the period August 1, 2009 through July 31,

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2010, in the amount of \$32,000.00 with four (4) one year extension options with the payment schedule graduated from the initial term by \$1,000.00 with each extension, dependent on subsequent funding, between Tancanhoosen LLC., and the Town for the Lease of a parcel of land located on reservoir Road which is utilized for a Leaf Composting Site.

Discussion took place.

Motion carried unanimously.

- C 5. Request the Town Council approve the appointment of Keith R. Lauzon, (U) 49 Brookview Drive, Vernon, Connecticut, as a regular member of the Planning and Zoning Commission for a term commencing 07-22-2009 and ending on 12-31-2009, filing the vacancy created by the resignation of Ralph Zahner.**

**PROPOSED MOTION:**

**PURSUANT TO THE VERNON TOWN CHARTER, CHAPTER VIII, SEC. 1 & 6, AND CONNECTICUT GENERAL STATUTES SEC. 8-4a &b, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF KEITH R. LAUZON (U), 49 BROOKVIEW DRIVE, VERNON, CONNECTICUT, TO ALTERNATE MEMBER OF THE PLANNING AND ZONING COMMISSION FOR A TERM COMMENCING ON 07-22-2009 AND ENDING ON 12-31-2009.**

Council Member Motola, seconded by Council Member Thomas moved a motion to approve the Mayor's appointment of Keith R. Lauzon (U), 49 Brookview Drive, Vernon, Connecticut, to a regular member of the Planning and Zoning Commission for a term commencing on 7-22-2009 and ending on 12-31-2009. Motion carried.

Council member Motola requested motion correctly reflect the status of Regular member.

**APPROVED MOTION:**

**PURSUANT TO THE VERNON TOWN CHARTER, CHAPTER VIII, SEC. 1 & 6, AND CONNECTICUT GENERAL STATUTES SEC. 8-4a &b, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF KEITH R. LAUZON (U), 49 BROOKVIEW DRIVE, VERNON, CONNECTICUT, TO REGULAR MEMBER OF THE PLANNING AND ZONING COMMISSION FOR A TERM COMMENCING ON 07-22-2009 AND ENDING ON 12-31-2009.**

Motion carried unanimously.

- C 6. Request the Town Council approve the Mayor Jason L. McCoy's appointments for Collector of Revenue and Director of Public Works.** (A copy of a memorandum from Mayor Jason L. McCoy to the Town Council members dated July 16, 2009 is included in the Council packet for review.)

**PROPOSED MOTION:**

**THE TOWN COUNCIL PURSUANT TO CHAPTER X, SEC. 3 AND CHAPTER XI, SEC. 3 AND 4 OF THE VERNON TOWN CHARTER APPROVE THE MAYOR'S APPOINTMENTS OF MS. TERRY HJARNE, AS COLLECTOR OF REVENUE AND MR. ROBERT KLEINHANS, DIRECTOR OF PUBLIC WORKS, FOR THE TOWN OF VERNON.**

Council Member Motola, seconded by Council Member Thomas moved a motion to approve the Mayor's appointments of Terry Hjarne as Collector of revenue and Mr. Robert Kleinhans, Director of Public Works, for the Town of Vernon.

Council member Winkler moved to Divide the Question

Motion to Divide the Question failed.

Discussion took place.

Council member Herold moved a motion to approve pursuant to Chapter X, Section 3 and Chapter XI, Section 4 of the Vernon Town Charter the Mayor's appointment of Terry Hjarne as Collector of Revenue because of experience and certifications.

Mayor Jason McCoy called the motion out of order.



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Council member Campbell, seconded by Council member Thomas called to Move the Question.

Motion to Move the Question failed.

Council member Herbst, seconded by Council member Winkler moved a motion to request a Roll Call vote.

Meeting recessed for 5 minutes at 9:46 PM.

Meeting reconvened at 9:51 PM.

Council members present: Daniel Anderson, Bill Campbell, Bill Fox, Marie Herbst, Nancy E Herold, Brian R. Motola, Sean O'Shea, Pauline Schaefer, Daniel Champagne, Michael A. Winkler and Harry Thomas.

Motion to request a Roll Call vote failed.

Mayor Jason L. McCoy called for a vote on the Main Motion.

Motion to approve the Main Motion failed.

- C 7. Request the Town Council authorize the re-designation of available funds in the Reserve for Capital and Non-Recurring Expenditures Account, transferring \$250,000.00 from the Phoenix Street Bridge Replacement to the Main Street Bridge Replacement Project.** (A copy of a memorandum from James M. Luddecke, Finance Officer and Treasurer to John D. Ward, Town Administrator dated July 15, 2009 is included in the packet for your review.)

**PROPOSED MOTION:**

**THE TOWN COUNCIL AUTHORIZES THE RE-DESIGNATION OF AVAILABLE FUNDS IN THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT, TRANSFERRING \$250,000.00 FROM THE PHOENIX STREET BRIDGE REPLACEMENT TO THE MAIN STREET BRIDGE REPLACEMENT.**

Council Member Motola, seconded by Council Member Campbell moved a motion 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 for entering into a contract with the contractor Fay, Spofford & Thorndike.

Terry McCarthy, Town Engineer spoke relative to previous funding and STP Funding for the reconstruction of Phoenix Street Bridge.

Discussion took place.

Motion carried unanimously.

- C 8. Request the Town Council authorize the utilization of the CCM Reverse Auction Program for a one year period.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated July 15, 2009 is included in the packet.)

**PROPOSED RESOLUTION:**

**THE TOWN COUNCIL, HEREBY RESOLVES IN ACCORDANCE WITH CHAPTER XII, SECTION 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 AND AUTHORIZES THE USE OF A SEALED BID REVERSE AUCTION PROGRAM ADMINISTERED BY THE CONNECTICUT CONFERENCE OF MUNICIPALITIES, LLC, FOR THE INITIAL DURATION OF TWELVE (12) MONTHS, FROM JULY 22, 2009 TO JULY 21, 2010; AND (2) AUTHORIZE THE TOWN ADMINISTRATOR AS THE MAYOR'S DESIGNEE TO EXECUTE ON BEHALF OF THE TOWN OF VERNON ANY AGREEMENT (S) TO THAT EFFECT.**

Council Member Motola, seconded by Council Member O'Shea moved a motion in accordance with Chapter XII, Section 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 and authorizes the use of a sealed bid reverse auction program administered by the Connecticut Conference of Municipalities, LLC, for the initial duration of twelve (12) months, from July 22, 2009 to July 21, 2010; and (2) authorize the Town Administrator as the Mayor's designee to execute on behalf of the Town of Vernon any agreement (s) to the effect.

July 21, 2009

Discussion took place.

Council member Champagne left the table (10:03 PM)

Council member Champagne returned to the (10:05 PM)

Motion carried unanimously.

- C 9. Request the Town Council authorize the use of CRRA funding for a portion of the Optical Fiber Structure and authorize the Mayor to apply for a grant for same.** (A copy of a memorandum from John D. Ward, Town Administrator to Mayor Jason L. McCoy and the Town Council dated July 20, 2009 is included for your review.)

**PROPOSED MOTION ONE:**

**THE TOWN COUNCIL AUTHORIZES THE RE-DESIGNATION OF AVAILABLE FUNDS IN THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT, TRANSFERRING \$200,000 FROM THE CRRA SETTLEMENT PROCEEDS TO A DESIGNATION FOR OPTICAL FIBER INFRASTRUCTURE.**

Council Member Motola, seconded by Council Member Campbell moved a motion to authorize the re-designation of available funds in the Reserve for Capital and Non-Recurring Expenditures Account, transferring \$200,000.00 from the Connecticut resource recovery Authority (CRRA) Settlement proceeds to a designation for Optical Fiber Infrastructure.

Discussion took place.

Council member Herbst requested periodic reports as the project proceeds.

Motion carried unanimously.

**PROPOSED MOTION TWO:**

**THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO APPLY FOR A BTOP GRANT ON BEHALF OF VERNON INDIVIDUALLY OR JOINTLY WITH PARTICIPATING NEIGHBORING MUNICIPALITIES PURSUANT TO THE AMERICAN REINVESTMENT AND RECOVERY ACT UTILIZING A MATCH OF \$200,000 FROM VERNON.**

Council Member Motola, seconded by Council Member Campbell moved a motion to authorize Mayor Jason L. McCoy for a BTOP Grant on behalf of Vernon individually or jointly with participating neighboring Municipalities pursuant to the American Reinvestment and Recovery Act utilizing a match from Vernon.

Council member Herold requested that the grant name be listed out.

**APPROVED MOTION TWO:**

**THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY OR HIS DESIGNEE TO APPLY FOR A BROADBAND TECHNOLOGY OPPORTUNITY GRANT (BTOP) GRANT ON BEHALF OF VERNON INDIVIDUALLY OR JOINTLY WITH PARTICIPATING NEIGHBORING MUNICIPALITIES PURSUANT TO THE AMERICAN REINVESTMENT AND RECOVERY ACT UTILIZING A MATCH OF \$200,000 FROM VERNON.**

Motion carried. Council member Fox opposed.

**PROPOSED MOTION THREE:**

**THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY TO ENTER INTO AN INTRA-TOWN AGREEMENT TO ESTABLISH AND SHARE FIBER LINKAGES WITH OTHER MUNICIPALITIES.**

Council Member Motola, seconded by Council Member Herbst moved a motion to authorize Mayor Jason L. McCoy to enter into an Intra-Town Agreement to establish and share fiber linkages with other municipalities. Motion carried unanimously.

- C 10. Request the Town Council redesignate Capital and Non-recurring funds for the prepayment of leases.** (A copy of a memorandum from James M. Luddecke, Finance Officer to John D. Ward, Town Administrator dated July 15, 2009 and a memorandum from John D. Ward,

July 21, 2009

Town Administrator to Mayor Jason L. McCoy and the Town Council dated July 19, 2009 are included in your packet.)

**PROPOSED MOTION:**

**THE TOWN COUNCIL AUTHORIZES THE RE-DESIGNATION OF AVAILABLE FUNDS IN THE RESERVE FOR CAPITAL AND NON-RECURRING EXPENDITURES ACCOUNT, TRANSFERRING \$510,000.00 FROM THE INTERMODAL TRANSPORTATION CENTER LOCAL MATCH DESIGNATION; AND \$189,425.00 FROM THE 55 WEST MAIN STREET TOP FLOOR RENOVATION DESIGNATION AND \$1,872.95 FROM AVAILABLE FUNDS TO A DESIGNATION OF \$701,297.95 FOR THE PREPAYMENT OF LEASES.**

Council Member Motola, seconded by Council Member Champagne moved a motion to authorize the re-designation of available funds in the Reserve for capital and Non-Recurring Expenditures Account, transferring \$510,000.00 from the Intermodal Transportation Center Local Match Designation; and \$189,425.00 from the 55 West Main Street Top Floor Renovation Designation and \$1,872.95 from available funds to a designation of \$701,297.95 for the prepayment of leases.

Discussion was held.

Motion carried. Council member Winkler and Fox opposed.

Council member Winkler, seconded by Council member Schaefer moved to add the additional Agenda Item:

The Town Council pursuant to Chapter X, Section 3 and Chapter XI, Section 4 of the Vernon Town Charter the Mayor's appointment of Terry Hjarne as Collector of Revenue for the Town of Vernon.

Motion failed to meet required 2/3 vote to add an Additional Agenda Item.

Council member Thomas, seconded by Council member Herbst moved a motion to extend curfew to 10:45 PM. Motion carried unanimously.

**H.) INTRODUCTION OF ORDINANCES**

**I.) ACTION ON ORDINANCES PREVIOUSLY PRESENTED**

**J.) DISCUSSION OF ADDITIONAL AGENDA ITEMS**

**K.) ADOPTION OF MINUTES**

**THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF JUNE 16, 2009 AND THAT MINUTES OF SAID MEETING BE APPROVED.**

Council member Motola, seconded by Council member Thomas moved at motion to approve the minutes of June 16, 2009.

Council member Herbst requested page 5: New Business #1 – Correct date to indicate July 21, 2009. Requested discussion of Fiscal Status is added to the August 18, 2009 meeting.

Council member Campbell requested page 6 Item J.) Discussion of Additional Items state: "Informational Item #2: Council Member Campbell requested the longest, shortest and mean response times be added to future reports."

Council member Herold requested:

- Title should state Page 1 - "Regular Meeting".
- Page 1: Call to Order – Should List as "Mayor Jason L. McCoy".
- Requested entrances and exits of the meetings be noted in the minutes during the item for discussion.
- Check Consent Item #3, 7, 8 and move placement to New Business for discussion also determine if motion was unanimous consent on stated items.
- Page 5: F.) Pending Business: Members present should be stated upon the return from recess.

July 21, 2009

- Page 6 - Requested reports from the Police Department to include statistics but omit specific names not that they be brief.
- Page 6 – Adoption of Minutes - Change amendment of June 2, 2009 minutes adoption to indicate Council member Herold instead of Council member Herbst.

Amended/corrected minutes to be supplied at the August 18, 2009 meeting.

Council member Motola, seconded by Council member Champagne moved a Motion to enter Executive Session at 10:38 PM. Motion carried unanimously.

Council member Herbst left the meeting.

#### **L.) EXECUTIVE SESSION**

##### **SESSION ONE:**

**THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES § 1-200(6) (D) HEREBY MOVES TO GO INTO EXECUTIVE SESSION REGARDING REAL ESTATE ACQUISITION AND INVITES JOHN D. WARD, TOWN ADMINISTRATOR, JAMES LUDDECKE, FINANCE OFFICER AND TOWN ATTORNEY HAROLD CUMMINGS TO ATTEND.**

10:50 pm –Return to Public Session

Councilman Anderson made a request for the Minutes for the June 16, 2009 meeting to be amended to reflect that The Town Attorney was authorized to negotiate for 8 Ward Street along with 11 and 12 Ward Street (the minutes only reflect 11 and 12 Ward Street). Agreed.

##### **MOTION**

**THE TOWN COUNCIL ~~HERBY~~ HEREBY APPRIVES AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$ 75,000.00 TO THE CAPITAL IMPROVEMENT ACCOUNT FOR THE PURCHASE OF 8 WARD STREET**

**DA/ PS – Unanimous**

##### **MOTION**

**THE TOWN COUNCIL ~~HERBY~~ HEREBY APPRIVES AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$ 75,000.00 TO THE CAPITAL IMPROVEMENT ACCOUNT FOR THE PURCHASE OF 8 WARD STREET**

**DA/ PS – Unanimous**

##### **MOTION**

**THE TOWN COUNCIL ~~HERBY~~ HEREBY APPRIVES AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$ \$52,231.81 TO THE CAPITAL IMPROVEMTNS ACCOUNT FOR THE PURCHASE OF 11 WARD STREET**

**DA/PS - Unanimous**

##### **MOITION**

**THE TOWN COUNCIL ~~HERBY~~ HEREBY APPRIVES AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF \$ \$44,500 TO THE CAPITAL IMPROVEMENT ACCOUNT FOR THE PURCHASE OF 12 WARD STREET**

**DA/ HT – Unanimous**

##### **SESSION TWO:**

**THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES § 1-200(6) (D) HEREBY MOVES TO GO INTO EXECUTIVE SESSION REGARDING REAL ESTATE TRANSACTIONS AND INVITES JOHN D. WARD, TOWN ADMINISTRATOR, JAMES LUDDECKE, FINANCE OFFICE AND TOWN ATTORNEY HAROLD CUMMINGS TO ATTEND.**

July 21, 2009

**10:53- Motion to go into Executive Session BM/PS**

**11:05 – Return to Public Session**

**11:05 MOTION TO ADJOURN BM / BC – Unanimous**

**M.) INFORMATIONAL ITEMS**

1. Town Clerk Monthly Report for June, 2009 as submitted by Bernice Dixon, Town Clerk.
2. Ambulance Report for June, 2009 as submitted by Coordinator Jean Gauthier.
3. Monthly Senior Center reports for May and June 2009 from Penny Rand, Director
4. Monthly Building Department Activity Report for May 2009, from B. Peter Hobbs, Building Official.
5. Invitation to attend the 50<sup>th</sup> Anniversary Celebration of The Vernon Housing Authority on July 31, 2009.
6. Municipal Building Committee Minutes dated June 24, 2009, and Annual Inspection of Town Buildings Report, dated June 25, 2009.
7. Monthly Building Department Activity Report for June 2009, from B. Peter Hobbs, Building Official.
8. Invitation to the 10<sup>th</sup> Annual Connecticut Veterans Day Parade.
9. Funding issues related to the Bolton Lakes Sewer Project.

Received: July 24, 2009

Approved: August 24, 2009

Respectfully Submitted,  
Jill Kentfield  
Recording Secretary

James E. Krupinski, Asst.

July 21, 2009

Appendix A

LEGAL NOTICE  
TOWN OF VERNON  
PUBLIC HEARING  
AND  
SPECIAL TOWN MEETING  
AUGUST 18, 2009

This is to give Notice that on July 21, 2009 in accordance with Chapter XII Section 10(f) of the Vernon Town Charter, the Vernon Town Council scheduled a Public Hearing and Special Town Meeting to be held August 18, 2009 at the third floor Town Council Chambers in the Town Hall Memorial Building, 14 Park Place, Vernon, Connecticut, to hear comments and take the necessary action relative to the following Resolution recommended by the Mayor:

**RESOLUTION REGARDING AN ADDITIONAL APPROPRIATION  
FOR EDUCATION IN THE AMOUNT OF \$932,644.00**

WHEREAS, the Town of Vernon is to receive from the State of Connecticut \$953,532.00 as partial reimbursement for fiscal year 2008-2009 special education and placement expenditures as follows: \$587,357.00 from a Special Education Agency Placement grant; \$280,527.00 from a Special Education Excess Cost grant; and \$85,648.00 from a Regular Education Agency Placement grant; all pursuant to Section 10-76(g) of the General Statutes: and

WHEREAS, with reference to the General Statutes, the funds should be returned to the Education budget if not previously appropriated.

WHEREAS, the State Department of Education overpaid the Town of Vernon in the 2007-2008 special education grants by \$20,888.00 and have deducted that amount from the 2008-2009 Education Cost Sharing grant. As done in previous years, the \$20,888.00 will be deducted from the current year special education grants of \$953,532.00 for a total appropriation of **\$932,644.00**.

NOW THEREFORE, Be It Resolved: That the Town Council hereby approves an additional appropriation in an amount not to exceed **\$932,644.00** to the fiscal year 2008-2009 Education budget, account 10990330 - 58900, to pay for excess costs related to Special Education.

Said Public Hearing will take place at 7:35 p.m., and said Special Town Meeting will take place at 7:40 p.m., concerning the above Resolution.

The Town Council

By: \_\_\_\_\_  
Bernice K. Dixon  
Clerk of the Town Council

Dated at Vernon, Connecticut, this       day of       , 2009

July 21, 2009

Appendix B

DRAFT

Town Of Vernon  
Local Historic Properties Commission

Application for  
**CERTIFICATE OF APPROPRIATENESS**

OFFICE USE ONLY	OFFICE USE ONLY
Application No. _____	Date Received _____

Application is hereby made for the issuance of a **CERTIFICATE OF APPROPRIATENESS** for proposed work as described below and as shown on photographs and plans or drawings.

Address of Proposed Work: \_\_\_\_\_

Name of Historic District or Property: \_\_\_\_\_

Applicant \_\_\_\_\_ Home Phone \_\_\_\_\_

Applicant's Address \_\_\_\_\_ Business Phone \_\_\_\_\_

Owner \_\_\_\_\_ Home Phone \_\_\_\_\_

Owner's Address \_\_\_\_\_ Business Phone \_\_\_\_\_

Agent or Contractor \_\_\_\_\_ Home Phone \_\_\_\_\_

Agent's Address \_\_\_\_\_ Business Phone \_\_\_\_\_

Type of Building on which work is proposed: \_\_\_\_\_

**APPLICATION FEE: \$50.00**

THE FOLLOWING INFORMATION MAY BE REQUIRED (Please consult staff):

Plot Plan of Property      Photographs / Manufacturer's Literature      Plans / Drawings of Proposed Work

EXPLANATION OR DESCRIPTION OF PROPOSED WORK: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant / Date Signed

OFFICE USE ONLY	OFFICE USE ONLY
( ) Referred to Local Historic District Commission for Public Hearing on: _____	
( ) Notice of Public Hearing published on: _____	

**COMMISSION ACTION**

( ) Application <b>TABLED</b>	( ) Application <b>APPROVED AS MODIFIED</b>
( ) Application <b>DENIED</b>	( ) Application <b>APPROVED AS SUBMITTED</b>
( ) Application <b>CONTINUED WITH HEARING</b>	( ) Application <b>APPROVED WITH STIPULATIONS</b>
<b>LEFT OPEN</b>	

Date: _____	Date: _____
Signed _____	Signed _____

\_\_\_\_\_  
Chairman, Local Historic Properties Comm.

\_\_\_\_\_  
Secretary, Local Historic Properties Commission

# Town of Vernon Plan of Conservation & Development (POCD) Update

July 21, 2009



# Town of Vernon Plan of Conservation & Development Update

## Background

- September, 2008- State notifies the TOV, that discretionary state funding to a municipality may be jeopardized if the POCD is not current with the 10 year update cycle.
- November, 2008- TOV PZC votes to endorse a recommendation to hire a land use consultant to revise the POCD
- November 28, 2008- PZC Commissioners and Town Planner meet with Town Administration on intentions to publish a Request for Qualifications (RFQ)
- January, 2009-Town Planner and PZC Commissioners meet with Town Council and notify them of RFQ intentions.
- February/ March, 2009- RFQ is published in land use journals.
- June, 2009- PZC selects Planimetrics as POCD consultant

# Town of Vernon Plan of Conservation & Development Update

## Consultant Selection Process

- Six planning consultant companies responded to the RFQ
- Three companies were selected by the Town Planner and the PZC selection committee: Planimetrics-Avon, CT; Turner-Miller Group-Suffern, NY & Cheshire, CT; AKRF-Willimantic, CT
- June, 2009- presentations were given to the PZC at a special meeting.
- The PZC and the Town Planner selected Planimetrics

# Town of Vernon Plan of Conservation & Development Update

## Next Steps

- July, 2009-Town Council is notified of Planimetrics selection
- July/ August, 2009-define the scope of work with Planimetrics
- September, 2009- complete contract negotiations and present findings to Town Council
- October, 2009- begin POCD project

# Town of Vernon Plan of Conservation & Development Update

## Introduction of Planimetrics

- Heidi Samokar, Senior Planner

July 21, 2009

Appendix D



OFFICE OF THE  
COLLECTOR OF REVENUE

## TOWN OF VERNON

8 PARK PLACE, VERNON, CT 06066

Tel: (860) 870-3660

Fax: (860) 870-3585

TO: John Ward, Town Administrator  
FROM: Terry Hjarne, Acting Collector of Revenue  
DATE: July 10, 2009  
SUBJECT: Refunds for Town Council Approval

**PRIOR YEARS:**

Abraham Clifford J & Christine B.....	613.76
Apply Veteran Exemptions	
Charette Property Investments Group LLC.....	542.00
Reduction in Attorney Fees	
DCFS Trust.....	183.76
Assessor's Correction- Sold Vehicle	
LPS FBO Dawtelle David & Judith M.....	24.00
Paid Wrong Amount	
Stevens Linda A.....	94.48
Assessor's Correction- Repo	
Vinh Hao.....	137.32
Assessor's Correction- Out of State	

**CURRENT YEAR:**

Burke Fortin Funeral Home .....	22.56
Jeopardy Collection Overpayment	

(6) Prior Overpayments.....	\$ 1595.32
(1) Current Overpayments .....	\$ 22.56

## Appendix E

**TOWN OF VERNON**

[illegible]

## Appendix E (cont)

7/17/2009

## TOWN OF VERNON

ADDITIONAL APPROPRIATIONS FROM GENERAL FUND BALANCE  
FISCAL YEAR 2008 - 2009

Date	Description	#	Pass Through	Additional Appropriation	Total
09/02/08	Collector of Revenue - Rebate for recall on fax machine	2	\$ 100.00	-	\$ 100.00
12/02/08	Data Processing - Building Inspection GEOTMS software	6	-	25,000.00	25,000.00
	Note: Total cost is \$35,000.00 / Contingency provides \$10,000.00				-
02/17/09	Public Works - 11 chemical control units with GPS	8	-	69,080.00	69,080.00
	General Election - Advertising / Telephones	9	6,250.00		6,250.00
	General Election - Election worker wages	9	-	6,034.00	6,034.00
	General Election - Advertising / Supplies / Food [Encb. Liquid.]	10	1,417.00	-	1,417.00
	Collector of Revenue - Printing of tax bills [Encb. Liquid.]	11	647.56	-	647.56
					-
03/17/09	Fire Department - Rescue truck transmission repair	18	-	8,000.00	8,000.00
	Fire Department - "Jaws of Life" and related equipment	18	-	45,000.00	45,000.00
04/21/09	Elections - Office supplies (to be funded by encumb. liquidation)	19	116.93	-	116.93
	Law - Town Attorney; special counsel; and labor relations	20	-	68,000.00	68,000.00
	Parks - Horowitz pool repairs due to harsh winter	21	-	30,000.00	30,000.00
	Capital Improvements - Hybrid grants	22	11,400.00	-	11,400.00
	Arts Commission - Encumbrance liquidation change - performers	23	800.00	-	800.00
					-
05/05/09	Elections - Voting machines (to be funded by encumb. liquidation)	30	372.58	-	372.58
	Youth Services - School Readiness Manager	31	11,188.00	-	11,188.00
					-
05/19/09	Parks - Horowitz pool repairs due to harsh winter	32	-	6,060.00	6,060.00
<b>Totals to Date:</b>			<b>\$ 32,292.07</b>	<b>\$ 257,174.00</b>	<b>\$ 289,466.07</b>
<i>Original Budget:</i>					<i>75,451,602.00</i>
<i>Revised Budget:</i>					<i>\$ 75,741,068.07</i>

July 21, 2009

Appendix E (cont)

**Budget Amendment Request**

Total Amount Requested: 300.00 Fiscal Year 2009 Date: 7/13/09

To: Finance Officer From (Department): \_\_\_\_\_ Amendment #: **51**

Type of Amendment (X): ☐ Additional Appropriation ☐ Pass-Through ☒ Transfer

*Request is hereby submitted for amendment(s) of budget as indicated.*

Department	Account Description	Org Code	Object	Amount
<b>From:</b> <u>Collector of Revenue</u>	<u>Schools / Seminars</u>	<u>10114146</u>	<u>55670</u>	<u>300.00</u>
<b>"FROM" Subtotal:</b>				

Department	Account Description	Org Code	Object	Amount
<b>TO:</b> <u>1. Collector of Revenue</u>	<u>Other Fees</u>	<u>10114146</u>	<u>53800</u>	<u>300.00</u>
<u>2.</u>				
<u>3.</u>				
<u>4.</u>				
<b>"TO" Subtotal:</b>				

No.	COMMENTS CONCERNING BUDGET AMENDMENT REQUEST
<u>1.</u>	<u>Shortage due to Marshal fees collected in office thru credit card payments</u>
<u>2.</u>	

	1	2	3	4
Balance in account for which funds are requested:	<u>1630</u>			
Original appropriation in account:	<u>8500.00</u>			
Plus or minus prior amendments:	<u>-</u>			
Amount of appropriation to date:	<u>8,500.00</u>			

Terry Hjarne Terry Hjarne 7/13/09  
Department Head Signature Date

At a meeting of the Town Council held on \_\_\_\_\_ the above request(s) was/were approved in the amount of: \_\_\_\_\_  
Signature of Town Administrator: \_\_\_\_\_



July 21, 2009

Appendix E (cont)

Budget Amendment Request

Total Amount Requested: \$800.00      FY2009      Date: 06/12/2009

To: Finance Officer      From (Department): Emergency Management [10232189]      Amendment #: 53

Type of Amendment (X):    ☐ Additional Appropriation    ☐ Pass-Through    ☒ Transfer

*Request is hereby submitted for amendment(s) of budget as indicated.*

Department	Account Description	Org Code	Object	Amount
<b>FROM: Emergency Management</b>	<b>Communications</b>	<b>10232189</b>	<b>55330</b>	<b>\$800.00</b>
<b>"FROM" Subtotal:</b>				<b>\$800.00</b>

Department	Account Description	Org Code	Object	Amount
<b>TO:</b>				
1. <b>Emergency Management</b>	<b>Other repair and maint</b>	<b>10232189</b>	<b>54390</b>	<b>\$200.00</b>
2. <b>Emergency Management</b>	<b>Emergency Management Equipment</b>	<b>10232189</b>	<b>57875</b>	<b>\$600.00</b>
4.				
<b>"TO" Subtotal:</b>				<b>\$800.00</b>

No.         COMMENTS CONCERNING BUDGET AMENDMENT REQUEST

**This amendment proposes to transfer budgeted funds between existing OEM accounts to support the procurement and installation of critical emergency communications and response equipment.**

**No additional funds are being requested as part of this amendment.**

	1	2	3	4
Balance in account for which funds are requested:	- 0 -	6.12		
Original appropriation in account:	1,500.00	3,300.00		
Plus or minus prior amendments:	+ 1,050.00	3,221.11		
Amount of appropriation to date:	2,550.00	6,521.11		

Michael Purcaro      Michael Purcaro      06/12/09

Department Head      Signature      Date

At a meeting of the Town Council held on \_\_\_\_\_ the above request(s) was/were approved in the amount of: \_\_\_\_\_

Signature of Town Administrator: \_\_\_\_\_

July 21, 2009

Appendix E (cont)

**Budget Amendment Request**

Total Amount Requested: \$ 5,744.00

Fiscal Year 2008 - 2009

Date: June 30, 2009

To: Finance Officer From(Department): Public Works Department

Amendment#: **54**

Type of Amendment (X): ☐ Additional Appropriation ☐ Pass-Through ☒ Transfer

Request is hereby submitted for amendment(s) of budget as indicated

Department	Account Description	Org Code	Object	Amount
<b>FROM:</b>				
1. Maintenance of Govt. Bldgs.	Heating Fuel	10340203	56250	1,018.00
2. Maintenance of Govt. Bldgs.	Heating Fuel	10340203	56250	4,351.00
3. Maintenance of Govt. Bldgs.	Heating Fuel	10340203	56250	375.00
<b>"FROM" Subtotal:</b>				<b>\$ 5,744.00</b>

Department	Account Description	Org Code	Object	Amount
<b>TO:</b>				
1. Maintenance of Govt. Bldgs.	Electricity	10340203	54110	1,018.00
2. Maintenance of Govt. Bldgs.	Natural Gas	10340203	54120	4,351.00
3. Maintenance of Govt. Bldgs.	Other Repairs & Maint.	10340203	54390	375.00
<b>"TO" Subtotal:</b>				<b>\$ 5,744.00</b>

COMMENTS CONCERNING BUDGET AMENDMENT REQUEST

Due to Deficits in accounts.

	1	2	3	4
Balance in account for which funds are requested:	-1,018	-4,351	-375	
Original appropriation in account:	271,500	110,000	40,881	
Plus or minus prior amendments:	5,000	4,000	3,644	
Amount of appropriation to date:	275,482	109,649	44,150	-

David R. Tomko

Interim Director of Public Works



Signature

6/30/2009

Date

At a meeting of the Town Council held on \_\_\_\_\_

the above request(s) was/were approved in the amount of: \_\_\_\_\_

Signature of Town Administrator: \_\_\_\_\_

July 21, 2009

Appendix E (cont)

**Budget Amendment Request**

Total Amount Requested: \$492.00 Fiscal Year 2008 - 2009 Date: June 23, 2009

To: Finance Officer From (Department): Parks and Recreation Amendment #: 55

Type of Amendment (X): ☐ Additional Appropriation ☒ Pass-Through ☐ Transfer

*Request is hereby submitted for amendment(s) of budget as indicated.*

Department	Account Description	Org Code	Object	Amount
<b>FROM:</b>				
Administration	Telephone	10560250	55310	\$492.00
<b>"FROM" Subtotal:</b>				<b>\$ 492.00</b>

Department	Account Description	Org Code	Object	Amount
<b>TO:</b>				
1. Administration	Copier Lease	10560250	54490	356.00
2. Administration	Other Rentals	10560250	54492	136.00
3.				
4.				
<b>"TO" Subtotal:</b>				<b>\$ 492.00</b>

*COMMENTS CONCERNING BUDGET AMENDMENT REQUEST*

1 To complete FY Copier Lease  
 2 To pay for postage machine Lease  
 3  
 4

	1	2	3	4
Balance in account for which funds are requested:	160.50	(135.40)		
Original appropriation in account:	3,950.00	200.00		
Plus or minus prior amendments:	-	-		
Amount of appropriation to date:	3,950.00	200.00		

Bruce Dinnie  
 Department Head

Signature

June 30, 2009  
 Date

At a meeting of the Town Council held on \_\_\_\_\_ the above request(s) was/were approved in the amount of: \_\_\_\_\_

Signature of Town Administrator: \_\_\_\_\_

July 21, 2009

Appendix E (cont)

**Budget Amendment Request**

Total Amount Requested: \$3,970.66

Fiscal Year 2008 - 2009

Date: July 10, 2009

To: Finance Officer From (Department): Parks and Recreation Amendment #: **56**

Type of Amendment (X): ☐ Additional Appropriation ☐ Pass-Through ☒ Transfer

Request is hereby submitted for amendment(s) of budget as indicated.

Department	Account Description	Org Code	Object	Amount
<b>FROM:</b>				
Maintenance	Regular Wages	10560254	51010	\$3,970.66
<b>"FROM" Subtotal:</b>				<b>\$ 3,970.66</b>

Department	Account Description	Org Code	Object	Amount
<b>TO:</b>				
1. Maintenance	Gasoline	10560254	56260	1,580.77
2. Maintenance	Diesel	10560254	56261	2,389.89
3.				
4.				
<b>"TO" Subtotal:</b>				<b>\$ 3,970.66</b>

**COMMENTS CONCERNING BUDGET AMENDMENT REQUEST**

1 To complete end of Fiscal Year deficit with fuel consumption.

2

3

4

	1	2	3	4
Balance in account for which funds are requested:	(3,509.89)	(2,389.89)		
Original appropriation in account:	5,800.00	17,150.00		
Plus or minus prior amendments:	-	-		
Amount of appropriation to date:	5,800.00	17,150.00		

Bruce Dinnie

Department Head

Signature

July 9, 2009

Date

At a meeting of the Town Council held on

the above request(s) was/were approved in the amount of:

Signature of Town Administrator:

## Appendix E (cont)

**Total Amount Requested:** \$3,800.00 Fiscal Year 2008 - 2009 **Date:** July 21, 2009

**Type of Amendment (X):** ☐ Additional Appropriation ☐ Pass-Through ☒ Transfer

Department	Account Description	Org Code	Object	Amount
<b>FROM:</b>				
Parks Maintenance	Regular wages	10560254	51010	3,800.00
<b>"FROM" Subtotal:</b>				<b>\$ 3,800.00</b>

No.	COMMENTS CONCERNING BUDGET AMENDMENT REQUEST
1.	To replace 1987 trailer that has two broken axles and is deemed a hazard.

Bruce Dinnie		July 10, 2009
Department Head	Signature	Date

34

July 21, 2009

Appendix E (cont)

**Budget Amendment Request**

Total Amount Requested: \$4,508.85 Fiscal Year 2008 - 2009 Date: July 21, 2009

To: Finance Officer From (Department): Parks and Recreation Amendment #: **58**

Type of Amendment (X): ☐ Additional Appropriation ☒ Pass-Through ☒ Transfer

*Request is hereby submitted for amendment(s) of budget as indicated.*

Department	Account Description	Org Code	Object	Amount
<b>FROM:</b>				
Fund Balance		100	31200	3,257.85
Parks Maintenance	Training	10560254	55674	720.00
Parks Maintenance	Other equipment & machinery	10560254	57590	531.00
<b>"FROM" Subtotal:</b>				<b>\$ 4,508.85</b>

Department	Account Description	Org Code	Object	Amount
<b>TO:</b>				
1. Parks Maintenance	Other rentals	10560254	54492	2,785.00
2. Parks Maintenance	Machinery & equipment parts	10560254	56520	472.85
3. Parks Maintenance	Machinery & equipment parts	10560254	56520	1,251.00
4.				
<b>"TO" Subtotal:</b>				<b>\$ 4,508.85</b>

No. *COMMENTS CONCERNING BUDGET AMENDMENT REQUEST*

1. Fees collected from associations for cost of portable rentals.
2. To appropriate funds received from Dattco for sign damage.
3. To cover fiscal year-end expenses for parts

	1	2	3	4
Balance in account for which funds are requested:	(1,855.79)	(2,544.85)	(2,544.85)	
Original appropriation in account:	5,650.00	11,000.00	11,000.00	
Plus or minus prior amendments:	2,063.00	2,152.00	2,152.00	
Amount of appropriation to date:	7,713.00	13,152.00	13,152.00	-

Bruce Dinnie  
Department Head

  
Signature

July 10, 2009  
Date

At a meeting of the Town Council held on \_\_\_\_\_

the above request(s) was/were approved in the amount of: \_\_\_\_\_

Signature of Town Administrator: \_\_\_\_\_

July 21, 2009

Appendix E (cont)

**Budget Amendment Request**

Total Amount Requested: \$1,427.00 Fiscal Year 2008-2009 Date: June 22, 2009

To: Finance Officer From (Department): Vernon Arts Commission Amendment #: **51**

Type of Amendment (X): ☐ Additional Appropriation ☐ Pass-Through ☒ Transfer

*Request is hereby submitted for amendment(s) of budget as indicated.*

Department	Account Description	Org Code	Object	Amount
<b>From:</b>				
Arts Commission	Performers Fees	10562260	53420	\$1,427.00
<b>"FROM" Subtotal:</b>				<b>\$1,427.00</b>

Department	Account Description	Org Code	Object	Amount
<b>TO:</b>				
1. Arts Commission	Advertising	10562260	55400	\$1,427.00
2.				
3.				
4.				
<b>"TO" Subtotal:</b>				<b>\$ 1,427.00</b>

No.	COMMENTS CONCERNING BUDGET AMENDMENT REQUEST
1.	Paid advertising for Vernon Arts Commission events.
2.	

	1	2	3	4
Balance in account for which funds are requested:	\$0.00			
Original appropriation in account:	1,000.00			
Plus or minus prior amendments:	-			
Amount of appropriation to date:	\$ 1,000.00			

Irma Carter  
Department Head

*Irma Carter*  
Signature

June 22, 2009  
Date

At a meeting of the Town Council held on \_\_\_\_\_ the above request(s) was/were approved in the amount of: \_\_\_\_\_  
Signature of Town Administrator: \_\_\_\_\_

July 21, 2009

Appendix E (cont)

**Budget Amendment Request**

Total Amount Requested: \$3,620.00 Fiscal Year 2008-2009 Date: July 21, 2009

To: Finance Officer From (Department): Executive and Administration/Town Clerk/DPW Amendment #: 60

Type of Amendment (X): ☐ Additional Appropriation ☐ Pass-Through ☒ Transfer

*Request is hereby submitted for amendment(s) of budget as indicated.*

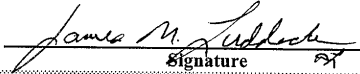
Department	Account Description	Org Code	Object	Amount
<b>From:</b>				
Executive & Administration	Legal notices	10112120	55410	\$1,050.00
Registration	Part-time Wages	10113130	51030	920.00
DPW - Refuse	Regular Wages	10340205	51010	1,650.00
<b>"FROM" Subtotal:</b>				<b>\$3,620.00</b>

Department	Account Description	Org Code	Object	Amount
<b>TO:</b>				
1. Executive and Administration	Other Fees	10112120	53800	\$1,050.00
2. Town Clerk	Part-time wages	10115150	51030	920.00
3. DPW - General Maintenance	Regular wages	10340201	51010	1,650.00
4.				
<b>"TO" Subtotal:</b>				<b>\$3,620.00</b>

No.	COMMENTS CONCERNING BUDGET AMENDMENT REQUEST
1.	To cover year-end costs for recruitment of new employees.
2.	To move funding to account where part-time help occurred.
3.	To cover accrued payroll in the public works general maintenance account.

	1	2	3	4
Balance in account for which funds are requested:	\$32.17	(\$912.77)	10,069.11	
Original appropriation in account:	800.00	13,000.00	1,046,109.00	
Plus or minus prior amendments:	440.00	(2,300.00)	-	
Amount of appropriation to date:	\$ 1,240.00	\$ 10,700.00	1,046,109.00	

James M. Luddecke  
Department Head

  
Signature

July 16, 2009  
Date

At a meeting of the Town Council held on \_\_\_\_\_

the above request(s) was/were approved in the amount of: \_\_\_\_\_

Signature of Town Administrator: \_\_\_\_\_



## Appendix E (cont)

Total Amount Requested: <u>\$43,186.00</u>		<u>Fiscal Year 2008 - 2009</u>		Date: <u>July 21, 2009</u>
To: Finance Officer	From (Department): Town Clerk			Amendment #: <b>61</b>

*Request is hereby submitted for amendment(s) of budget as indicated.*

Department	Account Description	Org Code	Object	Amount
<b><u>TO:</u></b>				
1. Town Clerk	Farmland preservation	10115150	58257	43,186.00
2.				
3.				
4.				
<b>"TO" Subtotal:</b>				<b>\$ 43,186.00</b>

**This request is a "Pass-Through".**

	1	2	3	4
Balance in account for which funds are requested:	(43,186.00)			
Original appropriation in account:	-			
Plus or minus prior amendments:	71,812.00		-	-
Amount of appropriation to date:	71,812.00	-	-	-

At a meeting of the Town Council held on \_\_\_\_\_ the above request(s) was/were approved in the amount of: \_\_\_\_\_

Signature of Town Administrator: \_\_\_\_\_

July 21, 2009

Appendix E (cont)

**Budget Amendment Request**

Total Amount Requested: \$3,300.00 Fiscal Year 2008 - 2009 Date: July 21, 2009

To: Finance Officer From (Department): Fire Department Amendment #: **62**

Type of Amendment (X): ☐ Additional Appropriation ☐ Pass-Through ☒ Transfer

*Request is hereby submitted for amendment(s) of budget as indicated.*

Department	Account Description	Org Code	Object	Amount
<b>FROM:</b>				
Contingency	Contingency	10672280	58400	190.00
Fire Fighting & Administration	Custodial fees	10231183	53090	1,000.00
Fire Fighting & Administration	Public relations	10231183	55420	1,255.00
Fire Fighting & Administration	Clothing & uniform	10231183	56500	855.00
<b>"FROM" Subtotal:</b>				<b>\$ 3,300.00</b>

Department	Account Description	Org Code	Object	Amount
<b>TO:</b>				
1. Fire Fighting & Administration	Part-time wages	10231183	51030	190.00
2. Fire Fighting & Administration	Computer hardware	10231183	57720	3,010.00
3. Fire Fighting & Administration	Other safety equipment	10231183	57873	100.00
4.				
<b>"TO" Subtotal:</b>				<b>\$ 3,300.00</b>

*COMMENTS CONCERNING BUDGET AMENDMENT REQUEST*

- No. 1. Year-end request to cover budgetary shortfall for part-time wages and LOSAP benefit payments.
2. To cover software and support fees.
3. To cover year-end costs.
- 4.

	1	2	3	4
Balance in account for which funds are requested:	(140.12)	(3,000.44)	(95.89)	
Original appropriation in account:	17,232.00	-	63,000.00	
Plus or minus prior amendments:	-	-	45,471.19	
Amount of appropriation to date:	17,232.00	-	108,471.19	-

William Call  
Department Head

*William Call*  
Signature

July 16, 2009  
Date

At a meeting of the Town Council held on

the above request(s) was/were approved in the amount of:

Signature of Town Administrator:

July 21, 2009

Appendix E (cont)

**Budget Amendment Request**

Total Amount Requested: \$1,125.00 Fiscal Year 2008 - 2009 Date: July 21, 2009

To: Finance Officer From (Department): Building Inspection Amendment #: 63

Type of Amendment (X): ☐ Additional Appropriation ☐ Pass-Through ☒ Transfer

*Request is hereby submitted for amendment(s) of budget as indicated.*

Department	Account Description	Org Code	Object	Amount
<b>FROM:</b>				
Contingency	Contingency	10672280	58400	1,125.00
				"FROM" Subtotal: \$ 1,125.00

Department	Account Description	Org Code	Object	Amount
<b>TO:</b>				
1. Building Inspection	Building permit refunds	10232187	58230	1,125.00
2.				
3.				
4.				
				"TO" Subtotal: \$ 1,125.00

*COMMENTS CONCERNING BUDGET AMENDMENT REQUEST*

No. 1. To cover year-end shortfall in building permit refunds for cancelled projects and/or overpayments.

2.  
3.  
4.

	1	2	3	4
Balance in account for which funds are requested:	(1,125.00)			
Original appropriation in account:	1,200.00			
Plus or minus prior amendments:	125.00			
Amount of appropriation to date:	1,325.00	-	-	-

James M. Luddecke  
Department Head

  
Signature

July 16, 2009  
Date

At a meeting of the Town Council held on \_\_\_\_\_ the above request(s) was/were approved in the amount of: \_\_\_\_\_

Signature of Town Administrator: \_\_\_\_\_

July 21, 2009

Appendix E (cont)

**Budget Amendment Request**

Total Amount Requested: \$60,000.00 Fiscal Year 2008 - 2009 Date: July 21, 2009

To: Finance Officer	From (Department):	Education	Amendment #:	64
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Type of Amendment (X): ☐ Additional Appropriation ☒ Pass-Through ☐ Transfer

*Request is hereby submitted for amendment(s) of budget as indicated.*

Department	Account Description	Org Code	Object	Amount
<b>FROM:</b>				
Fund Balance		100	31200	60,000.00
				<b>"FROM" Subtotal: \$ 60,000.00</b>

Department	Account Description	Org Code	Object	Amount
<b>TO:</b>				
1. Education	Education	10990330	58900	60,000.00
2.				
3.				
4.				
				<b>"TO" Subtotal: \$ 60,000.00</b>

No. *COMMENTS CONCERNING BUDGET AMENDMENT REQUEST*  
 1 To appropriate the reimbursement from the School Use Activity fund for actual custodial overtime wage expenditures and electricity costs.  
 A corresponding deposit of \$60,000.00 has been made to the General Fund.

	1	2	3	4
Balance in account for which funds are requested:	306,571.13			
Original appropriation in account:	45,696,823.00			
Plus or minus "pending" / prior amendments:	932,644.00			
Amount of appropriation to date:	46,629,467.00	-	-	-

James M. Luddecke  
 Department Head

  
 Signature

July 16, 2009  
 Date

At a meeting of the Town Council held on \_\_\_\_\_ the above request(s) was/were approved in the amount of: \_\_\_\_\_  
 Signature of Town Administrator: \_\_\_\_\_

Appendix F

LEASE

In consideration of the mutual promises, performances, obligations, payments and considerations of the other, the within-described premises are leased by TANCANHOUSEN LLC, a Connecticut limited liability company, with an office in the Town of Vernon, Connecticut, c/o Thomas S. Mason, 183 Reservoir Road, Vernon, CT 06066 (hereinafter called Lessor) to the TOWN OF VERNON, a Connecticut municipality, of 14 Park Place, Vernon, CT 06066 (hereinafter called Lessee) on the terms and conditions set forth below.

1. The premises are described on Schedule A attached hereto and made a part hereof.
2. Said premises are to be used for the composting of leaves by the Lessee for the term of one (1) year from the first day of August, 2009, for the annual rental of Thirty-Two-Thousand-Dollars (\$32,000.00) Dollars payable in advance on August 1, 2009, at the office of the Lessor or such other place as the Lessor may designate in writing.
3. The Lessor covenants that it has good right and power to lease the premises to the Lessee, and so long as the Lessee complies with its obligation under the terms of the lease, the Lessee shall be allowed to peaceably enjoy the premises.
4. The Lessee further agrees that during the term of this lease, it will not assign or underlet the said premises or any part thereof nor use nor occupy the same nor permit the same to be used or occupied for any purpose other than herein specified without the consent, in writing, of the Lessor.
5. The Lessee hereby further agrees to do no waste, to conform to all laws, orders and regulations of the federal, state and municipal authorities relating to health, fire and nuisance so far as the leased premises are or may be concerned and to comply with any direction of any public officer or officers pursuant to law, with respect to the leased premises and to save the Lessor harmless from all fines, penalties and costs for violation of the compliance with said laws, orders, regulations and directions. The Lessee also agrees not to suffer any articles to be brought upon or any act to be done upon said premises which may be noxious, dangerous or offensive to others or which may subject the Lessor to any liability or responsibility for actual or potential injury to any person or persons by reason of any business or operation carried on upon said premises.
6. The Lessee further agrees that at the expiration of said term, or the sooner termination of this lease, the Lessee will quit and surrender the leased premises in as good state and condition as reasonable use and wear thereof will permit.
7. The Lessee hereby waives entry, demand and notice of every kind and description, whatever which might otherwise, were it not for this waiver, be necessary in obtaining possession of said premises.
8. Lessee shall, throughout the term of the lease, carry public liability insurance with single limits of not less than One-Million-Dollars (\$1,000,000.00) for each person and occurrence for personal injury and for each occurrence for property damage written on a per occurrence basis against liability arising out of the occupancy, use and maintenance of the premises. The Lessor shall be named as additional insured on the insurance policy and shall be given a Certificate of Insurance, which shall contain a thirty (30) day notice of cancellation to the Lessor.

Appendix F (cont)

9. Any notice to either party shall be deemed given if sent by certified mail to the address above noted for each party or to an address subsequently supplied by certified mail.
10. Only leaves collected within the Town of Vernon will be accepted for composting on this site. No other materials, other than leaf bags that are fully biodegradable, will be composted.
11. Vernon shall not co-mingle the leaves collected directly by its own employees with materials brought in from the various collection sites.
12. The Lessor has the right to retain up to 25% of the finished compost to be selected from compost consisting of leaves vacuumed and/or collected by employees of the Town rather than from compost from leaves collected from various collection sites in the Town.
13. Vernon shall remove all compost from the site each year at the end of each composting cycle, except that retained by the Lessor.
14. The Town shall build and maintain an earthen berm on the Easterly edge of the site in accordance with the terms outlined in Schedule B.
15. The Town shall indemnify and hold harmless the Lessor from all claims and expenses of claims due to the operation on the site.
16. The lease shall be for a one (1) year period, with the option to renew for four (4) more years, provided that the facility is operating safely and to the satisfaction of the Connecticut Department of Environmental Protection.

Vernon annually shall have the option to non-renew this lease with sixty (60) days written notice to the lessor that it does not intend to renew the lease on each anniversary date starting August 1, 2010, and including August 1, 2011, August 1, 2012, and August 1, 2013.

Tancanhoosen LLC annually shall have the option to non-renew this lease with sixty (60) days written notice to the lessor that it does not intend to renew the lease on each anniversary date starting August 1, 2010, and including August 1, 2011, August 1, 2012, and August 1, 2013.

If this lease is renewed, Vernon shall pay to the lessor the sum of \$33,000.00 for the year 2010 - 2011, \$34,000.00 for the year 2011-2012, \$35,000.00 for the year 2012-2013, and \$36,000.00 for the year 2013-2014, unless otherwise amended and agreed to by both parties in writing.

Lessee presently intends to continue the Lease for its entire term and to pay all rentals and shall do all things lawfully within its power to obtain and maintain funds from which the rentals may be made. If Lessee's governing body fails to appropriate sufficient funds in any fiscal year for rentals and if no other funds are available for such payments, then a "non-appropriation" shall be deemed to have occurred. In the event of "non-appropriation," the lease shall terminate and the Lessee shall not be obligated to pay rentals due under this lease.

**Appendix F (cont)**

17. The lease may be cancelled by either party if or when the compost facility has been found to cause any degradation of the environment or public health, as determined by the Connecticut Department of Environmental Protection, and a pro rata rebate of rent shall be due.
18. The waters of Walkers Reservoir (that portion owned by the Lessor) shall be tested for pollutants by a laboratory certified by the Department of Health Services in consultation with the Department of Environmental Protection on a quarterly basis, or more often, at the expense of the Lessee.
19. The air shall be sampled for mold spore and aspergillus fumngatis within the leased site and at the closest residences from the site on a monthly basis at the expense of the Lessee and tested by a laboratory certified by the Department of Health Services.
20. There shall be no public access to the leased site authorized by the Lessor or Lessee.
21. At the termination of the lease, all compost not allocated to the Lessor shall be removed and the site-restored and trees replanted at a rate of one tree per 8 feet over the leased area. The trees to be replanted shall be of such species and height as agreed by the parties.
22. The Lessee is to be responsible for any damage done to the road by its equipment.
23. Any machinery used in the composting process may be stored on the site.
24. A chain-link fence may be built by the Lessee, which will be removed at the termination of the lease.
25. Housing for the water pump may be built by the Lessee, which will be removed at the termination of the lease.
26. The Lessee shall maintain the present level of the portion of Walkers Reservoir adjacent to the site by keeping the pipe open from the portion of Walkers Reservoir that is farthest to the East. The Lessee may pump water for its use in the leaf composting operation.
27. In preparation of the site for the Lessee's use, the clearing of the trees off the site is to be done jointly by the Lessor and the Lessee with the Lessor exercising oversight and having first choice of trees to be replanted.
28. There shall be no expense to the Lessor for site preparation or for obtaining any required local, state or federal permits.
29. This lease is effective upon signing by the parties.

The terms of this lease shall be binding upon the parties, their heirs, successors and assigns.

## Appendix F (cont)

By Jason L. McCoy, Its Mayor  
Duly Authorized

By Thomas S. Mason  
Managing Member, Duly Authorized

Commissioner of the Superior Court  
Notary Public  
My commission expires