

Posted 2/26/2010

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

RECEIVED
VERNON TOWN CLERK
10 FEB 26 PM 12:02

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

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

D.) PUBLIC HEARINGS (7:20 PM)

PUBLIC HEARING TO RECEIVE COMMENTS AND QUESTIONS
RELATIVE TO AN ORDINANCE ENTITLED "ORDINANCE NO. _____ AN
**Ordinance entitled "TOWN OF VERNON ENERGY IMPROVEMENT DISTRICT
AND ENERGY IMPROVEMENT DISTRICT BOARD".**

- MAYOR MCCOY CALLS THE PUBLIC HEARING TO ORDER
TO RECEIVE COMMENTS AND ANSWER QUESTIONS
- CLERK READS THE LEGAL NOTICE
- MAYOR AND TOWN COUNCIL RECEIVE PUBLIC COMMENT
- ADJOURN PUBLIC HEARING
- RETURN TO REGULAR MEETING

E.) PRESENTATIONS BY THE ADMINISTRATION

1. Discussion with Mayor Jason L. McCoy on various topics.
2. Mayor Jason L. McCoy to make a presentation proclaiming the week of March 7, 2010 "Girl Scout Week", in the Town of Vernon. Members of Daisy Troop 10137 and their Troop Leader Elizabeth Durrant will join Mayor McCoy to accept.

F.) ACTION ON CONSENT AGENDA

- C 1. Request for Tax Refunds for Current Year.** (A copy of a memorandum from Terry Hjarne, Collector of Revenue, to John D. Ward, Town Administrator dated February 22, 2010 is included in the Council packet).

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES TWELVE (12) REFUNDS TOTALING \$10,006.97 FOR TAX REFUNDS FOR THE CURRENT YEAR AS OUTLINED IN THE MEMORANDUM FROM TERRY HJARNE, COLLECTOR OF REVENUE TO JOHN D. WARD, TOWN ADMINISTRATOR DATED FEBRUARY 22, 2010.

- C 2. Request the Town Council approve the Mayor's appointment of Donald S. Schubert, (R), 22 Wildwood Road, Vernon, Connecticut as an alternate member of the Zoning Board of Appeals, for a term beginning on 3-3-2010 and ending 6-30-2010.** (A copy of Mr. Schubert's resume is included for Council review.)

PROPOSED MOTION:

PURSUANT TO CHARTER CHAPTER VIII, SEC. 2, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF DONALD S. SCHUBERT, (R), 22 WILDWOOD ROAD, VERNON, CONNECTICUT AS AN ALTERNATE MEMBER OF THE ZONING BOARD OF APPEALS, FOR A TERM BEGINNING ON 3-3-2010 AND ENDING 6-30-2010.

- C 3. Request the Town Council approve the Mayor's appointment of William E. Breslau, (R) 60 Haylin Drive, Vernon, Connecticut as a regular member of the Economic Development Commission for a term beginning on 3-3-2010 and ending 6-30-2012.** (A copy of Mr. Breslau's resume is included in the Council's packet for review.)

PROPOSED MOTION:

PURSUANT TO C.S.G. § 7-136 AND ORDINANCE NO. 15; TOWN CODE SECTION 10-81 AND 82, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF WILLIAM E. BRESLAU, (R) 60 HAYLIN DRIVE, VERNON, CONNECTICUT AS A REGULAR MEMBER OF THE ECONOMIC DEVELOPMENT COMMISSION FOR A TERM BEGINNING ON 3-3-2010 AND ENDING 6-30-2012.

- C 4. Request the Town Council approve the Mayor's reappointment of Allen W. Sheridan, (R), 36 Christopher Drive, Vernon Connecticut as the Town of Vernon, Emergency Management, Deputy Director for an indefinite term beginning 3-19-2010.** (A copy of Mr. Sheridan's resume is included in the Council packet for review.)

PROPOSED MOTION:

PURSUANT TO TOWN CHARTER, CHAPTER XI, "ADMINISTRATIVE DEPARTMENTS AND OFFICERS RESPONSIBLE TO THE MAYOR", SECTION 5 "OTHER OFFICERS" AND SECTION 8 "CIVIL PREPAREDNESS DIRECTOR", THE TOWN COUNCIL APPROVES THE MAYOR'S REAPPOINTMENT OF ALLEN W. SHERIDAN, (R), 36 CHRISTOPHER DRIVE, VERNON, CONNECTICUT AS THE TOWN OF VERNON, EMERGENCY MANAGEMENT, DEPUTY DIRECTOR FOR AN INDEFINITE TERM BEGINNING 03-19-2010.

- C 5. Request the Town Council approve the Mayor's reappointment of Joseph Tuporco, (U), 35 White Street, Vernon, Connecticut as an under 21 member of the Youth Services Advisory Board, said term to commence on March 3, 2010 and expires February 16, 2012.** (A copy of Mr. Tuporco's resume is included in the Council's packet.)

PROPOSED MOTION:

PURSUANT TO CHARTER CHAPTER XV, SECT. 3; TOWN COUNCIL RESOLUTION DATED 08-24-1976 AND TOWN COUNCIL RESOLUTION DATED 03-01-1994, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF JOSEPH TUPORCO, (U), 35 WHITE STREET, VERNON, CONNECTICUT AS AN UNDER 21 MEMBER OF THE YOUTH SERVICES ADVISORY BOARD, SAID TERM TO COMMENCE ON MARCH 3, 2010 AND EXPIRES FEBRUARY 16, 2012.

- C 6. Request the Town Council approve the reappointment of Daniel Anderson (R), 29 Oxbow Drive, Vernon, Connecticut to serve as a member of the Board of Directors of the North Central District Health Department, said term to commence on March 3, 2010 and expires on December 31, 2012.**

PROPOSED MOTION:

PURSUANT TO C.G.S. §19a-204; CHARTER CHAPTER XI, SECTIONS 1,5, & 14, THE TOWN COUNCIL APPROVES THE MAYOR'S REAPPOINTMENT OF DANIEL ANDERSON (R), 29 OXBOW DRIVE, VERNON, CONNECTICUT SAID TERM TO COMMENCE ON MARCH 3, 2010 AND EXPIRES ON DECEMBER 31,2012.

- C 7. Request the Town Council authorize Mayor Jason L. McCoy to enter into and execute all documents necessary for a "New England Park Association" grant in the amount of \$1500.00 for the replacement of legacy trees in Talcott Park.** (A copy of a memorandum from Bruce Dinnie, Director of Parks and Recreation to Peter Graczykowski, Assistant Town Administrator dated February 11, 2010 as well as a memorandum from Assistant Town Administrator Peter Graczykowski to Mayor Jason L. McCoy, Town Administrator John Ward and the Town Council dated February 12, 2010 are included for your review.)

PROPOSED MOTION

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR JASON L.MCCOY OR HIS DESIGNEE TO APPLY FOR THE NEW ENGLAND PARK ASSOCIATION, TREE PLANTING GRANT PROGRAM TO REPLACE TREES IN TALCOTT PARK, AND EXECUTE ANY DOCUMENTS RELATED TO THE COMPLETION OF THIS PROJECT.

- C 8. Request the Town Council authorize Mayor Jason L. McCoy to enter into and execute all documents necessary for a CT Urban Forest Council NRG Energy Grant for Tree Planting at Center 375 Building.** (A copy of a memorandum dated February 11, 2010 from Bruce Dinnie, Parks and Recreation Director to Peter Graczykowski, Assistant Town Administrator and a memorandum dated February 11, 2010 from Peter Graczykowski, Assistant Town Administrator to Mayor Jason L. McCoy, Town Administrator John D. Ward and the Vernon Town Council are included for your review.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR JASON L. MCCOY, OR HIS DESIGNEE, TO APPLY FOR CONNECTICUT URBAN FOREST COUNCIL NRG ENERGY GRANT TO PURCHASE AND PLANT TREES AT THE SOUTH SIDE OF CENTER 375 TO PROMOTE LOWER ENERGY USAGE THROUGH ADDITIONAL SHADING, AND EXECUTE ANY DOCUMENTS RELATED TO THE COMPLETION OF THIS PROJECT.

- C 9. Request the Town Council authorize Mayor Jason L. McCoy to enter into and execute all necessary documents for the America the Beautiful Grant to replace legacy trees in Talcott Park and Henry Park.** (A copy of a memorandum from Bruce Dinnie, Director of Parks and Recreation dated February 24, 2010 to Peter Graczykowski, Assistant Town Administrator and a memorandum from Peter Graczykowski, Assistant Town Administrator to Mayor Jason L. McCoy, Town Administrator John D. Ward and the Vernon Town Council are included for your review.)

PROPOSED MOTION

THE TOWN COUNCIL HEREBY AUTHORIZES THE APPLICATION FOR AN AMERICA THE BEAUTIFUL GRANT TO REPLACE LEGACY TREES IN TALCOTT AND HENRY PARKS, AND AUTHORIZES MAYOR MCCOY OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS RELATED TO THE COMPLETION OF THIS GRANT OR PROJECT.

- C 10. Request the Town Council approve the proposed "AMENDMENT NO. 3 TO THE COOPERATION AGREEMENT BETWEEN THE HOUSING AUTHORITY OF VERNON AND THE TOWN OF VERNON, CONNECTICUT."** (A memorandum dated February 23, 2010 from Jeffrey Arn, Executive Director of the Vernon Housing Authority to Mayor McCoy, and a copy of the proposed agreement are included in the council packet.)

PROPOSED RESOLUTION:

WHEREAS, the Town of Vernon (the "Town") is a municipality under the laws of the State of Connecticut, acting pursuant to its power and authority under the Connecticut General Statutes (the "CGS"), including but not limited to the applicable provisions of Chapters 98 and 99 thereof, and pursuant to its power and authority under the applicable provisions of Chapter II of the Town of Vernon Town Charter (the "Charter"), which power and authority is implemented through its Town Council (the "Council") pursuant to the applicable provisions of Chapter V of the Charter; and

WHEREAS, the Town, acting through the Council, had entered into a certain "Cooperation Agreement" with the Housing Authority of the Town of Vernon (the "Housing Authority"), on January 29, 1960, as previously amended, relating to the federally funded housing units owned and operated by the Housing Authority at that time; and

WHEREAS, the Housing Authority is now in the process of federalizing "certain other units" that it presently owns and operates (the "Certain Other Units"), which heretofore had not been federally funded, in order to better serve the needs of its residents in those Certain Other Units; and

WHEREAS, the Housing Authority and the Town deem it desirable to further amend the Cooperation Agreement by way of an amendment agreement (the "Amendment") which shall be in accordance with the terms and conditions hereinafter specified, in order to recognize the Certain Other Units under the Cooperation Agreement;

NOW THEREFORE, IT IS HEREBY MOVED THAT THE COUNCIL RESOLVE:

1. That Section 2 of said Cooperation Agreement shall be amended by deleting the numeral 164 as the number of units recognized, and substituting in lieu thereof the numeral 244 in order to bring the Certain Other Units under the Cooperation Agreement; and
2. That the terms "Public Housing Administration" and "PHA" appearing in the Cooperation Agreement shall also mean the United States of America, Department of Housing and Urban Development, Housing Assistance Administration and HUD, and

3. That, in all other respects, the Cooperation Agreement, as had been previously amended, shall remain in full force and effect; and
4. That, pursuant to the applicable provisions of Chapter X, Section 2 of the Charter, the Mayor of the Town be, and hereby is, authorized to execute the Amendment on behalf of the Town.

- C 11. Request the Town Council authorize Mayor Jason L. McCoy to execute a grant contract for \$30,223.00 for fiscal year 2010-2011 with the State of Connecticut Department of Transportation for a program entitled "State Matching Grant For Elderly And Disabled Demand Responsive Transportation. (A copy of a memorandum from Paula Claydon, Social Services Director is included in the Council packet.)**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR JASON L. MCCOY TO ENTER INTO AND EXECUTE ALL NECESSARY DOCUMENTS FOR A GRANT CONTRACT FOR FISCAL YEAR 2010-2011 IN THE AMOUNT OF \$30,223.00 WITH THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION FOR A PROGRAM ENTITLED "STATE MATCHING GRANT FOR ELDERLY AND DISABLED DEMAND RESPONSIVE TRANSPORTATION.

G.) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS

H.) PENDING BUSINESS

I.) NEW BUSINESS –

1. **Information regarding 670 Dart Hill Road.** (A copy of a memorandum from John D. Ward dated February 25, 2010 to Mayor Jason L. McCoy and the Town Council is included in the Council's packet.)
2. **MOVED TO After N) Executive Session**

J.) INTRODUCTION OF ORDINANCES

K.) ACTION ON ORDINANCE(S) PREVIOUSLY PRESENTED

1. **"ORDINANCE NO. _____, an Ordinance entitled "TOWN OF VERNON ENERGY IMPROVEMENT DISTRICT AND ENERGY IMPROVEMENT DISTRICT BOARD".**

PROPOSED MOTION:

IN ACCORDANCE WITH CHAPTER V, SECTIONS 4 AND 6 OF THE VERNON TOWN CHARTER, THE TOWN COUNCIL MOVES TO ADOPT AN ORDINANCE ENTITLED **"TOWN OF VERNON ENERGY IMPROVEMENT DISTRICT AND ENERGY IMPROVEMENT DISTRICT BOARD"**.

- 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 SPECIAL MEETING OF FEBRUARY 20, 2010 AND THAT MINUTES OF SAID MEETING BE APPROVED.

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF FEBRUARY 2, 2010 AND THAT MINUTES OF SAID MEETING BE APPROVED.

N.) EXECUTIVE SESSION ONE

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 LABOR NEGOTIATIONS REGARDING THE DPW CLERICALS UNION. FURTHER, THE TOWN COUNCIL INVITES JOHN D. WARD, TOWN ADMINISTRATOR, PETER GRACZYKOWSKI, ASSISTANT TOWN ADMINISTRATOR AND ATTORNEY EDWARD O'DONNELL TO ATTEND.

EXECUTIVE 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 TO PENDING LITIGATION REGARDING 670 DART HILL ROAD. FURTHER, THE TOWN COUNCIL INVITES JOHN D. WARD, TOWN ADMINISTRATOR, HAROLD CUMMINGS, TOWN ATTORNEY LEN TUNDERMANN, TOWN PLANNER AND ABRAHAM FORD, TOWN ZONING ENFORCEMENT OFFICER TO ATTEND.

EXECUTIVE SESSION THREE

THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES, SECTION 1-200 (6) (B) and (D) HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS OPEN AND PENDING LITIGATION MATTERS -REGARDING TOWN OF VERNON TAX COLLECTOR V AVA LITTLE, ET AL. DOCKET NO. TTD-CV-08-5003363 AND INVITES JOHN D. WARD, TOWN ADMINISTRATOR, HAROLD R. CUMMINGS, TOWN ATTORNEY AND TERRY HJARNE, COLLECTOR OF REVENUE TO ATTEND.

I.) NEW BUSINESS- CONTINUED

2. **Request the Town Council assign the delinquent tax liens for 19 Grove Street parcel # 41-0122-00037.**

PROPOSED RESOLUTION:

THE TOWN COUNCIL HEREBY RESOLVES CONSISTENT WITH CHAPTER 12, SEC. 12-8- (2)-(3) OF THE TOWN OF VERNON CODE THE TOWN OF VERNON ("THE TOWN") ASSIGNS THOSE DELINQUENT TAX LIENS (ATTACHED HERETO AS EXHIBIT A AND MADE A PART HEREOF) SECURING UNPAID TAXES ON REAL ESTATE KNOWN AS 19

GROVE STREET PARCEL # 41-0122-00037 VERNON, CT ("THE PROPERTY"). SAID DELINQUENT TAXES AND DELINQUENT LIENS ARE THE SUBJECT OF A FORECLOSURE ACTION, DOCKET NO. TTD-CV-08-5003363 CURRENTLY PENDING IN TOLLAND SUPERIOR COURT SUBJECT TO THE TERMS AND CONDITIONS SET FORTH BELOW.

THE TOWN COUNCIL FURTHER RESOLVES THAT THE TOWN ASSIGN ALL RIGHTS AND INTEREST IN AND TO THE DELINQUENT TAX LIENS TO HOCKANUM INDUSTRIAL DEVELOPMENT & VENTURE CORPORATION ("HIDVC"), OR A SUBSIDIARY OF HIDVC (THE ASSIGNEE") FOR ONE DOLLAR OR OTHER VALUABLE CONSIDERATION PURSUANT TO THE TERMS AND CONDITIONS OF AN AGREEMENT TO BE NEGOTIATED BETWEEN THE TOWN AND THE ASSIGNEE

THE TOWN COUNCIL FURTHER RESOLVES THAT THE TOWN ADMINISTRATOR ACT ON BEHALF OF THE TOWN OF VERNON TO ACCOMPLISH THE PURPOSES SET FORTH HEREIN AND TO NEGOTIATE, EXECUTE, DELIVER AND DO ALL THINGS NECESSARY ON BEHALF OF THE TOWN TO ASSIGN DELINQUENT TAX LIENS FOR THE PROPERTY TO THE ASSIGNEE. NO SUCH ASSIGNMENT OF TAX LIENS SHALL BE UNDERTAKEN UNLESS THE TERMS AND CONDITIONS OF SUCH ASSIGNMENT ARE ACCEPTABLE TO THE TOWN.

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

1. Connecticut GEO-Focus Newsletter - Winter Edition 2009 NEARC Poster Winner - Town of Vernon, Waste Water Infrastructure Network, Aaron Nash and Mike Cipriano, Second Place Award.
2. Town Clerk, Monthly Report, January 2010 as presented by Bernice Dixon, Town Clerk.
3. EMS, Monthly Report, January 2010, as presented by Jean Gauthier, EMS Coordinator.
4. Building Department, Monthly Report, January 2010 as presented by Assistant Building Official Harry Dan Boyko.
5. Vernon Police Department, Monthly Report, January 2010 as presented by Captain Stephen M. Clark.
6. Town Clerk, Monthly Report, December 2009, as presented by Bernice Dixon, Town Clerk.

7. Senior Center, Monthly Report, January 2010, as presented by Penny Rand, Senior Center Director.
8. Invitation to the Rockville Elks Lodge and American Legion Post 14 Memorial Day Parade, May 31, 2010.