

August 19, 2008

**VERNON TOWN COUNCIL MEETING MINUTES
SPECIAL TOWN COUNCIL MEETING
TOWN HALL 3RD FLOOR, COUNCIL CHAMBERS
TUESDAY, AUGUST 19, 2008
7:30 P.M.**

A) PLEDGE OF ALLEGIANCE

ROLL CALL:

Present: Daniel Anderson, Bill Campbell, Daniel Champagne, Mark Etre, Bill Fox, Marie Herbst, Nancy E Herold, Pauline Schaefer, Diane Wheelock, Michael A. Winkler

Absent: Brian R. Motola

Entered During Meeting: Peggy A. Jackle (7:38 P)

Also Present: Mayor Jason L. McCoy, Interim Town Administrator John Ward, Recording Secretary Jill Kentfield, Town Clerk Bernice Dixon

CITIZEN'S FORUM:

James Webb Wilson, 300 South Street: Recognized the staff at the Dialysis Center on 416 Turnpike Avenue. He asked that the Town Council take into consideration improving transportation for the disabled. According to Mr. Wilson there are no funds through dial-a-ride to support dialysis patients needing to get to their treatments.

B) PUBLIC HEARING AND SPECIAL TOWN COUNCIL MEETING: (7:35 P.M.)

Public Hearing relative to "A Resolution Regarding an Additional Appropriation for Education in the amount of \$1,135,682.00." Mayor McCoy calls the Public Hearing to order to receive comments and recommendations relative to A Resolution Regarding an Additional Appropriation for Education in the amount of \$1,135,682.00. (Copy of Resolution is enclosed in the packet)

ADJOURN PUBLIC HEARING

MAYOR RECOMMENDS ACTION ON THE PROPOSED RESOLUTION

**TOWN COUNCIL SHALL ADJOURN ITS MEETING UNTIL COMPLETION OF
SPECIAL TOWN COUNCIL MEETING (7:40 P.M.)**

SPECIAL TOWN COUNCIL MEETING (7:40 P.M.)

TOWN CLERK TO READ LEGAL NOTICE

MAYOR CALLS FOR NOMINATIONS FOR MODERATOR

CLOSE NOMINATIONS, VOTE ON MOTION, AND DECLARE MODERATOR

MODERATOR ASKS FOR COMMENTS

PUBLIC COMMENT

VOTE ON RESOLUTION

MODERATOR WILL CALL FOR A MOTION TO ADJOURN

ADJOURN SPECIAL TOWN COUNCIL MEETING

Mayor McCoy called the Public Hearing and Special Town Council Meeting to order at 7:36 PM.

There were no public comments. Council Member Wheelock, seconded by Council Member Schaefer made a motion to close the public hearing at 7:37 PM. Motion carried unanimously.

Bernice Dixon, Town Clerk read the public notice into the record and certified that the notice was published in the Reminder News on August 5, 2008.

Council Member Fox, seconded by Council Member Herbst made a motion to nominate James Luddecke as the moderator. Motion carried unanimously.

Moderator Luddecke explained the requirements necessary to speak and vote at the Special Town Meeting.

Council Member Herbst, seconded by Council Member Fox made a motion to waive the reading of the legal notice as the town clerk already read the notice into the record. Motion carried unanimously.

Moderator Luddecke called for public comments. There were no public comments. Moderator Luddecke called for a vote regarding the resolution to approve an additional appropriation for education in the amount of \$1,135,682.00. Motion carried unanimously.

Council Member Wheelock, seconded by Mayor McCoy made a motion to close the Special Town Meeting. Motion carried unanimously.

C) PRESENTATION:

- 1. Mayor McCoy to present awards to Justin Holt and Tanner King. Both Justin and Tanner are interns from Rockville High School who work in the Data Processing Department for the Town of Vernon.**

Mr. Beirn thanked to both Justin and Tanner for their hard work. He acknowledged the relationship with the High school in the School to Career Partnership. He spoke about the projects the students completed and the savings to the Town if the projects had to be completed by a consultant. Mayor McCoy presented the certificates of appreciation to both Justin and Tanner and thanked them for their service.

- 2. Mayor McCoy to present Mayoral Citations to Officer Lucas Gallant and Sergeant Barry Foster. Both Officer Gallant and Sergeant Foster went above and beyond the call of duty on Monday July 21st 2008.**

Mayor McCoy presented certificates of appreciation to Officer Gallant and Sergeant Foster for going above and beyond the call of duty by responding to a 911 call from a pregnant female in full labor and delivering her baby.

- 3. Mayor McCoy presented to Former Town Administrator, Christopher Clark a certificate of appreciation and a plaque for his service to the Town of Vernon since June 19, 2006. He commended Mr. Clark's exceptional leadership.**
- 4. Mayor McCoy presented Council Member Jackle with a certificate of appreciation for her service on the Town Council. He thanked her for her leadership and service to the Town of Vernon.**

D) CONSENT AGENDA ITEMS:

- C 1.** Request for Tax Refunds — Current and Prior Fiscal Years.
- C 2.** Request that the Town Council approve the Mayor's appointment of Bruce Kellogg, as a regular member of the Economic Development Commission.
- C 3.** Request that the Town Council appoint Ellen M. Kates, as a regular member of the Risk Management Committee.
- C 4.** Request that the Town Council approve the budget amendment(s) for Fiscal Year 2007-2008 as provided by James Luddecke, Finance Officer.
- C 5.** Request that the Town Council authorize the Re-Appropriations of Fiscal Year 2006-2007 Encumbrances.
- C 6.** Request that the Town Council authorize the designation of available funds in the Downstream Fund account in the amount of \$5,000.00.
- C 7.** Request that the Town Council authorize Mayor Jason L. McCoy to execute the necessary paperwork to receive Local Prevention Council Grant funds.
- C 8.** Request that the Town Council authorize negotiations on the Fox Hill Radio Tower Site consistent with the framework of the project proposal.

Council Member Wheelock, seconded by Council Member Etre made a motion to approve the consent agenda items as presented. Council Member Campbell requested to pull consent item #8, Council Member Wheelock requested to pull Consent #3 for a correction. The motion to approve consent agenda numbers 1, 2, 4, 5, 6 and 7 as written carried unanimously.

NEW BUSINESS (CONSENT ITEMS)

1. **Request for Tax Refunds — Current and Prior Fiscal Years.** (Memorandum from Carol S. Nelson, Collector of Revenue, dated August 11, 2008 to Christopher Clark, Town Administrator, is in the packet.) **Appendix A**

PROPOSED MOTION:

THE TOWN COUNCIL APPROVES TAX REFUNDS FOR THE PRIOR YEAR IN THE AMOUNT OF \$545.21 AND TAX REFUNDS FOR THE CURRENT YEAR IN THE AMOUNT OF \$3,556.88 AS OUTLINED IN THE MEMORANDUM FROM THE COLLECTOR OF REVENUE DATED AUGUST 11, 2008 TO THE TOWN ADMINISTRATOR.

Council Member Wheelock, seconded by Council Member Etre made a motion to approve the tax refunds for the prior year in the amount of \$545.21 and tax refunds for the current year in the amount of \$3,556.88. Motion carried unanimously.

2. **Request that the Town Council approve the Mayor's appointment of Bruce Kellogg, (D), as a regular member of the Economic Development Commission, for a term to expire on August 19, 2013.** (Resume is included in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF BRUCE KELLOGG AS A REGULAR MEMBER OF THE ECONOMIC DEVELOPMENT COMMISSION FOR A TERM TO EXPIRE ON AUGUST 19, 2013.

Council Member Wheelock, seconded by Council Member Etre made a motion to approve the Mayor's appointment of Bruce Kellogg as a regular member of the Economic Development Commission. Motion carried unanimously

3. **Request that the Town Council appoint Ellen M. Kates, (R)m, as a regular member of the Risk Management Committee, for a term to expire on August 19, 2011.** (Resume is included in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S COUNCIL'S APPOINTMENT OF ELLEN M. KATES AS A REGULAR MEMBER OF THE RISK MANAGEMENT COMMITTEE FOR A TERM TO EXPIRE ON AUGUST ~~19~~ 31, 2011.

Council Member Wheelock, seconded by Council Member Etre made a motion to approve the Council's appointment of Ellen M. Kates as a regular member of the Risk Management Committee with the above corrections. The corrections include striking the word Mayor's and replacing it with the word Council's and changing the term to expire on August 31, 2011 instead of August 19. Amended motion carried unanimously.

4. **Request that the Town Council approve the budget amendment(s) for fiscal year 2007-2008 as provided by James Luddecke, Finance Officer.** (A copy of the budget amendments are in the packet.) **Appendix B**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE BUDGET AMENDMENT REQUESTS #88-#93 FOR FISCAL YEAR 2007-2008 AS OUTLINED IN BUDGET AMENDMENT FORMS AS PROVIDED BY THE FINANCE OFFICER.

Council Member Wheelock, seconded by Council Member Etre made a motion to approve the budget amendment requests #88 – 93 for Fiscal Year 2007-2008. Motion carried unanimously.

5. **Request that the Town Council authorize the Re-Appropriations of Fiscal Year 2006-2007 Encumbrances.** (Memorandum from James Luddecke dated August 8, 2008 and also a chart with comments is included in packet.) **Appendix C**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES THE LIQUIDATION AND RE-APPROPRIATION OF FISCAL YEAR 2006-2007 ENCUMBRANCES IN THE AMOUNT OF \$359,691.78 TO THE FISCAL YEAR 2007-2008 BUDGET.

Council Member Wheelock, seconded by Council Member Etre made a motion to authorize the liquidation and re-appropriation of Fiscal Year 2006 – 2007 encumbrances in the amount of \$359,691.78. Motion carried unanimously.

6. **Request that the Town Council authorize the designation of available funds in the Downstream Fund account in the amount of \$5,000.00.** (Copy of memo from James Luddecke, dated August 8, 2008 included in packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES THE DESIGNATION OF AVAILABLE FUNDS IN THE DOWNSTREAM FUND ACCOUNT IN THE AMOUNT OF \$5,000.00 AS MATCHING FUNDS FOR THE NATIONAL FISH AND WILDLIFE GRANT TO DEVELOP A TANKERHOUSEN WATERSHED MANAGEMENT PLAN.

Council Member Wheelock, seconded by Council Member Etre made a motion to authorize the designation of available funds in the downstream fund account in the amount of \$5,000.00. Motion carried unanimously.

7. **Request that the Town Council authorize Mayor Jason L. McCoy to execute the necessary paperwork to receive Local Prevention Council Grant funds.**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR JASON L. MCCOY TO EXECUTE THE NECESSARY PAPERWORK TO MAKE APPLICATION FOR AND TO RECEIVE LOCAL PREVENTION COUNCIL GRANT FUNDS FROM E.R.A.S.E IN THE AMOUNT OF \$4,245.00.

Council Member Wheelock, seconded by Council Member Etre made a motion to authorize Mayor Jason L. McCoy to execute the necessary paperwork to receive Local Prevention Council Grant funds.

8. **Request that the Town Council authorize the Fox Hill Radio Tower Site Project proposal.** (Copies of: letter from Fire Chief William M. Call, letter from Jack Fisher, Captain, Communications, Town of Vernon Fire Department, letter from Director Chuck Regulbuto of Optasite Towers, LLC., letter from Chief James Kenny, letter from George Fetko, Director of Public Works, memorandum from Richard Parrott, Director of Plant Operations and a memorandum from Fire Chief William M. Call are included in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES THE FINANCE OFFICER, POLICE CHIEF AND FIRE CHIEF ON BEHALF OF THE TOWN OF VERNON TO NEGOTIATE THE TERMS OF AN AGREEMENT CONSISTENT WITH THE FRAMEWORK OF THE ATTACHED PROPOSAL.

Council Member Wheelock, seconded by Council Member Etre made a motion to amend the above motion for the Town Council to authorize the Fox Hill Radio Tower Site Project proposal. Discussion took place. Council Member Winkler, seconded by Council Member Schaefer made a motion for a friendly amendment to request the Police and Fire Chief contact other cell phone companies (besides Optasite Towers, LLC) before making a decision. Council Member Etre, seconded by Council Member Winkler made a motion to amend Council Member Winkler's amendment to add the Town Engineer, Planning and Zoning Officer, Data Processing Director, Legal Council, and a Republican and Democrat Town Council Member to work with the Finance Officer, Police and Fire Chiefs to negotiate

the terms of an agreement with cell phone tower companies. Amendment Changes to the motions as follows (additions underlined, deletions bracketed)

AMENDED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES THE FINANCE OFFICER, POLICE CHIEF [AND] FIRE CHIEF, TOWN ENGINEER, PLANNING AND ZONING OFFICER, DATA PROCESSING DIRECTOR, LEGAL COUNSEL, DIRECTOR OF PUBLIC WORKS AND TOWN COUNCIL MEMBERS CAMPBELL AND HERBST ON BEHALF OF THE TOWN OF VERNON TO NEGOTIATE THE TERMS OF AN AGREEMENT WITH THE CELL PHONE TOWER COMPANIES CONSISTENT WITH THE FRAMEWORK OF THE ATTACHED PROPOSAL.

The Fire and Police Chiefs will coordinate the first meeting to discuss negotiations and answer any questions. The Town Clerk will provide them with contact information. Amended motion carried unanimously.

E) IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS:

Council Member Schaefer, seconded by Council Member Winkler made a motion to add an additional agenda item regarding a request for Diane Wheelock to resign from the Town Council in lieu of her new appointment as Executive Assistant to the Mayor. Motion failed, Council Members Etre, Wheelock, Anderson, Campbell, Herold, Jackle, and Champagne opposed.

F) PENDING BUSINESS:

NONE

G) NEW BUSINESS:

- 1) Discussion of funding for the completion of Phoenix Street and Main Street Bridges over the Tankerhoosen River. Mr. Terry McCarthy, Town Engineer and Mr. James Luddecke, Finance Director will be available to discuss funding and status of these bridges.** (Copy of relevant information and relevant history is attached.)

Council Member Etre, seconded by Council Member Herbst made a motion to hold a Special Town Council meeting to discuss ordinances for funding to complete the Phoenix Street and Main Street bridges over the Tankerhoosen River. Discussion took place. Mr. McCarthy provided information regarding the time frames and cost associated with the bridge replacements. Mr. Luddecke provided the following timeline in order for the ordinances to be placed on the November, 2008 election ballots: A special Town Council Meeting needs to be held by August 25, 2008 to discuss the ordinances, and a Public Hearing will need to be held by September 2, 2008 with the notice to the newspapers completed by August 27, 2008. The following motion carried unanimously:

MOTION:

THE TOWN COUNCIL WILL HOLD A SPECIAL TOWN MEETING ON AUGUST 25, 2008 AT 7:00 PM IN THE COUNCIL CHAMBERS LOCATED IN THE TOWN HALL 3RD FLOOR, 14 PARK PLACE, VERNON, CT TO DISCUSS ORDINANCES FOR THE PHOENIX STREET AND TALCOTTVILLE BRIDGE REPLACEMENT

- 2) Request that the Town Council approve the change in supervision for the Animal Control Department.** (A copy of the Memorandum from Christopher Clark, Town Administrator dated July 8, 2008 and copy the revised Job Descriptions are included in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE CHANGE IN SUPERVISION FOR THE ANIMAL CONTROL DEPARTMENT FROM THE TOWN ADMINISTRATOR TO THE POLICE DEPARTMENT.

Council Member Etre, seconded by Council Member Anderson made a motion to postpone the approval of the change in supervision for the Animal Control Department until the Police Chief and Personnel Officer can be present. Motion carried, Council Members Winkler, Schaefer and Herbst

opposed.

- 3) **Request that the Town Council approve the Rockville Downtown Association Municipality Agreement. Rockville Downtown Association members and directors will be available for discussion and updates of projects.** (A copy of the agreement is included in the packet.) Appendix D

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE MUNICIPALITY AGREEMENT BETWEEN THE TOWN OF VERNON AND THE ROCKVILLE DOWNTOWN ASSOCIATION.

Council Member Etre, seconded by Council Member Herold made a motion to approve the Rockville Downtown Association Municipality Agreement. Discussion took place. Council Member Winkler asked that the contract be changed to a 1 year agreement. Motion carried, Council member Schaefer abstained.

- 4) **Request that the Town Council authorize Mayor Jason L. McCoy to execute the necessary paperwork in order to approve an agreement for Engineering Services by and between Town of Vernon and Cardinal Engineering Associates, Inc.** (A copy of a memorandum from Christopher Clark, Town Administrator dated August 4, 2008 along with a copy of the memorandum from Terry McCarthy, Town Engineer, a copy of the Agreement for Engineering Services and an overview of the Company's services are included in the packet.)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR JASON L. MCCOY TO EXECUTE THE NECESSARY PAPERWORK IN ORDER TO APPROVE AN AGREEMENT FOR ENGINEERING SERVICES BY AND BETWEEN THE TOWN OF VERNON AND CARDINAL ENGINEERING ASSOCIATES, INC. FOR ENGINEERING SERVICES, NOT TO EXCEED \$4999.00.

Council Member Etre, seconded by Council Member Herbst made a motion to authorize Mayor Jason L. McCoy to execute the necessary paperwork in order to approve an agreement for Engineering Services by and between Town of Vernon and Cardinal Engineering Associates, Inc.

- 5) **Request that the Town Council adopt the proposed resolution by Mayor Jason L. McCoy, to enter into an agreement between the State of Connecticut and the Town of Vernon regarding State Project No. 146-180, Federal Project No. PENDING.** (Please see enclosed memorandum dated August 14, 2008 from Mayor Jason L McCoy to the Town Council, a copy of letter from the State of Connecticut, Resolution, Certification, a copy of the Agreement and supporting documentation are included in the packet.) Appendix E

PROPOSED RESOLUTION:

BE IT RESOLVED THAT JASON L. MCCOY, MAYOR, BE AND HEREBY IS, AUTHORIZED TO SIGN THE AGREEMENT ENTITLED "AGREEMENT BETWEEN THE

STATE OF CONNECTICUT AND THE TOWN OF VERNON FOR THE CONSTRUCTION, INSPECTION AND MAINTENANCE OF THE TALCOTTVILLE ENHANCEMENTS UTILIZING FEDERAL FUNDS FROM THE TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION PILOT PROGRAM (TCSP),"

AND BE IT FURTHER RESOLVED THAT THE TOWN OF VERNON BY IT LEGISLATIVE BODY THE VERNON TOWN COUNCIL HEREBY ADOPT AS ITS POLICY TO SUPPORT THE NONDISCRIMINATION AGREEMENTS AND WARRANTIES REQUIRED UNDER THE CONNECTICUT GENERAL STATUTE SECTION 4a-60(a)(1) AND SECTION 4a-60a(a)(1), AS AMENDED IN THE STATE OF CONNECTICUT PUBLIC ACT 07-245 AND SECTION 9(a)(I) AND 10(a)(1) OF PUBLIC ACT 071-142.

FUTHER BE IT RESOLVED THAT SAID POLICY AS SET OUT HEREIN BEFORE HAS NOT BEEN MODIFIED, RESCINDED OR REVOKED, AND IS, AT PRESENT, IN FULL FORCE AND EFFECT.

AND BE IT FURTHER RESOLVED THAT JASON L. MCCOY, MAYOR, TOWN OF VERNON IS AUTHORIZED TO EXECUTE A NONDISCRIMINATION CERTIFICATION THAT THE VERNON TOWN COUNCIL ADOPTS AS ITS POLICY TO SUPPORT THE NONDISCRIMINATION AGREEMENT AND WARRANTIES REQUIRED UNDER THE CONNECTICUT GENERAL STATUTES AND THAT SAID CERTIFICATION BE COMPLETED.

Council Member Champagne, seconded by Council Member Schaefer made a motion to adopt the proposed resolution by Mayor Jason L. McCoy, to enter into an agreement between the State of Connecticut and the Town of Vernon regarding State Project No. 146-180, Federal Project No. (PENDING).

- 6) **Town Council nomination and election of Mayor Pro Tempore (Deputy Mayor) to fill the vacancy as a result of the resignation of Diane Wheelock, as the Mayor Pro Tempore.** (Copy of letter of resignation of Diane Wheelock as Mayor Pro Tempore is attached.)

This item was pulled from the Agenda

H) INTRODUCTION OF ORDINANCES:

NONE

I) ACTION ON ORDINANCES PREVIOUSLY PRESENTED:

NONE

J) DISCUSSION OF ADDITIONAL AGENDA ITEMS:

NONE

Council Member Schaefer asked for a point of personal privilege regarding informational item #7. She suggested the Town of Vernon participate in the Town of Windsor's 375th anniversary celebration by sending a proclamation.

K) ADOPTION OF MINUTES:

PROPOSED MOTION #1:

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF JULY 15, 2008 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Herold, seconded by Council Member Champagne made a motion to approve the minutes of the July 15, 2008 regular meeting. Motion carried unanimously.

PROPOSED MOTION #2:

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF AUGUST 6, 2008 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Council Member Herold asked that "while serving as a town council member" be added to the first sentence under Citizen's Forum. Council Member Herbst, seconded by Council Member Champagne made a motion to approve the minutes of the August 6, 2008 special meeting as amended. Motion carried, Council Members Herold, Schaefer and Winkler abstained.

L) EXECUTIVE SESSION (9:45PM):

1. **THE TOWN COUNCIL HEREBY MOVES TO GO INTO EXECUTIVE SESSION REGARDING PENDING LITIGATION AND TAX APPEAL AND THAT THE FOLLOWING INDIVIDUALS ARE INVITED TO ATTEND: JOHN WARD; INTERIM TOWN ADMINISTRATOR, DAVID WHEELER; ASSESSOR, ATTORNEY SUSAN BOYAN, AND ATTORNEY MARTIN BURKE.**

Council Member Anderson, seconded by Council Member Winkler made a motion to go into executive session at 9:45 PM regarding pending litigation and tax appeal for the Meier v. Town of Vernon and Stop & Shop vs. Town of Vernon cases. Motion carried unanimously

MOTION

August 19, 2008

TO AUTHORIZE THE MAYOR TO SETTLE A TAX APPEAL CAPTIONED “STOP & SHOP SUPERMARKET COMPANY VS TOWN OF VERNON ET AL, DOCKET NO. CV. 07-4007414-S” FOR THE TAXES ON THE GRAND LIST OF OCTOBER 1, 2006 AND 2007 FOR THE ASSESSED VALUE OF 8,330,000 OR THE 100% FAIR MARKET VALUE OF \$ 11,900,000 AND TO REFUND ANY TAXES OVERPAID TO THE PLAINTIFF WITHIN 30 DAYS WITHOUT INTEREST.

Council Member Herbst, seconded by Council Member Schaefer made a motion to authorize the Mayor to settle a tax appeal regarding Stop & Shop vs. Town of Vernon. Motion carried unanimously.

MOTION

TO AUTHORIZE THE TOWN ATTORNEY TO SETTLE A TAX APPEAL CAPTIONED “ALFRED AND ERICA MEIER VS. TOWN OF VERNON ET AL, DOCKET NO. CV. – 08 4009239S” FOR TAXES ON THE GRAND LIST OF OCTOBER 1, 2007 FOR THE ASSESSED VALUE OF \$ 262, 500.00 OR THE 100% FAIR MARKET VAUE OF \$ 375,000.00 TOWN OF VERNON TO REFUND THE AMOUNT OF \$ 667.68 TO ALFRED AND ERICA MEIER FOR OVERPAYMENT OF TAXES FOR THE OCTOBER 1, 2007 GRANT LIST

Council Member Wheelock, seconded by Council Member Champagne made a motion to authorize the Town Attorney to settle a Tax Appeal regarding Meier vs. Town of Vernon. Motion carried unanimously.

9:59 PM EXECUTIVE SESSION CLOSSES

M) INFORMATIONAL ITEMS:

1. Minutes of the Board of Education Meeting from June 23, 2008.
2. Copy of the Senior Center Monthly Report for June 2008 from Penny Rand, Director of the Senior Center.
3. Copy of the Town of Vernon's Affirmative Action Plan, revised and updated November 2006.
4. A copy of the revised List of Appointed/Elected Officials, as of July 1, 2008, going forward, updates can also be found on the Town's website (www.vernon.gov).
5. Copy of the Town Clerk's Monthly Report for May and June 2008 from Bernice Dixon, Town Clerk.
6. Copy of the requested legal opinion from Attorney Harold Cummings regarding Gerber Farms Approvals.
7. Copy of the Town of Windsor's 375th Anniversary Parade letter and parade application.
8. Copy of: memo from George Fetko; Director of Public Works regarding Vehicle Fuel Usage, the Town of Vernon Employee Energy Conservation Policy, the Engine Operation and Maintenance Manual, a copy of the Fuel Usage Report for Fiscal Years 2006-07; 2007-08; and 2008-09 provided by James Luddecke; Financial Officer.
9. Copy of memorandum from Christopher Clark, Town Administrator, dated July 10, 2008 regarding an update on 425 Talcottville Road (formerly Heartland).

ADJOURNMENT (10:00 PM)

Council Member Champagne, seconded by Council Member Etre made a motion to adjourn the meeting. Motion carried unanimously.

Received: August 21, 2008

Approved: September 2, 2008

Respectfully Submitted,
Jill Kentfield
Recording Secretary

James E. Krupinski
Assistant Town Clerk

August 19, 2008

Appendix A



TOWN OF VERNON

8 PARK PLACE, VERNON, CT 06066

Tel: (860) 870-3660

Fax: (860) 870-3585

E-Mail: cnelson@vernon-ct.gov

OFFICE OF THE
COLLECTOR OF REVENUE
CAROL S. NELSON -CCMC

TO: Christopher Clark, Town Administrator

FROM: Carol S. Nelson, Collector of Revenue *CN*

DATE: August 11, 2008

SUBJECT: Refunds for Town Council Approval

PRIOR YEARS:

Diaz, Arlene 33.80
Assessor's Correction – stolen

Ortolani, Todd J 85.89
Assessor's Correction – clerical error

Sierakowski, Scott D or M K 65.16
Assessor's Correction – sold vehicle

Silver, James M Jr or Tandra L 57.59
Assessor's Correction – Duplicate bill

Stankausky, Paul W 49.03
Assessor's Correction – Junked/Totaled

Toyota Motor Credit Corp 253.74
Assessor's Correction – Out of State

CURRENT YEAR:

Appleyard, Daniel S or Kimberly A 313.10
Assessor's Correction - Exemption & Continuous Service

Baker, Deane E Jr or Nancy M 48.45
Assessor's Correction – Sold Vehicle

Appendix A (cont)

Refunds
8/11/2008

2

Benevides, Gary J	49.35
Assessor's Correction – Sold Vehicle	
Berger, Ira H	201.83
Paid Twice	
Bicknell, Stephen G or Marta L	68.13
Assessor's Correction – Sold Vehicle	
Bissell, Louis G Jr	10.30
Assessor's Correction – Sold Vehicle	
Bostrom, Jean A	62.98
Assessor's Correction – Sold Vehicle	
Celotti, Kathleen	179.56
Assessor's Correction – Sold Vehicle	
Chu, Belle K	26.34
Paid bill twice	
Clark, Phyllis L	24.83
Assessor's Correction – Sold Vehicle	
Faherty, Jay M	12.72
Assessor's Correction – Sold Vehicle	
Fielding, Anne L	103.86
Assessor's Correction – Sold Vehicle	
Fielding, Roy A	24.22
Assessor's Correction – Sold Vehicle	
Gooddard, Barbara J	90.84
Assessor's Correction – Apply Veterans Exemption	
Haines, George D	27.55
Assessor's Correction – Sold Vehicle	
Hart, Rita L or John P	11.51
Assessor's Correction – Sold Vehicle	
Honda Lease Trust	69.04
Assessor's Correction – Sold Vehicle	
Kalber, Charles W or Cathy J	48.45
Assessor's Correction – Sold Vehicle	

Appendix A (cont)

Refunds
8/11/2008

3

Lariviere, Aileen R	100.53
Assessor's Correction – Junked/Totaled	
Leblanc, Madelene L	6.66
Assessor's Correction – Out of State	
Lurci, Alexandra.....	68.73
Assessor's Correction – Out of State	
Marchesani, Nicholas M or Helen E	50.87
Assessor's Correction – Sold Vehicle	
Marek, Joseph A.....	28.76
Assessor's Correction – Sold Vehicle	
Margelony, Patricia C	15.14
Assessor's Correction – Sold Vehicle	
McKay Donald F or Louise M	6.05
Assessor's Correction – Sold Vehicle	
Miles, Thomas O	88.42
Assessor's Correction – Sold Vehicle	
Moses, Arnold.....	27.86
Assessor's Correction – Sold Vehicle	
Nagy, Lillian E.....	214.12
Assessor's Correction – Fire Damage - §12-64a	
Nissan Infiniti LT	277.07
Assessor's Correction – Sold Vehicle	
Peckham, Timothy J	22.11
Assessor's Corrections – Sold Vehicles (2)	
Pelletier, Shawn D or Melyssa.....	79.33
Assessor's Correction – Out of State	
Salvatore, Shelly L.....	69.04
Assessor's Correction – Sold Vehicle	
Savastano, Linda B	11.21
Assessor's Correction – Sold Vehicle	
Scovel, Susan A	150.49
Assessor's Correction – Veterans Exemption	

Appendix A (cont)

Refunds
8/11/2008

4

Seddon, George	83.27
Assessor's Correction – Wrong Vehicle Listed	
Strife, James R	87.81
Assessor's Correction – Out of State	
Sweetman, Edmund C	14.23
Assessor's Correction – Junked/Totaled	
Talbot, Joseph N or Talbot, Lynne	9.99
Assessor's Correction – Sold Vehicle	
The Whiting Turner Contracting Co	124.44
Paid Bill Twice	
Toyota Motor Credit Corp	374.26
Assessor's Correction – Out of State	
VW Credit Leasing Ltd	263.44
Assessor's Correction – Sold Vehicle	
York, Helen E	9.99
Assessor's Correction – Sold Vehicle	

(6) Prior Overpayments \$ 545.21
(42) Current Overpayments \$ 3,556.88

August 19, 2008

Appendix B (cont)

8/11/2008

TOWN OF VERNON

ADDITIONAL APPROPRIATIONS FROM GENERAL FUND BALANCE
FISCAL YEAR 2007 - 2008

Date	Description	#	Pass Through	Additional Appropriation	Total
1/22/08	Building Inspection - Forms; engineering; & legal notices	20	-	5,500.00	5,500.00
	Elections - To cover excess costs	21	6,954.00	3,354.00	10,308.00
	Registrars - Tables, chairs, and carriers for elections	22	-	2,000.00	2,000.00
	Fire Department - Expedition vehicle / ATV slide in unit	23	-	40,800.00	40,800.00
	Engineering - Hand held GPS unit	24	-	5,585.00	5,585.00
	Adult Education Building - Security cameras	25	-	4,500.00	4,500.00
	Executive & Administration - CCM fee	26	-	10,024.00	10,024.00
	Pension - Town contribution	27	-	110,000.00	110,000.00
					-
03/04/08	Police - Electronic speed monitoring units (3)	28	13,385.00	-	13,385.00
	Elections - Election supply carriers (8)	29	7,000.00	-	7,000.00
	Town Clerk - Farmland preservation reimbursement	30	70,876.00		70,876.00
					-
05/06/08	Youth Services - KIDSAFE CT program	31	6,250.00	-	6,250.00
					-
04/01/08	Primary - Payroll and custodial fees	34	-	1,392.00	1,392.00
					-
04/22/08	Referendum - Fiscal year 2008/09 budget	37	-	8,030.00	8,030.00
					-
05/06/08	Recycling - Collection containers for office paper	46	10,000.00	-	10,000.00
	Recreation - Instructors, sporting goods, benches, CT water refund	47	11,753.27	-	11,753.27
	Recreation - R.E.K. After School Program; Field trips	48	47,932.00		47,932.00
	Recreation - Trips to baseball game / Ski program	49	9,548.00		9,548.00
					-
Totals to Date:			\$ 214,299.82	\$ 904,702.34	\$ 1,119,002.16
<i>Original Budget:</i>					<i>72,792,144.00</i>
<i>Revised Budget:</i>					<i>\$ 73,911,146.16</i>
Balance brought forward:			\$ 214,299.82	\$ 904,702.34	\$ 1,119,002.16

Page 2

August 19, 2008

Appendix B (cont)

8/11/2008

TOWN OF VERNON

ADDITIONAL APPROPRIATIONS FROM GENERAL FUND BALANCE
FISCAL YEAR 2007 - 2008

Date	Description	#	Pass Through	Additional Appropriation	Total
11/20/07	Capital Improvements - DPW pavement roller & trailer	1	\$ -	20,000.00	\$ 20,000.00
12/11/07	Capital Improvements - DPW skid steer loader	3	-	25,000.00	25,000.00
	Capital Improvements - DPW 12-ton trailer	3	-	18,560.00	18,560.00
	Capital Improvements - Police electrical protective system	6	-	31,048.00	
	Capital Improvements - Police Expedition and cruiser	7	-	60,647.34	
	Capital Improvements - Parks basketball standards	8	-	5,200.00	
	Capital Improvements - Parks outdoor grills	8	-	2,650.00	
					-
12/18/07	Capital Improvements - Police records mgt. software	9	-	\$ 24,725.00	
01/08/08	Capital Improvements - Roadway improve. Group # 1	4	-	202,587.00	202,587.00
	Capital Improvements - Parks rotary mower, auger, grinder	10	-	17,700.00	
	Capital Improvements - Parks (1) dump truck; (2) PU trucks	10	-	53,000.00	
	Recreation - Fees collected for special events / refunds	12	16,434.00	-	16,434.00
	Recreation - Donation for Fox Hill Tower supervisor	12	1,300.00	-	1,300.00
	Parks - special events	13	2,624.76	-	2,624.76
	Recreation Programs - refunds	13	8,742.79	-	8,742.79
	Aquatics - Fee collected for swim team coaches	13	1,500.00	-	1,500.00
	Unemployment compensation	15	-	12,000.00	12,000.00
	Capital Improvements - Vernon Avenue bridge	18	-	30,400.00	30,400.00
01/22/08	Capital Improvement Education - Repair Central Adm. Building	16	-	200,000.00	200,000.00
	DPW Recycling - Leaf grinding at compost site	19	-	10,000.00	10,000.00
Totals to Date:			\$ 30,601.55	\$ 713,517.34	\$ 744,118.89
<i>Original Budget:</i>					<i>72,792,144.00</i>
<i>Revised Budget:</i>					<i>\$ 73,536,262.89</i>
Balance brought forward:			\$ 30,601.55	\$ 713,517.34	\$ 744,118.89

August 19, 2008

Appendix B (cont)

Budget Amendment Request

Total Amount Requested: \$ 750.00

Fiscal Year 2007 - 2008

Date: June 30, 2008

To: Finance Officer From(Department): Public Works Department Amendment#: 88

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
FROM:				
1. Trees	Landscaping	10340208	56180	750.00
"FROM" Subtotal:				\$ 750.00

Department	Account Description	Org Code	Object	Amount
TO:				
1. Trees	Rental	10340208	54450	750.00
"TO" Subtotal:				\$ 750.00

COMMENTS CONCERNING BUDGET AMENDMENT REQUEST

Due to addition town trees that needed to be removed for safety reasons.

	1	2	3	4
Balance in account for which funds are requested:	-750.00			
Original appropriation in account:	9000.00			
Plus or minus prior amendments:	0.00			
Amount of appropriation to date:	0.00			

George A. Fetko

Director of Public Works

Signature

6/30/2008

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:

August 19, 2008

Appendix B (cont)

Budget Amendment Request

Total Amount Requested: \$7,300.00 Fiscal Year 2007 - 2008 Date: August 19, 2008

To: Finance Officer From (Department): Registrars - Election Amendment #: **90**

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
FROM:				
Referendum	Poll worker fees	10113133	53012	3,500.00
Referendum	Advertising	10113133	55400	3,200.00
Referendum	Food	10113133	56300	600.00
"FROM" Subtotal:				\$ 7,300.00

Department	Account Description	Org Code	Object	Amount
TO:				
1. Elections	Election equipment	10113131	57550	7,300.00
2.				
3.				
4.				
"TO" Subtotal:				\$ 7,300.00

No. **COMMENTS CONCERNING BUDGET AMENDMENT REQUEST**

1. Bar code scanners - Estimate \$200 each x 14 = **\$2,800.00**. The bar coders need upgrading, as they are old and run on batteries, and will not store the amount of voters, especially what is required for a Presidential election.

The registrars need lap tops for the presidential ballots in the lobby of town hall and also at polling places. The desire is to acquire computers, "bare bones", that will be hooked into the State ConnVerse Voter Registration System and will be used to qualify those 450 plus people that come in at the last minute.

The original request is for 16 computers at \$300 each; a total of **\$4,800.00**. The Registrars are looking into a rental rate that will be less. It is expected that the \$7,300.00 in this request will not be expended in total, but at this stage we are still dealing with estimates.

	1	2	3	4
Balance in account for which funds are requested:	-			
Original appropriation in account:	-			
Plus or minus prior amendments:	10,410.00			
Amount of appropriation to date:	10,410.00			

James M. Luddecke
Department Head


Signature

August 11, 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: _____

August 19, 2008

Appendix B (cont)

Budget Amendment Request

Total Amount Requested: \$25,841.45 Fiscal Year 2007 - 2008 Date: August 19, 2008

To: Finance Officer From (Department): Finance Amendment #: 92

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
FROM:				
Police	Holiday pay	10230180	51040	25,841.45
				"FROM" Subtotal: \$ 25,841.45

Department	Account Description	Org Code	Object	Amount
TO:				
1. Executive and Administration	Compensated Absences	10112120	51080	13,916.45
2. Recreation - Administration	Regular wages	10560250	51010	5,125.00
3. Social Security	Social Security	10670270	52200	6,800.00
4.				
				"TO" Subtotal: \$ 25,841.45

No. COMMENTS CONCERNING BUDGET AMENDMENT REQUEST

- 1 To cover compensated absences for the Executive Assistant, paid at the end of the fiscal year.
- 2 To cover retro payments to recreation supervisors, approved at a previous meeting.
- 3 To cover year end accruals and other adjustments.

	1	2	3	4
Balance in account for which funds are requested:	(13,916.27)	(5,120.60)	(8,171.03)	
Original appropriation in account:		350,444.00	728,000.00	
Plus or minus prior amendments:	5,739.00	7,210.00	(8,970.00)	
Amount of appropriation to date:	5,739.00	357,654.00	719,030.00	

James M. Luddecke
Department Head


Signature

August 11, 2008
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: _____

August 19, 2008

Appendix B (cont)

Budget Amendment Request

Total Amount Requested: \$23,850.00 Fiscal Year 2007 - 2008 Date: August 19, 2008

To: Finance Officer From (Department): Capital Improvements Amendment #: 93

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
FROM:				
Police	Overtime wages	10230180	51020	23,850.00
				"FROM" Subtotal: \$ 23,850.00

Department	Account Description	Org Code	Object	Amount
TO:				
1. Capital Improvements	Cars and vans	10780290	57610	11,980.00
2. Police	Lease of vehicles	10230180	54440	11,870.00
3.				
4.				
				"TO" Subtotal: \$ 23,850.00


No. COMMENTS CONCERNING BUDGET AMENDMENT REQUEST

- To purchase a Toyota Camry Hybrid Electric vehicle for the Building Inspection department. The vehicle cost is \$22,680.00. In the FY 2009 budget there is an appropriation of \$5,000.00 and a DOT grant of \$5,700.00; for a net cost of **\$11,980.00**.

To purchase a Ford Escape 4WD Hybrid Electric vehicle for the Police department. The vehicle cost is \$27,160.00. In the FY 2009 budget there is an appropriation of \$6,000.00; a DOT grant of \$8,440.00; and a trade-in of \$850.00; for a net cost of **\$11,870.00**.
The grants are funded under the 2008 Connecticut Clean Fuel Program.

	1	2	3	4
Balance in account for which funds are requested:	8.05	-		
Original appropriation in account:	-	21,000.00		
Plus or minus prior amendments:	7,850.00	-		
Amount of appropriation to date:	7,850.00	21,000.00	-	-

James M. Luddecke
Department Head


Signature

August 11, 2008
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: _____

August 19, 2008

Appendix C

CONSENT #5

Memorandum

To: Christopher Clark, Town Administrator
From: James M. Luddecke, Finance Officer and Treasurer
Date: Friday, August 8, 2008
Re: Re-appropriation of Fiscal Year 2006 - 2007 Encumbrances



The requested re-appropriations are for items previously approved, with some deferred for practical purposes and other reasons as indicated in the comment section following the table.

Please request the Town Council to approve the following motion:

Resolved, that the Town Council authorizes the liquidation and re-appropriation of fiscal year 2006-2007 encumbrances in the amount of \$359,691.78 to the fiscal year 2007-2008 budget as detailed in the following chart:

August 19, 2008

Appendix C (cont)

August 11, 2008

	PO #	Department	Description	Org #	Object #	Amount
A.	20075797	Town Council	Municipal code book supplm.	10110110	53140	\$ 865.57
B.	20075705	Administration	Copier master lease	10112120	54330	1,000.00
C.	20075775	Administration	Copier master lease	10112120	54330	215.47
D.	20075845	Finance Administration	Other fees	10114140	53800	4,300.00
E.	20075846	Finance Administration	Storage fees	10114140	54462	10,200.00
F.	20075847	Finance Administration	Payroll management	10114140	55650	300.00
G.	20075847	Finance Administration	Manuals	10114140	55660	650.00
H.	20075837	Finance Administration	Office supplies	10114140	56010	352.60
I.	20075850	Finance Administration	Office Furnishings	10114140	57810	17,595.00
J.	20075852	Independent Audit	Accounting/Auditing Fees	10114141	53030	920.00
K.	20075851	Independent Audit	Other fees	10114141	53800	3,000.00
L.	20075852	Independent Audit	Other fees	10114141	53800	500.00
M.	20075854	Treasury	Accounting/Auditing Fees	10114142	53030	8,000.00
N.	20075853	Treasury	Banking service fees	10114142	53600	12,000.00
O.	20075854	Treasury	Banking services	10114142	53600	8,400.00
P.	20075857	Purchasing	National purchasing group	10114143	55660	480.00
Q.	20075859	Purchasing	Paper for checks; purchasing	10114143	56030	1,011.35
R.	20075794	Assessment	Other fees	10114144	53800	1,200.00
S.	20075861	Assessment	Other fees	10114144	53800	10,600.00
T.	20075841	Assessment	Appraisal fees	10114144	53800	6,065.00
U.	20075804	Town Clerk	Clerical fees	10115150	53010	999.00
V.	20075806	Town Clerk	Printing and binding	10115150	55500	195.37
W.	20075862	Town Clerk	Restorations of records	10115150	55515	1,854.86
X.	20075863	Town Clerk	Historic document preserv.	10115150	55516	7,199.70
Y.	20075807	Town Clerk	Maps	10115150	55520	595.78
Z.	20075873	Town Clerk	Maps	10115150	55520	280.46
AA.	20075808	Town Clerk	Other printing	10115150	55590	2,500.00
BB.	20075864	Data Processing	Records retention	10117160	55510	5,210.00
CC.	20075874	Data Processing	Training	10117160	55674	8,465.00
DD.	20075875	Data Processing	Training	10117160	55674	15,000.00
EE.	20075876	Data Processing	Computer hardware	10117160	57710	4,000.00
FF.	20075877	Data Processing	Computer hardware	10117160	57710	10,008.00
GG.	20075878	Data Processing	Computer software	10117160	57720	10,000.00
HH.	20075879	Data Processing	Computer software	10117160	57720	11,540.00
II.	20075880	Data Processing	Computer software	10117160	57720	8,000.00
JJ.	20075867	DPW - Administration	Other equipment & machinery	10340200	57590	6,000.00
KK.	20075738	DPW - Maint. of Buildings	Building improvements	10340203	57200	2,100.00
LL.	20075739	DPW - Maint. of Buildings	Building improvements	10340203	57200	1,900.00
MM.	20075740	DPW - Maint. of Buildings	Building improvements	10340203	57200	660.00
NN.	20075796	DPW - Maint. of Buildings	Building improvements	10340203	57200	2,600.00
OO.	20075868	DPW - Maint. of Buildings	Building improvements	10340203	57290	6,200.00
PP.	20075744	Engineering	Engineering fees	10341214	53070	1,750.00
QQ.	20075833	Engineering	Engineering fees	10341214	53070	1,330.00
RR.	20075834	Engineering	Engineering fees	10341214	53070	1,200.00

August 19, 2008

Appendix C (cont)

August 11, 2008

[illegible]

Comments:

- A. Codification of municipal records.
- B. Utilize funds for new master copier lease.
- C. Same as B.
- D. For architectural fees associated with renovations. The Finance and Executive and Administrative departments have been in “temporary” office space in the former Town Council chambers for close to eight years. This is an effort to develop a transitive design that will allow for the current space to accommodate the finance department in an actual office setting, while being consistent with the overall design of Town Hall renovations.

Appendix C (cont)

August 11, 2008

- E. To continue laser disc storage of town records. In order for the Town to complete the replication and indexing of three years of records, (which can be moved from current space), this encumbrance and the current year appropriation are needed to fund the project.
- F. To cover costs of payroll management manuals.
- G. For manuals associated with post employment benefits and cash management.
- H. For office supplies and storage.
- I. For the replacement of office furnishings associated with renovations. These furnishings would include work stations/partitions consistent with the overall design. In an attempt to be prudent and to avoid additional appropriations, we are exercising the use of any source of available funding. Preliminary median estimates are \$47,500, but we certainly are determined to reduce that amount. The major consideration is that when this project is done, it is done correctly and does not have to be reconstructed, thereby duplicating costs.
- J. For implementation plan concerning GASB 45 and Other Post Employment Benefits. The Town, inclusive of schools, needs to identify all liabilities in this area and disclose in the financial report as of June 30, 2008. Same as G.
- K. Same as J.
- L. Same as J.
- M. This designation is for the next stage of implementing a cash centralization plan and an automated interface for bank reconciliations. The position that will maintain this system on a daily basis was filled last fiscal year and has been converting the former system to ready it for centralization.
- N. In addition to the comments in item M., there are "soft cost" bank fees that we have been incurring due low interest rates on our cash flow available balances for the past three years; and the initiation of new banking services. Presently, we have a budget appropriation to cover current needs, but this encumbrance has been carried forward as the bank has granted us some latitude on prior year liabilities until rates are more favorable.
- O. Same as N; plus to support on-line payments.
- P. The annual fee for the National Institute of Governmental Purchasing (NIGP).
- Q. For blank and encoded paper utilized for printing all town and school checks; purchase orders; tax reports; and notifications.
- R. Training funds for software upgrade and other town departments.
- S. Same as R.
- T. For costs associated with the third and last sector of revaluation phase-in.
- U. Town Clerk clerical fees.
- V. Town Clerk – Vitals paper
- W. Town Clerk – Vitals and restoration of records.
- X. Town Clerk – Historic document preservation.
- Y. Town Clerk – Maps, mylar sleeves.
- Z. Same as Y.
- AA. Town Clerk – Code book supplements.
- BB. Records retention.
- CC. Town wide training for software applications and upgrades.
- DD. Same as CC.
- EE. To be utilized against first installment of new Assessment / Tax Collection software as previously approved by the Town Council. The first installment is \$32,488.00; and FY 2007 encumbrances will be used to offset \$22,000.00 of that amount; and the remainder is funded by the FY 2008 budget.
- FF. For computer replacements and projector.
- GG. Same as EE.
- HH. To offset the costs of wireless communication, e.g. blackberries, originally funded by internal service fund.
- II. Same as EE.
- JJ. For automated time clock at DPW that will interface with payroll. This system, which will also be incorporated by the school administration, has required us to change vendors several times due to specification demands, compliance, and cost.
- KK. Senior Center – Roof, gutters, and exterior maintenance.

August 19, 2008

Appendix C (cont)

August 11, 2008

LL. Nye Street chimney.
MM. Thermostat replacements at the Police Department.
NN. Roof tiles and repair at the Senior Center.
OO. Same as L., inclusive of carpet replacement when old fixtures are removed.
PP. To cover engineering fees for various projects.
QQ. Same as PP.
RR. Same as PP.
SS. For engineering / surveying supplies.
TT. Performer fees associated with the arts commission.
UU. Liquidation of former Anthem encumbrance to change to new provider Aetna; these funds will be utilized to subsidize increase in premium costs for FY 2009.
VV. Same as UU.

If there are any questions, please contact me.

August 19, 2008

Appendix D

NEW BUSINESS #3

AGREEMENT BETWEEN THE TOWN OF VERNON
AND ROCKVILLE DOWNTOWN ASSOCIATION, INC.

This Agreement is made in Vernon, Connecticut as of July 1, 2008, by and between the Town of Vernon, hereinafter referred to as the TOWN and the Rockville Downtown Association, Inc., hereinafter referred to as RDA agree as follows:

(1) SCOPE OF WORK. Subject to the terms and conditions set forth in this Agreement, RDA shall provide to the TOWN the scope of work described in Section 1 through Section 4 of Exhibit A. RDA shall provide said scope of work at the time, place and in the manner generally defined in Exhibit A and in the general RDA geographic boundaries as shown on Exhibit D.

(2) FUNDING. The TOWN shall pay RDA for the scope of work at the time and in the manner set forth in Exhibit B. The specified payments shall be the only payments to be made to RDA for services rendered pursuant to this Agreement unless otherwise modified in writing and agreed to by both parties.

(3) GENERAL PROVISIONS. The additional terms and conditions set out on Exhibit C are hereby incorporated by reference into this agreement.

(4) FACILITIES AND EQUIPMENT. RDA shall at its sole cost and expense furnish all equipment and supplies which may be required for providing services pursuant to the Agreement.

(5) REPORTS. RDA will provide the Town with a quarterly activities report for the periods ending September 30, December 31, March 31 and June 30. Reports are due no later than 45 days following the close of the applicable quarter. RDA will provide a final activities report at the end of the funding period. Reports are to be submitted to the Mayor's Office, Town of Vernon 14 Park Place, Vernon, CT 06066 with a copy to the Community and Economic Development Coordinator at the same address.

(6) EXHIBITS. All exhibits referred to herein are attached and are hereby incorporated by reference.

(7) TERM. The term of this Agreement shall be from July 1, 2008 until June 30, 2010.

Signed on this _____ day of _____, 2008 in Vernon, Connecticut.

TOWN OF VERNON

ROCKVILLE DOWNTOWN
ASSOCIATION, INC.

Jason L. McCoy
Mayor, Town of Vernon

Eugene Skladnowski
President

Appendix D (cont)

EXHIBIT A
RDA DEFINED
WORK PLAN
FOR 2008-2010

1. Events and Activities

Staff will coordinate and supervise volunteers for the following possible events and activities:

A Cappella Slam; July In the Sky, Cultural Arts Event; Downtown Spring Cleanup; Second Thursday Summer Music Concert Series; RDA Car Show; Holiday Decorating; Art In Public Spaces Program; The Gallery at Rockville General Hospital; Street Banner Maintenance Program; Coordinate with Town of Vernon Bicentennial Events.

2. Research and Reports

Staff will research feasibility of following projects and proposals and submit periodic reports to the Town regarding findings and recommendations.

A. Signage Regulations Downtown District

Move regulation through the review and approval process addressing possible amendments for compliance.

New Retail Promotional Programs; Grand Openings

Programs to be implemented annually.

C. Research – Special Services District

Investigate program and establish work plan based on its findings.

D. Research – Certified Legal Government:

Investigate program and establish work plan based on its findings.

E. Research Citizens Block Redevelopment Partnership with Town of Vernon

Investigate the possibility of redeveloping the Citizens Block building in a partnership with the Town of Vernon and establish a work plan based on its findings.

F. Rockville Downtown Revitalization Plans dated 11-5-06

Continue activities to solicit private developers for the advancement of the proposed RDA Downtown Revitalization Plan while being cognizant of the Town's economic development initiatives.

3. Projects and Programs

Staff will supervise and administer the following programs and projects.

A. Community Message Board – Finalize installation of the approved Community Message Boards to be situated at St. Bernard Terrace and Park Street.

Appendix D (cont)

B. Vintage Street Lighting – Following the completed installation of five street poles and lights on Park Place, RDA will research the feasibility of continuing this project along East and West Main Streets.

C. Advocacy for Façade Improvement Grants - Encourage and review any applications with the district.

D. Greenspace Beautification Program - Continuation of existing downtown assignments.

E. Gallery at Rockville General Hospital - Continue program with quarterly exhibits and awards.

F. Fromson Overlook - Re-establish contacts and seek negotiations with property owners to develop an overlook park near Anocoil.

G. Downtown Spring Cleanup - Continuation of this annual downtown event, including surrounding RDA neighborhoods.

H. Art In Public Spaces Program – Continued development of this program and establishment of implementation and funding plans.

4. Special Projects

A. Establish Sub-Committee for Community Outreach - Develop a work plan to better communicate the mission of The Rockville Downtown Association to the local community and the surrounding towns.

B. Nominations Committee - Review the status of the Board of Directors related to their terms and committee participation. Nominate new board members as required and recommend a slate of officers for board approval. Recommend recipients for community recognition awards.

C. Advocacy & Publicity for RDA - Heighten public awareness of RDA activities through the various local media and develop a speaker network.

D. Town Council Presentations & Updates - Inform and update the Town Council of RDA's activities and events.

E. Grant Opportunities – Form sub-committee to investigate various grant opportunities and programs. Establish a work plan based on those findings with the intent of obtaining additional funding for the downtown and the RDA.

Appendix D (cont)

**EXHIBIT B
BUDGET AND FUNDING**

The TOWN will pay the total of Thirty-Five Thousand (\$35,000) Dollars annually to RDA to perform the activities outlined in Section 1 and 2 of Exhibit A for the period of July 1, 2008 until June 30, 2010 allocated as follows:

Rockville Downtown Main Street Program	2008/2009	\$35,000.
	2009/2010	\$35,000.

Payments will be made quarterly with the first payment due on July 1, 2008 and subsequent payments due on October 1, 2008; January 1, 2009; April 1, 2009; July 1, 2009; October 1, 2009; January 1, 2010; and April 1, 2010.

The Town will also pay any current balance remaining from the Nine Thousand (\$9,000) Dollars allocated to RDA for the period of July 1, 2007 until June 30, 2008 for expenses as incurred in continuing the advertising and promotion of the Rockville Downtown Revitalization Plans dated 11-05-06. These payments will be available through the term of this agreement up until June 30, 2010 as expenses are incurred.

RDA will provide the Town with a quarterly activities and expenditures report for the periods ending September 30, December 31, March 31 and June 30. Reports are due no later than 45 days of the applicable quarter. RDA will provide a final activities report and expenditures report at the end of the funding period. Reports are to be submitted to the Mayor's Office, Town of Vernon, 14 Park Place, Vernon, CT 06066 with a copy to the Community and Economic Development Coordinator at the same address.

Appendix D (cont)

EXHIBIT C

GENERAL PROVISION

1. INDEPENDENT CONTRACTOR. At all times during the term of this Agreement the Rockville Downtown Association shall be an independent contractor and shall not be an employee of the Town. The Town shall not have the right to control the means by which the Rockville Downtown Association accomplishes the scope of work rendered pursuant to the Agreement.
2. LICENSES, PERMITS, ETC. The Rockville Downtown Association represents and warrants to the Town that the Rockville Downtown Association has or will obtain all licenses, permits, qualification and approvals of whatsoever nature legally required for the Rockville Downtown Association to provide the defined scope of work. The Rockville Downtown Association represents and warrants to the Town that the Rockville Downtown Association shall, at its sole cost and expense, keep in effect at all times during the term of the Agreement, any licenses, permits and approvals which are legally required for the Rockville Downtown Association to provide the defined scope of work.
3. TIME. The Rockville Downtown Association shall devote such services pursuant to the Agreement as may be reasonably necessary for satisfactory performance of the Rockville Downtown Association obligations pursuant to this Agreement.
4. INSURANCE.
 - a. WORKER'S COMPENSATION. During the term of this Agreement, the Rockville Downtown Association shall fully comply with the terms of the law of Connecticut concerning worker's compensation. Said compliance shall include, but not be limited to, maintaining in full force and effect one or more policies of insurance insuring against any liability the Rockville Downtown Association may have for worker's compensation. Said policy shall also include employer's liability coverage no less than \$1,000,000 per accident for bodily injury or disease.
 - b. GENERAL LIABILITY INSURANCE. The Rockville Downtown Association shall obtain at its sole cost and keep in full force and effect during the term of this agreement commercial general liability insurance in the amount of \$1,000,000 per occurrence for bodily injury, personal injury and property damage.
 - c. AUTOMOBILE LIABILITY INSURANCE. The Rockville Downtown Association shall obtain at its sole cost and keep in full force and effect during the term of this agreement standard automobile liability insurance for any vehicle owned by RDA during the term of this agreement.

Appendix D (cont)

- d. CERTIFICATES OF INSURANCE. The Rockville Downtown Association shall maintain upon the execution of this agreement, certificates of insurance which shall provide that no cancellation, major change in coverage, expiration or non-renewal will be made during the term of this agreement, without thirty (30) days written notice to the Town prior to the effective date of such cancellation or change in coverage.
5. ASSOCIATION NO AGENT. Except as the Town may specify in writing, the Rockville Downtown Association shall have no authority, express or implied, to act on behalf of the Town in any capacity whatsoever as an agent. The Rockville Downtown Association shall have no authority, express or implied, pursuant to this Agreement, to bind the Town to any obligation whatsoever.
6. ASSIGNMENT PROHIBITED. No party to this Agreement may assign any right or obligation pursuant to this Agreement. Any attempted or purported assignment of any right or obligation pursuant to this Agreement shall be void and of no effect.
7. STANDARD OF PERFORMANCE FOR MAIN STREET PROGRAM. The Rockville Downtown Association shall perform scope of work services defined pursuant to this Agreement in the manner and according to the standards generally adhered to by other professional main street centers providing similar services in the geographical area in which the Rockville Downtown Association conducts its professional work.
8. INDEMNIFY AND HOLD TOWN HARMLESS. The Rockville Downtown Association shall defend, indemnify and hold harmless the Town, its officers, agents, employees and volunteers from all claims, suits or actions of every name, kind and description, brought forth on account of injuries or death of any persons or damage to property arising from or connected to the willful misconduct, negligent acts, errors or omissions, ultra-hazardous activities, activities giving rise to strict liability, or any person directly or indirectly employed by or acting as agent for the Rockville Downtown Association in the performance of this Agreement, including the concurrent or successive passive negligence of the Town, its officers, agents, employees or volunteers. Procurement of insurance certificates and endorsements required under this Agreement does not relieve the Rockville Downtown Association from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall apply whether or not such insurance policies shall have been determined to be applicable to any of such damages or claims for damages.
9. PROHIBITED INTERESTS. No employee of the Town shall have any direct financial interest in this agreement. This agreement may be void at the option of the Town if this provision is violated.
10. COMPLIANCE. The Rockville Downtown Association shall comply with all applicable Federal, State and Municipal laws and regulations including any specific requirements of the Main Street Program. The Rockville Downtown Association shall be

August 19, 2008

Appendix D (cont)

responsible for all State and Federal tax requirements associated with the Rockville
Downtown Association's operations.

August 19, 2008

Appendix E



OFFICE OF THE
TOWN CLERK

TOWN OF VERNON

14 PARK PLACE, VERNON, CT 06066

Tel: (860) 870-3662

Fax: (860) 870-3623

E-mail: town.clerk@ci.vernon.ct.us

townclerk@vernon-ct.gov

TOWN OF VERNON

**"AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE TOWN OF VERNON FOR
THE CONSTRUCTION, INSPECTION AND MAINTENANCE OF THE TALCOTTVILLE
ENHANCEMENTS UTILIZING FEDERAL FUNDS FROM THE TRANSPORTATION AND
COMMUNITY AND SYSTEM PRESERVATION PILOT PROGRAM (TCSP)."**

PROPOSED RESOLUTION:

BE IT RESOLVED THAT JASON L. MCCOY, MAYOR, BE AND HEREBY IS, AUTHORIZED TO SIGN THE AGREEMENT ENTITLED "AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE TOWN OF VERNON FOR THE CONSTRUCTION, INSPECTION AND MAINTENANCE OF THE TALCOTTVILLE ENHANCEMENTS UTILIZING FEDERAL FUNDS FROM THE TRANSPORTATION AND COMMUNITY AND SYSTEM PRESERVATION PILOT PROGRAM (TCSP)."

AND BE IT FURTHER RESOLVED THAT THE TOWN OF VERNON BY IT LEGISLATIVE BODY THE VERNON TOWN COUNCIL HEREBY ADOPT AS ITS POLICY TO SUPPORT THE NONDISCRIMINATION AGREEMENTS AND WARRANTIES REQUIRED UNDER THE CONNECTICUT GENERAL STATUTE SECTION 4a-60(a)(1) AND SECTION 4a-60a(a)(1), AS AMENDED IN THE STATE OF CONNECTICUT PUBLIC ACT 07-245 AND SECTION 9(a)(1) AND 10(a)(1) OF PUBLIC ACT 071-142.

FURTHER BE IT RESOLVED THAT SAID POLICY AS SET OUT HEREIN BEFORE HAS NOT BEEN MODIFIED, RESCINDED OR REVOKED, AND IS, AT PRESENT, IN FULL FORCE AND EFFECT.

AND BE IT FURTHER RESOLVED THAT JASON L. MCCOY, MAYOR, TOWN OF VERNON IS AUTHORIZED TO EXECUTE A NONDISCRIMINATION CERTIFICATION THAT THE VERNON TOWN COUNCIL ADOPTS AS ITS POLICY TO SUPPORT THE NONDISCRIMINATION AGREEMENT AND WARRANTIES REQUIRED UNDER THE CONNECTICUT GENERAL STATUTES AND THAT SAID CERTIFICATION BE COMPLETED.

Adopted by the Town of Vernon on March 4, 2008

TO WHOM IT MAY CONCERN:

I, James E. Krupinski, Assistant Town Clerk of the Town of Vernon, hereby certify that the foregoing RESOLUTION was adopted by the Vernon Town Council at its regular meeting of August 19, 2008.

I FURTHER CERTIFY that said action has not been modified nor rescinded, and that it remains in full force and effect.

VERNON TOWN COUNCIL

James E. Krupinski
James Krupinski
Assistant Town Clerk

Dated at Vernon, Connecticut, this 4th day of September, 2008.