

December 16, 2008

**MINUTES
VERNON TOWN COUNCIL MEETING
TOWN HALL - 14 PARK PLACE - 3rd Floor
VERNON, CONNECTICUT**

Tuesday, December 16, 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 Herold, Brian Motola, Sean O'Shea, Pauline Schaefer, Harry Thomas, Michael Winkler

Absent:

Entered During Meeting:

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

CITIZEN'S FORUM:

Fay Risley, 29 Anchorage Road: Spoke in favor of reappointing Lance Chernack to the Planning and Zoning Commission.

Janine Gelineau 28 Anchorage Road: Spoke in favor of reappointing Lance Chernack to the Planning and Zoning Commission

B.) PUBLIC HEARING (7:35 pm)

PUBLIC HEARING TO RECEIVE COMMENTS AND QUESTIONS REGARDING THE PROPOSAL OF AN ORDINANCE ENTITLED "AN ORDINANCE RENEWING ALL PREVIOUS ORDINANCES OF THE TOWN OF VERNON". (A copy of a memorandum dated November 24, 2008 from John D. Ward, Interim Town Administrator to Mayor Jason L. McCoy, and Vernon Town Council Members, and a draft copy of the proposed ordinance are included in the Council packet.) **Appendix A**

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

(7:35 PM) Mayor McCoy called the Public Hearing to order to receive comments and questions regarding An Ordinance Renewing all previous ordinances of the Town of Vernon. The Recording Secretary read the legal notice for the record.

There were no public comments.

ADJOURN PUBLIC HEARING.

(7:37 PM) Mayor McCoy called for a motion to adjourn the Public Hearing. Council Member Thomas, seconded by Council Member O'Shea made a motion to adjourn the Public Hearing. Motion carried unanimously.

RETURN TO REGULAR MEETING

C.) PRESENTATIONS

1. Presentation of Mayoral Citation to Michelle Prairie, Marshall Scholar.

The Marshall Scholarships are one of the most prestigious awards a graduating American undergraduate can receive.

Mayor McCoy presented a citation and congratulated Ms. Michelle Prairie for receiving the Marshall Scholarship. Ms. Prairie provided information regarding the scholarship.

2. Parks and Recreation Recognition Awards, presented by Steve Krajewski, Assistant Director, Parks and Recreation Department.
 - a. Outstanding Organization – Price Chopper
 - b. Outstanding Individual – Don Bellingham
 - c. Outstanding Coaches – Marge and Myles McCurry

Plaques were handed out to Price Chopper for their sponsorship of many events that took place in the Town of Vernon, Don Bellingham for his efforts in the Vernon Greenway Program, and Marge and Myles McCurry for their coaching skills. Mayor McCoy, Parks and Recreation Director Bruce Dinnie, and Assistant Director Steve Krajewski presented the plaques and thanked them for their service.

D.) CONSENT AGENDA ITEMS

Mayor McCoy pulled consent agenda item #13. Council Member Motola, seconded by Council Member Etre made a motion to approve the consent agenda items excluding consent item #13. Motion carried, Council Members Herbst, Schaefer and Winkler abstained.

- C 1. **Request for Tax Refunds for Prior Years and Current Year.** (A copy of the memorandum from Carol S. Nelson, Collector of Revenue to John Ward, Interim Town Administrator dated December 8, 2008 is included in the Council packet.) **Appendix B**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES SEVEN (7) TAX REFUNDS TOTALING \$3,302.36 FOR PRIOR YEARS, AND FOUR (4) TAX REFUNDS TOTALING \$400.89 FOR THE CURRENT FISCAL YEAR, AS OUTLINED IN THE MEMORANDUM FROM THE COLLECTOR OF REVENUE DATED DECEMBER 8, 2008 TO THE INTERIM TOWN ADMINISTRATOR.

Council Member Motola, seconded by Council Member Etre made a motion to approve the request for tax refunds for prior years and current years in the amount of \$3302.36 and \$400.89. Motion carried.

- C 2. **Request that the Town Council approve budget amendment # 7, for fiscal year 2008-2009, as provided by James Luddecke, Finance Officer.** (A copy of budget amendment requests #7 is included in the Council packet.) **Appendix C**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES BUDGET AMENDMENT REQUEST # 7 FOR FISCAL YEAR 2008-2009, AND AS OUTLINED IN BUDGET AMENDMENT FORMS PROVIDED BY THE FINANCE OFFICER.

Council Member Motola, seconded by Council Member Etre made a motion to approve budget amendment #7 for fiscal year 2008-2009. Motion carried.

- C 3. **Request that the Town Council Approve the Mayor's appointment of Walter Mealy, 125-273 South Street, (R), as regular member of the Planning and Zoning Commission, replacing Richard Guttman (U) whose term expires December 31, 2008, for a term effective January 1, 2009 and expiring December 31, 2011.** (A copy of Mr. Mealy's resume is included in the Council packet.)

PROPOSED MOTION:

PURSUANT TO VERNON TOWN CHARTER, CHAPTER VIII, Sec. 1 & 6, AND CONNECTICUT GENERAL STATUTES § 8-4a & b, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF WALTER MEALY, (R) 125-273 South Street, as A regular member of the Planning and Zoning Commission, FOR A TERM EFFECTIVE JANUARY 1, 2009 AND EXPIRING DECEMBER 31, 2011.

Council Member Motola, seconded by Council Member Etre made a motion to approve the Mayor's appointment of Walter Mealy as a regular member of the Planning and Zoning Commission for a term effective 01-01-2009 and expiring 12-31-2011. Motion carried.

- C 4. **Request that the Town Council Approve the Mayor's reappointment of Lester G. Finkle, II, 35 Miriam Drive, (D) as a regular member of the Planning and Zoning Commission, whose term expires December 31, 2008, for a term effective January 1, 2009 and expiring**

December 31, 2011. (A copy of Mr. Finkle's resume is included in the Council packet. Also it should be noted that an updated resume has been requested from Mr. Finkle)

PROPOSED MOTION:

PURSUANT TO VERNON TOWN CHARTER, CHAPTER VIII, Sec. 1 & 6, AND CONNECTICUT GENERAL STATUTES § 8-4a & b, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF LESTER G. FINKLE, II, (D), 35 MIRIAM DRIVE, AS A REGULAR MEMBER OF THE PLANNING AND ZONING COMMISSION, FOR A TERM EFFECTIVE JANUARY 1, 2009 AND EXPIRING DECEMBER 31, 2011.

Council Member Motola, seconded by Council Member Etre made a motion to approve the Mayor's reappointment of Lester G. Finkle, II as a regular member of the Planning and Zoning Commission for a term effective 01-01-2009 and 12-31-2011. Motion carried.

- C 5. Request that the Town Council Approve the Mayor's reappointment of Sarah Iacobello (D) as regular member of the Planning and Zoning Commission, for a term effective January 1, 2009 and expiring December 31, 2011.** (A copy of Ms. Iacobello's resume is included in the Council packet. Also, it should be noted that an updated resume has been requested from Ms. Iacobello.)

PROPOSED MOTION:

PURSUANT TO VERNON TOWN CHARTER, CHAPTER VIII, Sec. 1 & 6, AND CONNECTICUT GENERAL STATUTES § 8-4a & b, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF SARAH IACOBELLO (D), AS A REGULAR MEMBER OF THE PLANNING AND ZONING COMMISSION, FOR A TERM EFFECTIVE JANUARY 1, 2009 AND EXPIRING DECEMBER 31, 2011.

Council Member Motola, seconded by Council Member Etre made a motion to approve the Mayor's reappointment of Sarah Iacobello as a regular member of the Planning and Zoning Commission for a term effective 01-01-2009 expiring 12-31-2011. Motion carried.

- C 6. Request that the Town Council Approve the Mayor's reappointment of Francis O. Kaplan, (R) 344 Merline Road, as an alternate member of the Planning and Zoning Commission, for a term effective January 1, 2009 and expiring December 31, 2013.** (A copy of Mr. Kaplan's resume is included in the Council packet.)

PROPOSED MOTION:

PURSUANT TO VERNON TOWN CHARTER, CHAPTER VIII, Sec. 1 & 6 , AND CONNECTICUT GENERAL STATUTES § 8-4a & b, THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF FRANCIS O. KAPLAN (R), 344 MERLINE ROAD, AS AN ALTERNATE MEMBER OF THE PLANNING AND ZONING COMMISSION, FOR A TERM EFFECTIVE JANUARY 1, 2009 AND EXPIRING DECEMBER 31, 2013.

Council Member Motola, seconded by Council Member Etre made a motion to approve the Mayor's reappointment of Francis O. Kaplan as an alternate member of the Planning and Zoning Commission for a term effective 01-01-2009 expiring 12-31-2013. Motion carried.

- C 7. Request that the Town Council Approve the Mayor's recommendation of David Herrmann, 521 Bolton Road, (D) as a regular member of the Board of Ethics, for a term effective January 1, 2009 and expiring November 30, 2013.** (A copy of Mr. Herrmann's resume is in the Council packet)

PROPOSED MOTION:

PURSUANT TO ORDINANCE 173 (Town Code Sec. 2-91– 2-98), THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S RECOMMENDATION OF DAVID HERRMANN (D), TO THE BOARD OF ETHICS, FOR A TERM EFFECTIVE JANUARY 1, 2009 AND EXPIRING NOVEMBER 30, 2013.

Council Member Motola, seconded by Council Member Etre made a motion to approve the Mayor's appointment of David Herrmann as a regular member of the Board of Ethics, for a term effective 01-01-2009 and expiring 12-30-2013. Motion carried.

- C 8. Request that the Town Council Approve the appointment of Robert J. Murphy, 47 Hale Street, (R) as a regular member of the Homestead Revitalization Committee, for a term effective January 1, 2009 and an indefinite expiration. (A copy of Mr. Murphy's resume is included in the Council packet.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE 277, THE TOWN COUNCIL HEREBY APPROVES ROBERT J. MURPHY (R), 47 HALE STREET, AS A REGULAR MEMBER OF THE HOMESTEAD REVITALIZATION COMMITTEE, FOR A TERM EFFECTIVE JANUARY 1, 2009 WITH AN INDEFINITE EXPIRATION.

Council Member Motola, seconded by Council Member Etre made a motion to approve the appointment of Robert J. Murphy as a regular member of the Homestead Revitalization Committee for a term effective 01-01-2009 and an indefinite expiration. Motion carried.

- C 9. Request that the Town Council approve the reappointment of Victor Antico (R), 189 Great Pond Road, South Glastonbury, Connecticut to Greater Hartford Regional Tourism District to a term commencing on January 1, 2009 and expiring on December 31, 2011.

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY APPROVES THE REAPPOINTMENT OF VICTOR ANTICO (R), 189 GREAT POND ROAD, SOUTH GLASTONBURY, CONNECTICUT TO THE GREATER HARTFORD REGIONAL TOURISM DISTRICT TO A TERM COMMENCING ON JANUARY 1, 2009 AND EXPIRING ON DECEMBER 31, 2011.

Council Member Motola, seconded by Council Member Etre made a motion to approve the reappointment of Victor Antico to the Greater Hartford Regional Tourism District for a term effective 01-01-2009 expiring 12-31-2011. Motion carried.

- C 10. Pursuant to Ordinance #215 (Town Code Sec. 2-5) as amended by Ordinance #218, the Town Council is requested to approve the reappointment of Steve Wakefield, (R) 152 Brookview Drive, as Hearing Officer for the Town of Vernon, for a term to begin January 1, 2009 and continue until December 31, 2009. (A copy of Mr. Wakefield's resume is included in your packet. It should also be noted that an updated resume has been requested)

PROPOSED MOTION:

PURSUANT TO ORDINANCE #215, (Town Code Sec. 2-5) AS AMENDED BY ORDINANCE #218, THE TOWN COUNCIL HEREBY APPROVES THE REAPPOINTMENT OF STEVE WAKEFIELD, (R) 152 BROOKVIEW DRIVE, AS HEARING OFFICER FOR THE TOWN OF VERNON, FOR A TERM TO BEGIN JANUARY 1, 2009 AND CONTINUE UNTIL DECEMBER 31, 2009.

Council Member Motola, seconded by Council Member Etre made a motion to approve the reappointment of Steve Wakefield as Hearing Officer for the Town of Vernon for a term effective 01-01-09 expiring 12-31-09. Motion carried.

- C 11. Pursuant to Charter Chapter XV, Sec. 3; 05-02-1989 Town Council Res. Vol. 24 Pg. 382; amended/Vol. 37 Pg. 266 Town Council Resolution 02-19-2002, request that the Town Council approve the reappointment of Wesley D. Shorts, 109 Hany Lane, (R), to the Human Services Advisory Commission to a term beginning on 07-01-2008 and expiring on 06-30-2010. (A copy of Mr. Short's resume is attached. It should also be noted that an updated resume has been requested.)

PROPOSED MOTION:

PURSUANT TO CHARTER CHAPTER XV, SEC. 3; 05-02-1989 TOWN COUNCIL RES. VOL. 24 PG. 382; AMENDED/VOL. 37 PG. 266 TOWN COUNCIL RESOLUTION 02-19-2002, THE TOWN COUNCIL APPROVES THE REAPPOINTMENT OF WESLEY D. SHORTS (R), 109 HANY LANE, TO THE HUMAN SERVICES ADVISORY COMMISSION TO A TERM BEGINNING ON 07-01-2008 AND EXPIRING ON 06-30-2010.

Council Member Motola, seconded by Council Member Etre made a motion to approve the reappointment of Wesley D. Shorts to the Human Services Advisory Commission for a term effective 7-1-2008 expiring 6-30-2010. Motion carried.

- C 12. Pursuant to Charter Chapter XV, Sec. 3; 05-02-1989 Town Council Res. Vol. 24 Pg. 382; amended/Vol. 37 Pg. 266 Town Council Resolution 02-19-2002, request that the Town Council approve the reappointment of Jean A. Bostrom (R), 72 Country Lane, to the Human Services Advisory Commission to a term beginning on 07-01-2008 and expiring on 06-30-2010.** (A copy of Ms. Bostrom's resume is attached. It should be noted that an updated resume has been requested.)

PROPOSED MOTION:

PURSUANT TO CHARTER CHAPTER XV, SEC. 3; 05-02-1989 TOWN COUNCIL RES. VOL. 24 PG. 382; AMENDED/VOL. 37 PG. 266 TOWN COUNCIL RESOLUTION 02-19-2002, THE TOWN COUNCIL APPROVES THE REAPPOINTMENT OF JEAN A. BOSTROM (R), 72 COUNTRY LANE, TO THE HUMAN SERVICES ADVISORY COMMISSION TO A TERM BEGINNING ON 07-01-2008 AND EXPIRING ON 06-30-2010.

Council Member Motola, seconded by Council Member Etre made a motion to approve the reappointment of Jean A. Bostrom to the Human Services Advisory Commission for a term effective 7-1-2008 expiring 6-30-2010. Motion carried.

- C 13. Pursuant to Charter Chapter XV, Sec. 3; 05-02-1989 Town Council Res. Vol. 24 Pg. 382; amended/Vol. 37 Pg. 266 Town Council Resolution 02-19-2002, request that the Town Council approve the appointment of Lance Chernack, 50 Cubles Drive (D), to the Human Services Advisory Commission for a term beginning on 07-01-2008 and expiring on 06-30-2010** (A copy of Mr. Chernack's resume is attached. It should be noted that an updated resume has been requested.)

PROPOSED MOTION:

PURSUANT TO CHARTER CHAPTER XV, SEC. 3; 05-02-1989 TOWN COUNCIL RES. VOL. 24 PG. 382; AMENDED/VOL. 37 PG. 266 TOWN COUNCIL RESOLUTION 02-19-2002, THE TOWN COUNCIL APPROVES THE APPOINTMENT OF LANCE CHERNACK, 50 CUBLES DRIVE, (D) TO THE HUMAN SERVICES ADVISORY COMMISSION TO A TERM BEGINNING ON 07-01-2008 AND EXPIRING ON 06-30-2010.

This item was pulled from the agenda.

- C 14. Pursuant to Charter Chapter VIII, Sec. 7&8, the Town Council is requested to reappoint Steven C. Peterson (R), 117 Brookview Drive, as a regular member of the Inland Wetlands Commission, said term to commence on 01-01-2009 and expire on 12-31-2011.** (A copy of Mr. Peterson's resume is attached. It should be noted that an updated resume has been requested.)

PROPOSED MOTION:

PURSUANT TO CHARTER CHAPTER VIII, SEC. 7 & 8, THE TOWN COUNCIL HEREBY APPROVES THE REAPPOINTMENT OF STEVEN C. PETERSON (R), 117 BROOKVIEW DRIVE, AS A REGULAR MEMBER OF THE INLAND WETLAND COMMISSION, SAID TERM TO COMMENCE ON 01-01-2009 AND EXPIRE ON 12-31-2011.

Council Member Motola, seconded by Council Member Etre made a motion to approve the reappointment of Steven C. Peterson as a regular member of the Inland Wetlands Commission effective 01-01-2009 expiring 12-31-2011. Motion carried.

- C 15. Pursuant to Ordinance 189 – Town Code Sec. 10-91 & 10-92; request the Town Council appoint H. Russell Kunz (R), 26 Valley View Lane, to regular member of the Conservation Commission to replace Sheryl McMullen . (Ms. McMullen is term limited off for one year). Mr. Kunz term will commence on 01-01-2009 and expire on 12-31-2011.** (A copy of Mr. Kunz's resume is included in the packet. It should also be noted that an updated resume has been requested.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE 189 – TOWN CODE SEC. 10-91 & 10-92; THE TOWN COUNCIL HEREBY APPROVES THE APPOINTMENT OF H. RUSSELL KUNZ (R), 26 VALLEY VIEW LANE, TO REGULAR MEMBER OF THE CONSERVATION COMMISSION TO REPLACE SHERYL MCMULLEN. (MS. MCMULLEN IS TERM LIMITED OFF FOR ONE YEAR.) MR. KUNZ TERM WILL COMMENCE ON 01-01-2009 AND EXPIRE ON 12-31-2011.

Council Member Motola, seconded by Council Member Etre made a motion to approve the appointment of H. Russell Kunz as a regular member of the Conservation Commission to effective 01-01-09 expiring 12-31-2011. Motion carried.

- C 16. Pursuant to Ordinance 189 – Town Code Sec. 10-91 & 10-92; request the Town Council approve the reappointment of Thomas R. Ouellette, (D) 57 Hany Lane, to regular member of the Conservation Commission, said term to commence on 01-01-2009 and expire 12-31-2011.** (A copy of Mr. Ouellette's resume is included in the packet. It should be noted that an updated resume has been requested.)

PROPOSED MOTION:

PURSUANT TO ORDINANCE 189 – TOWN CODE SEC. 10-91 & 10-92; THE TOWN COUNCIL HEREBY REAPPOINTS THOMAS R. OUELLETTE (D), 57 HANY LANE, TO A REGULAR MEMBER OF THE CONSERVATION COMMISSION, SAID TERM TO COMMENCE ON 01-01-2009 AND EXPIRE 12-31-2011.

Council Member Motola, seconded by Council Member Etre made a motion to approve the reappointment of Thomas R. Ouelette as a regular member of the Conservation Commission effective 01-01-09 expiring 12-31-2011. Motion carried.

- C 17. Request the Town Council approve the award application of an equipment grant from the Department of Public Health / Office of Emergency Medical Services in the amount of \$2,999.00 by the Vernon Fire Department.** (A copy of a memorandum dated December 12, 2008 from John D. Ward, Interim Town Administrator, to Mayor Jason L. McCoy and Vernon Town Council, and a copy of the grant are included in the Council packet.) **Appendix D**

PROPOSED MOTION:

THE TOWN COUNCIL AUTHORIZES THE EQUIPMENT GRANT AWARD APPLICATION SUBMITTED TO THE DEPARTMENT OF PUBLIC HEALTH – OFFICE OF EMERGENCY MEDICAL SERVICES.

Council Member Motola, seconded by Council Member Etre made a motion to approve the application of an equipment grant from the Department of Public Health/Office of Emergency Medical Services in the amount of \$2,999.00. Motion carried.

- C 18. Request the Town Council authorize the Mayor to sign all necessary documents pertaining to the submission of a Department of Environmental Protection "Municipalities for the Control of Invasive Plants" Grant in the amount of \$7,000 on behalf of the Parks and Recreation Department.** (A copy of the memorandum dated December 9, 2008 from John D. Ward to Mayor Jason L. McCoy and Vernon Town Council is included in the Council packet.) **Appendix E**

PROPOSED MOTION

THE TOWN COUNCIL AUTHORIZES THE APPLICATION BY PARKS AND RECREATION FOR A GRANT FROM THE CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION, SAID GRANT ENTITLED "GRANT TO MUNICIPALITIES FOR CONTROL OF INVASIVE PLANTS". FURTHER, THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY TO EXECUTE ALL OF THE NECESSARY PAPERWORK FOR SAID APPLICATION.

Council Member Motola, seconded by Council Member Etre made a motion to approve the authorization of Mayor Jason L. McCoy to execute all of the necessary paperwork for the Parks and Recreation grant application entitled "Grant to Municipalities for Control of Invasive Plants." Motion carried.

- C 19. Request the Town Council approve the submission of a Housing and Urban Development Grant No. B-08-SP-CT-0722 in the amount of \$196,000.00 for the Town of Vernon**

Amerbelle Mill Historic Restoration Initiative for exterior and interior upgrades to the historic Amerbelle Mill facility. (A copy of a memorandum dated December 9, 2008 from John D. Ward, Interim Town Administrator to Mayor Jason L. McCoy and Town Council members, and a copy of the grant are included in the Council packet.) **Appendix F**

PROPOSED MOTION:

THE TOWN COUNCIL AUTHORIZES THE APPLICATION BY MAYOR MCCOY AND THE INTERIM TOWN ADMINISTRATOR JOHN D. WARD, TO THE DEPARTMENT OF HOUSING AND DEVELOPMENT FOR EDI GRANT # B-08-SP-CT-0722, THE AMERBELLE MILL HISTORIC RESTORATION INITIATIVE.

Council Member Motola, seconded by Council Member Etre made a motion to approve the submission of a Housing and Urban Development Grant in the amount of \$196,000 for the Town of Vernon Amerbelle Mill Historic Restoration Initiative. Motion carried.

- C 20. Request the Town Council authorize the application for Emergency Operations Equipment as submitted by Emergency Management Director Michael Purcaro. Appendix G**

PROPOSED MOTION:

THE TOWN COUNCIL AUTHORIZES THE APPLICATION FOR EMERGENCY OPERATIONS EQUIPMENT IN THE AMOUNT OF \$1,956.50.

Council Member Motola, seconded by Council Member Etre made a motion to approve the application for emergency operations equipment in the amount of \$1956.50. Motion carried.

E.) IDENTIFICATION OF ADDITIONAL AGENDA ITEMS

None

F.) PENDING BUSINESS

NONE

G.) NEW BUSINESS

- 1. Request the Town Council renew a resolution entitled “RESOLUTION ADOPTING REIMBURSEMENT FOR COSTS OF FIRE HYDRANTS WITHIN THE TOWN OF VERNON’S RESIDENTIAL CONDOMINIUM COMPLEXES AND PLANNED UNIT DEVELOPMENT.** (A copy of a memorandum dated December 12, 2008 from Interim Town Administrator John D. Ward to Mayor Jason L. McCoy and the Town Council along with a copy of the resolution are included in the Council packet.) **Appendix H**

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY RENEWS THE RESOLUTION ENTITLED “RESOLUTION ADOPTING REIMBURSEMENT FOR COSTS OF FIRE HYDRANTS WITHIN THE TOWN’S RESIDENTIAL CONDOMINIUM COMPLEXES AND PLANNED UNIT DEVELOPMENTS”.

Council Member Motola seconded by Council member Champagne made a motion to renew the resolution entitled “Resolution adopting reimbursement for costs of the fire hydrants within the town's residential Condominium Complexes and planned unit developments. Discussion took place. Motion carried, Council Members Herbst and Fox opposed, Council member Schaefer abstained.

- 2. Request the Town Council authorize Mayor Jason L. McCoy to enter into an Equipment Sharing Agreement with the Windham Region Council of Governments (WINCOG), for the purposes of regional trail maintenance for a total of five (5) years, beginning November 1, 2008 and expiring October 31, 2013.** (A copy of the Equipment Sharing Agreement is included in the Council packet, as well as a memorandum dated 12-11-2008 from John D. Ward, Interim Town Administrator to the Town Council and Mayor Jason L. McCoy)

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY AUTHORIZES MAYOR JASON L. MCCOY TO SIGN THE EQUIPMENT SHARING AGREEMENT FOR VERNON’S PARTICIPATION IN THE WINDHAM REGION, COUNCIL OF GOVERNMENTS, EQUIPMENT SHARING AGREEMENT FOR REGIONAL TRAIL MAINTENANCE.

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Council Member Motola seconded by Council Member Champagne made a motion authorize Jason L. McCoy to sign the equipment sharing agreement for Vernon's participation in the Windham Region, Council of Governments, Equipment Sharing Agreement for Regional Trail Maintenance. Discussion took place. Motion carried unanimously.

H.) INTRODUCTION OF ORDINANCES

NONE

I.) ACTION ON ORDINANCES PREVIOUSLY PRESENTED

1. **"AN ORDINANCE RENEWING ALL PREVIOUS ORDINANCES OF THE TOWN OF VERNON".** (A copy of this ordinance and the legal notice is in the Public Hearing Section of this agenda for your review)

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 "AN ORDINANCE RENEWING ALL PREVIOUS ORDINANCES OF THE TOWN OF VERNON".

Council Member Motola seconded by Council Member Etre made a motion to adopt the ordinance "An Ordinance Renewing all Previous Ordinances of the Town of Vernon." Discussion took place. Motion carried, Council Members Fox, Herbst, Schaefer and Winkler opposed.

J.) DISCUSSION OF ADDITIONAL AGENDA ITEMS

None

K.) ADOPTION OF MINUTES

THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF DECEMBER 2, 2008 AND THAT MINUTES OF SAID MEETING BE APPROVED.

Mayor McCoy made the following correction: On page 5, add Council Member Anderson's name as an abstention to the vote regarding the Energy Improvement District. Council Member Motola seconded by Council Member Thomas made a motion to approve the minutes of the December 2, 2008 meeting with corrections made by Mayor McCoy.

L.) EXECUTIVE SESSION

Council Member Motola seconded by Council Member Campbell made a motion to go into Executive Session. Motion carried unanimously.

1. CONSISTENT WITH THE CONNECTICUT FREEDOM OF INFORMATION ACT, CONNECTICUT GENERAL STATUTE 1-200 (6) (B), THE TOWN COUNCIL HEREBY MOVES TO GO INTO EXECUTIVE SESSION REGARDING A CLAIM BY MR. BURHKARDT AGAINST THE TOWN OF VERNON AND THE FOLLOWING INDIVIDUALS ARE INVITED TO ATTEND: JOHN WARD, INTERIM TOWN ADMINISTRATOR, AND HAL CUMMINGS, TOWN ATTORNEY.

(9:08 pm) Council Member Motola, seconded by Council Member Schaefer moved to go out of executive session. Motion carried unanimously.

2. THE TOWN COUNCIL, PURSUANT TO THE AUTHORITY GIVEN IN CONNECTICUT GENERAL STATUTES §1-200(6)(B) HEREBY MOVES TO GO INTO EXECUTIVE SESSION TO DISCUSS PENDING LITIGATION; TOWN OF NEW HARTFORD ET AL VS ROWLAND ETAL, DOCKET NO. UWY-CV-04-0184932 S AND INVITES JOHN D. WARD, INTERIM TOWN ADMINISTRATOR AND TOWN ATTORNEY HAL CUMMINGS TO ATTEND.

Council Member Motola, seconded by Council Member Schaefer made a motion for the Town Council, pursuant to the Authority given in CT General Statutes section 1-200 (6)(B) to go into Executive Session to discuss pending litigation. Motion carried unanimously.

(9:11 PM) Council Member Motola, seconded by Council Member Schaefer made a motion to go back into public session.

During the public session, the Town Council made a motion to authorize the settlement in the amount of \$1,800.00 upon the terms and conditions as discussed in Executive Session. The Details of the settlement to be made public upon acceptance by all parties. Motion carried unanimously.

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(9:12 PM) Council Member Motola, seconded by Council Member Herbst made a motion to authorize the Vernon Town Council to participate in the class action partial settlement in the matter of the Town of New Hartford, et al v Rowland, et al," upon the terms and conditions as discussed in executive session. Details of settlement to be made public upon acceptance by all parties. Motion carried unanimously.

M.) INFORMATIONAL ITEMS

1. October, 2008 monthly report from the Vernon Town Clerk, submitted by Bernice Dixon.
2. September, 2008 monthly report from the Vernon Town Clerk, submitted by Bernice Dixon.
3. November, 2008 monthly report from the Vernon Police Department submitted by Captain Stephen M. Clark.
4. November, 2008 monthly report from the Vernon Youth Service Bureau submitted by Alan M. Slobodien, Director.
5. Minutes of the Regular Vernon Board of Education meeting on November 24 2008.
6. Requested report requested by Council member Etre regarding the General Fund Balance. Inquiry made at the December 2, 2008 Town Council meeting. **Appendix I**

ADJOURNMENT (9:13PM)

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

Received: December 18, 2008

Approved: January 20, 2009

Respectfully Submitted,

Jill Kentfield
Recording Secretary



James E. Krupinski
Assistant Town Clerk

Appendix A

**AN ORDINANCE RENEWING ALL PREVIOUS ORDINANCES OF THE TOWN
OF VERNON**

ORDINANCE NO.

Be it Ordained by the Town of Vernon that:

Section 1. By resolution of the Town Council of the Town of Vernon at its regular meeting held on March 5, 2002, the Council recognized that Ordinance No. 194 consolidated all of the previous Ordinances and established effective dates of Ordinances enacted prior to March 7, 1992 as March 7, 1992.

Section 2. In said Resolution, the Town Council determined that it was in the best interest of the Town to renew the Code until such time as the Town Council decides that it wishes to review individually or in its entirety Ordinance No. 194 and the Code that it codifies.

Section 3. The Town Council hereby renews Ordinance No. 194 for a period of ten (10) years, and all Ordinances adopted previous to this Ordinance for the period of ten (10) years from the effective date of this Ordinance, including all Ordinances which have been repealed by operation of law due to non renewal within 10 years of their effective dates.

Section 4. This Ordinance shall be effective for a period of not more than ten (10) years from the date of its adoption, and if the Town Council does not act to renew within that time, this Ordinance is repealed.

Section 5. This Ordinance is effective from its passage.

December 16, 2008

Appendix B



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

TOWN OF VERNON

8 PARK PLACE, VERNON, CT 06066
Tel: (860) 870-3660
Fax: (860) 870-3585
E-Mail: cnelson@vernon-ct.gov

TO: John Ward, Interim Town Administrator
FROM: Carol S. Nelson, Collector of Revenue
DATE: December 8, 2008
SUBJECT: Refunds for Town Council Approval

PRIOR YEARS

Cort Furniture Rental	298.47
Paid Wrong Amount	
Fabrizio, Betty P.	131.96
Assessor's Correction – Phase-in	
Honda Lease Trust	162.58
Assessor's Correction – Sold Vehicle	
Leasecomm Corp	34.56
Paid Wrong Amount	
Macgregor, Gordon.....	33.05
Assessor's Correction – Sold Vehicle	
Martin, Nathan A.....	75.04
Assessor's Correction – Junked/Totaled	
National City Commercial Corp	2566.70
Assessor's Correction – Declaration error	

CURRENT YEAR:

Chase Auto Finance Corp	119.30
Assessor's Correction – Sold Vehicle	
Honda Lease Trust	244.36
Assessor's Correction – Sold Vehicle	
Kiely, Steven P	20.59
Assessor's Correction – Sold Vehicle	
Mico Enterprises	16.64
Paid Wrong Amount	

December 16, 2008

Appendix B (cont)

Refunds
12/8/2008

2

(7) Prior Overpayments.....	\$ 3,302.36
(4) Current Overpayments	\$ 400.89

December 16, 2008

Appendix C

Budget Amendment Request

CONSENT #2

Total Amount Requested: \$1,000.00 Fiscal Year 2008 - 2009 Date: December 16, 2008

To: Finance Officer From (Department): Assessment - Assessment Amendment #: 7

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:				
Assessment	Other fees	10114144	53800	975.00
Assessment	Other fees	10114144	53800	25.00
"FROM" Subtotal:				\$ 1,000.00

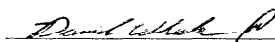
Department	Account Description	Org Code	Object	Amount
TO:				
1. Assessment	Maintenance office equipment	10114144	54330	975.00
2. Assessment	Copier rentals	10114144	54490	25.00
3.				
4.				
"TO" Subtotal:				\$ 1,000.00

No. COMMENTS CONCERNING BUDGET AMENDMENT REQUEST

1. Annual maintenance costs for the CAMA (computer assisted mass appraisal) system increased over the prior year.
2. To cover possible shortage. This account is self-supporting.

	1	2	3	4
Balance in account for which funds are requested:	(975.00)	(25.00)		
Original appropriation in account:	12,100.00	1,210.00		
Plus or minus prior amendments:	-	-	-	-
Amount of appropriation to date:	12,100.00	1,210.00	-	-

David Wheeler
Department Head


Signature

December 8, 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: _____

December 16, 2008

Appendix D



TOWN CLERK
TOWN OF VERNON

14 PARK PLACE, VERNON, CT 06066

Tel: (860) 870-3662

Fax: (860) 870-3623

E-mail: townclerk@vernon-ct.gov

TOWN OF VERNON
CERTIFIED MOTION TO APPROVE THE APPLICATION AWARD OF AN EQUIPMENT
GRANT BY THE DEPARTMENT OF PUBLIC HEALTH/OFFICE OF EMERGENCY
MEDICAL SERVICES BY THE VERNON FIRE DEPARTMENT

ADOPTED MOTION:

THE TOWN COUNCIL AUTHORIZES THE EQUIPMENT GRANT
AWARD APPLICATION SUBMITTED TO THE DEPARTMENT OF
PUBLIC HEALTH-OFFICE OF EMERGENCY MEDICAL SERVICES.

Adopted by the **Town of Vernon on December 16, 2008.**

TO WHOM IT MAY CONCERN:

I, James E. Krupienski, Assistant Town Clerk of the Town of Vernon, hereby certify that the foregoing MOTION was adopted by the Vernon Town Council at its regular meeting of December 16, 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. Krupienski, CCTC
Assistant Town Clerk

Dated at Vernon, Connecticut, this 11th day of March, 2009.

December 16, 2008

Appendix E



TOWN CLERK
TOWN OF VERNON

14 PARK PLACE, VERNON, CT 06066

Tel: (860) 870-3662

Fax: (860) 870-3623

E-mail: townclerk@vernon-ct.gov

TOWN OF VERNON
CERTIFIED MOTION TO AUTHORIZE THE MAYOR TO SIGN ALL DOCUMENTS FOR
SUBMISSION TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION
"MUNICIPALITIES FOR THE CONTROL OF INVASIVE PLANTS" GRANT FOR \$7,000.00
FOR PARK'S AND RECREATION

ADOPTED MOTION:

THE TOWN COUNCIL AUTHORIZES THE APPLICATION BY PARKS AND RECREATION FOR A GRANT FROM THE CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION, SAID GRANT ENTITLED "GRANT TO MUNICIPALITIES FOR CONTROL OF INVASIVE PLANTS". FURTHER, THE TOWN COUNCIL AUTHORIZES MAYOR JASON L. MCCOY TO EXECUTE ALL OF THE NECESSARY PAPERWORK FOR SAID APPLICATION.

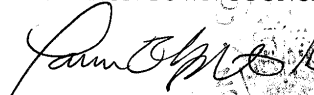
Adopted by the **Town of Vernon on December 16, 2008.**

TO WHOM IT MAY CONCERN:

I, James E. Krupienski, Assistant Town Clerk of the Town of Vernon, hereby certify that the foregoing MOTION was adopted by the Vernon Town Council at its regular meeting of December 16, 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. Krupienski, CCTC
Assistant Town Clerk

Dated at Vernon, Connecticut, this 11th day of March, 2009.

December 16, 2008

Appendix F



TOWN CLERK
TOWN OF VERNON

14 PARK PLACE, VERNON, CT 06066

Tel: (860) 870-3662

Fax: (860) 870-3623

E-mail: townclerk@vernon-ct.gov

TOWN OF VERNON
CERTIFIED MOTION TO APPROVE THE SUBMISSION OF A HOUSING AND URBAN
DEVELOPMENT GRANT NO. B-08-SP-CT-0722 FOR THE AMERBELLE MILL HISTORIC
RESTORATION INITIATIVE

ADOPTED MOTION:

THE TOWN COUNCIL AUTHORIZES THE APPLICATION BY MAYOR MCCOY AND THE INTERIM TOWN ADMINISTRATOR JOHN D. WARD, TO THE DEPARTMENT OF HOUSING AND DEVELOPMENT FOR EDI GRANT # B-08-SP-CT-0722, THE AMERBELLE MILL HISTORIC RESTORATION INITIATIVE.

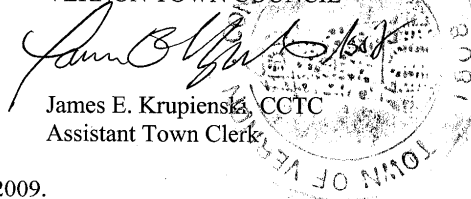
Adopted by the **Town of Vernon on December 16, 2008.**

TO WHOM IT MAY CONCERN:

I, James E. Krupienski, Assistant Town Clerk of the Town of Vernon, hereby certify that the foregoing MOTION was adopted by the Vernon Town Council at its regular meeting of December 16, 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. Krupienski, CCTC
Assistant Town Clerk

Dated at Vernon, Connecticut, this 11th day of March, 2009.

December 16, 2008

Appendix G



TOWN CLERK
TOWN OF VERNON

14 PARK PLACE, VERNON, CT 06066

Tel: (860) 870-3662

Fax: (860) 870-3623

E-mail: townclerk@vernon-ct.gov

TOWN OF VERNON
CERTIFIED MOTION TO APPROVE THE APPLICATION FOR EMERGENCY OPERATIONS
EQUIPMENT

ADOPTED MOTION:

**THE TOWN COUNCIL AUTHORIZES THE APPLICATION FOR
EMERGENCY OPERATIONS EQUIPMENT IN THE AMOUNT OF
\$1,956.50.**

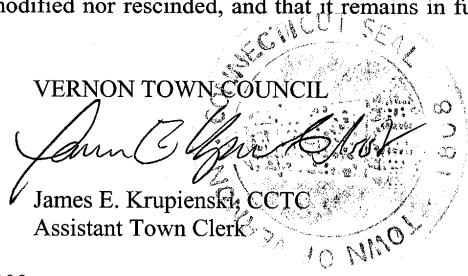
Adopted by the **Town of Vernon on December 16, 2008.**

TO WHOM IT MAY CONCERN:

I, James E. Krupinski, Assistant Town Clerk of the Town of Vernon, hereby certify that the foregoing MOTION was adopted by the Vernon Town Council at its regular meeting of December 16, 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, CCTC
Assistant Town Clerk

Dated at Vernon, Connecticut, this 11th day of March, 2009.

Appendix H



TOWN CLERK
TOWN OF VERNON

14 PARK PLACE, VERNON, CT 06066

Tel: (860) 870-3662

Fax: (860) 870-3623

E-mail: townclerk@vernon-ct.gov

**RESOLUTION ADOPTING REIMBURSEMENT FOR COSTS OF FIRE HYDRANTS WITHIN
THE TOWN OF VERNON'S RESIDENTIAL CONDOMINIUM COMPLEXES AND PLANNED
UNIT DEVELOPMENTS**

WHEREAS, the Vernon Town Council has determined as a matter of general equity and fairness to Residential home owners that the servicing of hydrants for Residential Condominium Complexes and Planned Unit Developments within the Town of Vernon should be included, as part of the General Government Budget for Fiscal Year 2009-2010.

WHEREAS, the total cost to service these hydrants for Fiscal Year 2009-2010 will not exceed \$46,500.00.

NOW, THEREFORE, BE IT RESOLVED, that the Vernon Town Council hereby approves, for Fiscal Year 2009-2010, the inclusion of the sum of \$46,500.00 in the General Government Budget for the servicing of hydrants for Residential Condominium Complexes and Planned Unit Developments within the Town of Vernon to be paid for those Associations that submit their cost data by January 15, 2009. Pursuant to this Resolution, Residential Condominium Complexes and Planned Unit Developments shall submit monthly invoices to the Finance Department, who in turn will pay the actual invoice up to the amount as specified on the data sheet supplied to the Town Assessor on or before January 15, 2009. In no event shall any amount submitted by Residential Condominium Complexes and Planned Unit Developments in excess of the amount submitted on or before January 15, 2009 be paid by the Town of Vernon. This Resolution shall be effective for Fiscal Year 2009-2010 only. Appropriations for servicing of hydrants for Residential Condominium Complexes and Planned Unit Developments for future fiscal years shall require timely submission of hydrant cost data by the Associations and a continuing Resolution by the Vernon Town Council by December 31st for consideration in the next fiscal year's budget.

December 16, 2008

Appendix H (cont)



TOWN CLERK
TOWN OF VERNON

14 PARK PLACE, VERNON, CT 06066

Tel: (860) 870-3662

Fax: (860) 870-3623

E-mail: townclerk@vernon-ct.gov

TOWN OF VERNON
AUTHORIZING RESOLUTION OF THE TOWN OF VERNON TOWN COUNCIL FOR
REIMBURSEMENT FOR COSTS OF FIRE HYDRANTS

CERTIFICATION:


I, **James E. Krupinski**, the **Assistant Town Clerk** of the **Town of Vernon** do hereby certify that the following is a true and correct copy of a resolution adopted by the Vernon Town Council at its duly called and held meeting on December 16, 2008, at which a quorum was present and acting throughout, and that the resolution has not been modified, rescinded, or revoked and is at present in full force and effect:

PROPOSED MOTION:

THE TOWN COUNCIL HEREBY RENEWS THE RESOLUTION ENTITLED "RESOLUTION ADOPTING REIMBURSEMENT FOR COSTS OF FIRE HYDRANTS WITHIN THE TOWN'S RESIDENTIAL CONDOMINIUM COMPLEXES AND PLANNED UNIT DEVELOPMENTS".

Adopted by the **Town of Vernon on December 16, 2008**

IN WITNESS WHEREOF: The undersigned has executed this certificate this 12th day of March, 2009.


James E. Krupinski, CCTC
Assistant Town Clerk

