

**REGULAR MEETING
PUBLIC HEARING
OF THE
VERNON TOWN COUNCIL
January 17, 2006**

Senior Center 2nd Floor Conference Room, 26 Park Place, Vernon, CT

Mayor Ellen L. Marmer, M.D. called the meeting to order at 7:31 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL:

The Clerk called the Roll as follows:

Present: Council Members Daniel E. Anderson, Bill F. Campbell, Daniel A. Champagne, Mark S. Etre, Bill Fox, Jason L. McCoy, Brian R. Motola, Mary A. Oliver, Pauline A. Schaefer, Connie Simon, Christy N. Vale; 11.

Absent: Council Members Marie A. Herbst; 1.

Entered During Meeting: Council Member Marie A. Herbst (7:35 p.m.); 1.

Also Present: Mayor Ellen L. Marmer, M.D., Town Administrator Laurence R. Shaffer and Recording Secretary Karin Z. Pike.

For the Record: The *Housing Code Procedure and Enforcement Committee* is being referred to as the *Property Maintenance Procedure and Enforcement Committee*.

CITIZEN'S FORUM:

Karen E. Prewo, 135 Grier Road, a letter was entered into the record from Ms. Prewo in favor of Jane Seymour's reappointment.

Harry Derwent Thomas, 125 Dockerel Road, thanked the Council for his appointment to the IWC and spoke in favor of Jane Seymour's reappointment as an alternate member to the IWC.

Council Member Herbst entered the meeting (7:35 p.m.)

Jane Seymour, 345 Valley Falls Road, spoke regarding her anticipated reappointment to the IWC and was available for questions from the Council.

Ginny Gingras, 21 Timber Lane, President, Friends of Valley Falls, in favor of the reappointment of Jane Seymour and urged the Council to rescind their vote from the December 20, 2005 meeting.

Robert Brooks, 100 Main Street, spoke in favor of the Local Historic Ordinance.

George Arthur, 79 Baker Road, Vernon Hockanum Linear Park Committee, spoke regarding IWC appointments, specifically, the reappointment of Jane Seymour as an alternate. He also asked the Council to reconsider their previous motion from the December 20, 2005 meeting.

Ann Letendre, 29 Gottier Drive, spoke in favor of Jane Seymour's reappointment to the IWC and asked the Council to rethink their motion from the December 20, 2005 meeting.

Russell Kunz, 26 Valley View Lane, Open Space Task Force, spoke in favor of Jane Seymour's reappointment and asked the Council to reconsider their previous vote.

Steven Peterson, 117 Brookview Drive, in favor of Jane Seymour's reappointment to the IWC as an alternate.

Council Member Schaefer, seconded by Council Member Simon, moved TO EXTEND CITIZEN'S FORUM UNTIL ITS CONCLUSION. The motion was carried unanimously 12 to 0 on a voice vote.

Ellen M. Byrne, 1170 Hartford Turnpike, spoke regarding the positioning of "inferiors" in key positions.

Audrey M. Clay, 4 Susan Road, spoke in favor of Jane Seymour's reappointment and asked the Council to reconsider their previous vote. She also requested that if the Council votes in the negative again to explain their reasons why.

No other residents wished to speak and Citizen's Forum was closed at 7:51 p.m.

PUBLIC HEARING:

Mayor Ellen L. Marmer, M.D. called the Public Hearing to order at 7:51 p.m. to receive comments and recommendations relative to "AN ORDINANCE ESTABLISHING A LOCAL HISTORIC PROPERTIES COMMISSION AND DESIGNATING HISTORIC PROPERTIES AND DISTRICTS."

The Legal Notice was advertised in the Journal Inquirer on January 11, 2006 and posted on the Town Hall bulletin board on January 11, 2006.

(A copy of the legal notice is appended to these minutes and marked as "Appendix A.")

PUBLIC COMMENTS:

Robert Hurd, 7 Rheel Street, Chairman Local Historic Properties Commission, spoke in favor of the ordinance and was available for questions and comments.

Ginny Gingras, 21 Timber Lane, President Friends of Valley Falls, spoke in support of the ordinance and thanked Robert Hurd, Ardis Abbott and the Committee for the report regarding the Historic District.

Laurence R. Shaffer, Town Administrator, read into the record an email received from Gene Bolles, Building Official, requesting that *Section 6 Enforcement* be amended to include a request that when a resident request a building permit that they inform the Building Department that they own a historical property. Mr. Shaffer responded that rather than amending the ordinance a file would be created to designate historical addresses for the Building department.

Ellen M. Byrne, 1170 Hartford Turnpike, spoke in favor of the ordinance.

Steve Dearborn, 144 East Road, Broad Brook, Vernon property owner, requested that the Town be careful as to giving too much power to one committee/person as to what can be done to a historical property.

No other residents wished to speak and the Public Hearing was closed at 8:06 p.m.

MAYOR RECOMMENDS ACTION ON THE PROPOSED ORDINANCE

Discussion took place.

Council Member Herbst, seconded by Council Member McCoy, moved THAT THE TOWN COUNCIL HEREBY MOVES THE ADOPTION OF ORDINANCE #263 ENTITLED: "AN ORDINANCE ESTABLISHING A LOCAL HISTORIC PROPERTIES COMMISSION AND DESIGNATING HISTORIC PROPERTIES AND DISTRICTS, AS AMENDED." The motion was carried unanimously 12 to 0 on a Roll call vote.

(A copy of the amended ordinance is appended to these minutes and marked as "Appendix B.")

PRESENTATIONS:

None.

ADOPTION OF MINUTES:

Council Member Herbst, seconded by Council Member Oliver, moved THAT THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF JANUARY 10, 2006, AND THAT MINUTES OF SAID MEETING BE APPROVED. The motion was carried unanimously 11 to 0 on a voice vote. Council Member McCoy abstained.

CONSENT AGENDA ITEMS:

New Business Items:

1. Request for Tax Refunds – Current Fiscal Year
2. Request for Tax Refunds – Prior Fiscal Year
3. Request the Town Council to approve the appointment of Jeffrey Pescosolido as an alternate member of the Inland Wetlands Regulatory Commission.
4. Request the Town Council to adopt a motion in order to fund the right of way activity for the replacement of the Vernon Avenue Bridge.
5. Request the Town Council to adopt a motion in order to fund the right of way activity for the replacement of the Spring Street Bridge.
6. Request the Town council to adopt a motion in order to fund the right of way activity for the replacement of the River Street Bridge.

NEW BUSINESS (CONSENT ITEMS):

Council Member Herbst, seconded by Council Member Oliver, moved TO APPROVE C.N.B. 1 through and including C.N.B. 6 AS FOLLOWS:

C.N.B. 1. Request for Tax Refunds – Current Year.

THAT THE TOWN COUNCIL AUTHORIZES THE COLLECTOR OF REVENUE TO APPROVE NINE (9) TAX REFUNDS IN THE AMOUNT OF \$4,498.03 AS OUTLINED IN MEMORANDUM FROM THE COLLECTOR OF REVENUE DATED JANUARY 11, 2006 TO THE TOWN ADMINISTRATOR.

(A copy of the memorandum is appended to these minutes and marked as "Appendix C.")

C.N.B. 2. Request for Tax Refunds – Prior Year.

THAT THE TOWN COUNCIL AUTHORIZES THE COLLECTOR OF REVENUE TO APPROVE ONE (1) TAX REFUNDS IN THE AMOUNT OF \$1,037.64 AS OUTLINED IN MEMORANDUM FROM THE COLLECTOR OF REVENUE DATED JANUARY 11, 2006 TO THE TOWN ADMINISTRATOR.

(A copy of the memorandum is appended to these minutes and marked as "Appendix D.")

C.N.B. 3. Request the Town Council to approve the Mayor's appointment Of Jeffrey Pescosolido, (U) 96 Brent Drive, as an alternate member of the Inland Wetlands Regulatory Commission, to fill a vacancy due to the regular appointment of Harry D. Thomas, said term to expire on December 31, 2008.

THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF JEFFREY PESCOSOLIDO (U), TO SERVE AS AN ALTERNATE MEMBER OF THE INLAND WETLANDS REGULATORY COMMISSION, SAID TERM TO EXPIRE ON DECEMBER 31, 2008.

C.N.B. 4. Request the Town Council to approve an appropriation from the general fund in order to fund the right of way activities for the replacement of the Vernon Avenue Bridge.

THE TOWN COUNCIL, CONSISTENT WITH THE VERNON TOWN CHARTER, CHAPTER XII, ENTITLED "FINANCE ADMINISTRATION" SECTION 10, SUBSECTION F, UPON THE RECOMMENDATION OF THE MAYOR, HEREBY APPROVES A NEW APPROPRIATION IN THE AMOUNT OF \$7,000.00 FROM THE GENERAL FUND UNDESIGNATED FUND BALANCE IN ORDER TO FUND THE RIGHT OF WAY ACTIVITIES FOR THE REPLACEMENT OF THE VERNON AVENUE BRIDGE OVER THE HOCKANUM RIVER IN ACCORDANCE WITH THE AGREEMENT WITH THE TOWN OF VERNON AND THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION.

THE TOWN COUNCIL HEREBY RESOLVES TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION FOR THE VERNON AVENUE BRIDGE RIGHT OF WAY ACQUISITION ACTIVITIES.

C.N.B. 5. Request the Town Council to approve an appropriation from the general fund in order to fund the right of way activities for the replacement of the Spring Street Bridge.

THE TOWN COUNCIL, CONSISTENT WITH THE VERNON TOWN CHARTER, CHAPTER XII, ENTITLED "FINANCE ADMINISTRATION" SECTION 10, SUBSECTION F, UPON THE RECOMMENDATION OF THE MAYOR, HEREBY APPROVES A NEW APPROPRIATION IN THE AMOUNT OF \$7,000.00 FROM THE GENERAL FUND UNDESIGNATED FUND BALANCE IN ORDER TO FUND THE RIGHT OF WAY ACTIVITIES FOR THE REPLACEMENT OF THE SPRING STREET BRIDGE OVER THE HOCKANUM RIVER IN ACCORDANCE WITH THE AGREEMENT WITH THE TOWN OF VERNON AND THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION.

THE TOWN COUNCIL HEREBY RESOLVES TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION FOR THE SPRING STREET BRIDGE RIGHT OF WAY ACQUISITION ACTIVITIES.

C.N.B. 6. Request the Town Council to approve an appropriation from the general fund in order to fund the right of way activities for the replacement of the River Street Bridge.

THE TOWN COUNCIL, CONSISTENT WITH THE VERNON TOWN CHARTER, CHAPTER XII, ENTITLED "FINANCE ADMINISTRATION" SECTION 10, SUBSECTION F, UPON THE RECOMMENDATION OF THE MAYOR, HEREBY APPROVES A NEW APPROPRIATION IN THE AMOUNT OF \$9,000.00 IN ORDER TO FUND THE RIGHT OF WAY ACTIVITIES FOR THE REPLACEMENT OF THE RIVER STREET BRIDGE OVER THE HOCKANUM RIVER IN ACCORDANCE WITH THE AGREEMENT WITH THE TOWN OF VERNON AND THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION.

THE TOWN COUNCIL HEREBY RESOLVES TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE STATE OF CONNECTICUT DEPARTMENT OF TRANSPORTATION FOR THE RIVER STREET BRIDGE RIGHT OF WAY ACQUISITION ACTIVITIES.

The motion was carried unanimously 12 to 0 on a voice vote.

OLD BUSINESS:

None.

IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS:

A.A.I. 1. Council Member McCoy requested that Informational Item #3 Department of Social Services Quarterly Newsletter dated January 2006 be pulled for discussion.

By unanimous consent, A.A.I. 1. was added to the agenda.

NEW BUSINESS:

N.B. 1. Request the Town Council to adopt a motion to rescind the Town Council action of December 20, 2005 consent agenda item relative to the reappointment of Jane Seymour as an alternate member of the Inland Wetlands Regulatory Commission.

Discussion took place.

Council Member Herbst, seconded by Council Member Oliver, moved THAT THE TOWN COUNCIL HEREBY RESCINDS ITS ACTION OF DECEMBER 20, 2005 RELATIVE TO THE MOTION TO REAPPOINT JANE SEYMOUR AS AN ALTERNATE MEMBER OF THE INLAND WETLAND REGULATORY COMMISSION. SAID MOTION AS FOLLOWS:

THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF JANE SEYMOUR (D), TO SERVE AS AN ALTERNATE MEMBER OF THE INLAND WETLANDS REGULATORY COMMISSION, SAID TERM TO EXPIRE ON DECEMBER 31, 2008.

The motion was carried unanimously 11 to 0 on a roll call vote. Council Member Champagne abstained.

N.B. 2. Request the Town Council approve of the Mayor's reappointment of Jane Seymour, (D) 345 Valley Falls Road, as an alternate member of the Inland Wetlands Regulatory Commission, said term to expire on December 31, 2008.

Discussion took place.

Council Member Herbst, seconded by Council Member Schaefer, moved That THE TOWN COUNCIL HEREBY APPROVES THE MAYOR'S REAPPOINTMENT OF JANE SEYMOUR (D), TO SERVE AS AN ALTERNATE MEMBER OF THE INLAND WETLANDS REGULATORY COMMISSION, SAID TERM TO EXPIRE ON DECEMBER 31, 2008.

Council Member Champagne requested a five-minute recess. The meeting recessed at 8:46 p.m.

The meeting reconvened at 8:50 p.m.

The motion was carried 9 to 3 on a voice vote with Council members Anderson, Campbell, Etre, Fox, Herbst, Motola, Oliver, Schaefer and Simon voting yes and Council Members Champagne, McCoy and Vale voting no.

INTRODUCTION OF ORDINANCES:

None.

DISCUSSION OF ADDITIONAL AGENDA ITEMS:

A.A.I. 1. Council Member McCoy requested that Informational Item #3 Department of Social Services Quarterly Newsletter dated January 2006.

Council Member McCoy highlighted the information on the Energy Assistance portion of the newsletter.

Mayor Ellen L. Marmer, M.D. also stated that Federal funds were still available for citizens regarding the October 2005 floods. If anyone had any questions they should contact the Mayor's office.

EXECUTIVE SESSION:

Council Member Herbst, seconded by Council Member Schaefer, moved THAT CONSISTENT WITH THE CONNECTICUT FREEDOM OF INFORMATION ACT, THE TOWN COUNCIL HEREBY VOTES TO GO INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS AND INVITES JOSEPH COURTNEY, TOWN ATTORNEY, AND JAMES LUDDECKE, FINANCE OFFICER TO ATTEND. The motion was carried unanimously 12 to 0 on a voice vote.

The meeting went into Executive Session at 8:57 p.m.

Present at the Executive Session were Mayor Ellen L. Marmer, M.D., Joseph Courtney, Town Attorney, James Luddecke, Finance Officer and Council Members Anderson, Campbell, Champagne, Etre, Fox, Herbst, McCoy, Motola, Oliver, Schaefer, Simon and Vale.

Council Member Etre, seconded by Council Member Schaefer, moved TO GO OUT OF EXECUTIVE SESSION. The motion was carried unanimously 12 to 0 on a voice vote.

The meeting came out of Executive Session at 10:10 p.m.

Council Member Etre, seconded by Council Member Schaefer, moved THAT THE TOWN COUNCIL AUTHORIZES THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT WITH LAURENCE R. SHAFFER, TOWN ADMINISTRATOR CONSISTENT WITH THE SALARY, BENEFITS AND AUTOMOBILE REIMBURSEMENT DETAILED IN THE PROPOSED EMPLOYMENT AGREEMENT DATED APRIL 1, 2006, AS AMENDED, IN EXECUTIVE SESSION. SAID AUTHORIZATION SHALL BE TERMINATED BY JANUARY 27, 2006. The motion was carried unanimously 12 to 0 on a voice vote.

INFORMATIONAL ITEMS:

1. Minutes from the Board of Education meeting held on December 12, 2005.
2. Letter from James D. Bell resigning from the Local Historic properties Commission.
3. Quarterly newsletter dated January 2006 from the Department of Social Services.
4. Copy of Proclamation declaring February 3, 2006 as "Wear Red for Women" day.
5. Memorandum from James Luddecke, Finance Officer relative to the Comprehensive Annual Financial Report along with a copy of the report.

ADJOURN:

Council Member Oliver, seconded by Council Member Schaefer, moved TO ADJOURN.

The motion was carried unanimously 12 to 0 on a voice vote.

The meeting adjourned at 10:15 p.m.

Received: January 24, 2006

Approved: February 7, 2006

Karin Z. Pike
Asst Town Clerk/Recording Secretary