

**REGULAR MEETING  
OF THE  
VERNON TOWN COUNCIL  
June 6, 2006**

Senior Center 2<sup>nd</sup> Floor Conference Room, 26 Park Place, Vernon, Connecticut

Mayor Ellen L. Marmer, M.D. called the meeting to order at 7:32 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

The Clerk called the roll as follows:

**Present:** Council Members Bill F. Campbell, Daniel A. Champagne, Mark S. Etre, Bill Fox, Marie A. Herbst, Pauline A. Schaefer, Connie Simon; 7.

**Absent:** Council Members Daniel E. Anderson, Jason L. McCoy, Brian R. Motola, Mary A. Oliver, Christy N. Vale; 5.

**Entered During Meeting:** Council Members Daniel E. Anderson (8:15 p.m.), Jason L. McCoy (7:40 p.m.), Brian R. Motola (7:42 p.m.), Mary A. Oliver (7:34 p.m.), Christy N. Vale (7:34 p.m.); 5.

**Also Present:** Mayor Ellen L. Marmer, M.D., Finance Officer James Luddecke, Recording Secretary Karin Z. Pike.

Mayor Ellen L. Marmer, M.D. requested a Moment of Silence for Reverend John J. White, former pastor of St. Bernard's Church.

The Mayor made a few announcements which included official notification of grant money received for the Bolton Lakes project which is scheduled to be completed in 2012 and she also informed the Council that in order to have a roll call vote a majority ruling is necessary.

Council Members Oliver and Vale entered the meeting (7:34 p.m.)

**CITIZEN'S FORUM:**

Carol Nelson Strong, 274 West Street, spoke regarding the ordinance entitled, "An Ordinance Prohibiting Parking on Unimproved Surfaces". She felt that for a number of reasons it should be brought back to the committee for refinement.

Marie Herbst, 245 Brandy Hill Road, Mrs. Herbst complimented and thanked Carl Schaefer, the Elks and all involved in the Memorial Day parade.

No other residents wished to speak and Citizen's Forum was closed at 7:40 p.m.

**PUBLIC HEARING:**

Mayor Ellen L. Marmer, M.D. called the Public hearing to order at 7:40 p.m. to receive comments and recommendations relative to proposed Ordinance entitled, "An Ordinance Establishing a Design Review Advisory Commission within the Town of Vernon".

The legal notice was advertised in the Journal Inquirer on May 30, 2006 and post on the Town Hall bulletin Board on May 30, 2006.

Council Member McCoy entered the meeting (7:40 p.m.)

**PUBLIC COMMENTS:**

No residents wished to speak and the Public Hearing was closed at 7:41 p.m.

**MAYOR RECOMMENDED ACTION ON THE PROPOSED ORDINANCE**

Council Member Herbst, seconded by Council Member Oliver, moved that THE TOWN COUNCIL HEREBY MOVES THE ADOPTION OF THE ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING A DESIGN REVIEW ADVISORY COMMISSION WITHIN THE TOWN OF VERNON".

An amendment was made to the ordinance adding: "WITH A MEETING BEING SCHEDULED AT LEAST ONCE A MONTH OR AS OFTEN DEEMED NECESSARY."

The motion now reads:

THE TOWN COUNCIL HEREBY MOVES THE ADOPTION OF THE ORDINANCE ENTITLED "AN ORDINANCE ESTABLISHING A DESIGN REVIEW ADVISORY COMMISSION WITHIN THE TOWN OF VERNON WITH A MEETING BEING SCHEDULED AT LEAST ONCE A MONTH OR AS OFTEN DEEMED NECESSARY."

The motion was carried unanimously 10 to 0 on a voice vote.

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

**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 SPECIAL MEETING OF MAY 9, 2006, AND THAT MINUTES OF SAID MEETING BE APPROVED. The motion was carried unanimously 7 to 0 on a voice vote. Council Members Etre, McCoy and Vale abstained.

Council Member Motola entered the meeting (7:42 p.m.)

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

Council Member Herbst, seconded by Council Member Oliver, moved that THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE REGULAR MEETING OF MAY 16, 2006, AND THAT MINUTES OF SAID MEETING BE APPROVED. The motion was carried unanimously 9 to 0 on a voice vote. Council Members McCoy and Vale abstained.

Council Member Herbst, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL WAIVES THE READING OF THE MINUTES OF THE SPECIAL MEETING OF MAY 23, 2006, AND THAT MINUTES OF SAID MEETING BE APPROVED. The motion was carried unanimously 8 to 0 on a voice vote. Council Members Etre, McCoy and Vale abstained.

**CONSENT AGENDA ITEMS:**

1. Request for Tax Refunds – Prior Fiscal Year.
2. Request for Tax Refunds – Current Fiscal Year.
3. Request Town Council to authorize Ellen L. Marmer, M.D., Mayor to execute the necessary paperwork to make application for and receive Youth Services Bureau funds from the State Department of Education.
4. Request the Town Council to authorize Ellen L. Marmer, M.D., Mayor to execute the extension of the option agreement between the Town of Vernon and Loom City Lofts, LLC.
5. Request the Town Council to authorize the Collector of Revenue to remove uncollectible taxes and turn them over to a collection agency.
6. Request the Town Council to abate taxes for the Grand List pursuant to the memorandum from Carol S. Nelson, Collector of Revenue.
7. Request the Town Council to authorize the Town Administrator to enter into a contract amendment with Malcolm Pirnie in order to complete sewer engineering, design and inspection services.
8. Request Town Council to designate July in the Sky as a community event, and to designate Henry Park and Downtown Rockville as the location(s) for the regulation of “Hawkers and Peddlers”.

**NEW BUSINESS (CONSENT ITEMS):**

Council Member Champagne pulled C.N.B. 4. for discussion.

Council Member Herbst, seconded by Council Member Schaefer, moved TO APPROVE C.N.B. 1,2,3, 5,6,7 and 8 AS FOLLOWS:

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

THAT THE TOWN COUNCIL AUTHORIZES THE COLLECTOR OF REVENUE TO APPROVE ONE (1) TAX REFUND IN THE AMOUNT OF \$272.41 AS OUTLINED IN MEMORANDUM FROM THE COLLECTOR OF REVENUE DATED MAY 31, 2006 TO THE TOWN ADMINISTRATOR.

(A copy of the memorandum is appended to the minutes and marked as “Appendix B.”)

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

THAT THE TOWN COUNCIL AUTHORIZES THE COLLECTOR OF REVENUE TO APPROVE SEVEN (7) TAX REFUNDS IN THE AMOUNT OF \$1,468.92 AS OUTLINED IN MEMORANDUM FROM THE COLLECTOR OF REVENUE DATED MAY 31, 2006 TO THE TOWN ADMINISTRATOR.

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

C.N.B. 3. Request Town Council to authorize Ellen L. Marmer, M.D., Mayor to execute the necessary paperwork to make application for and receive Youth Services Bureau funds from the State Department of Education.

THAT THE TOWN COUNCIL AUTHORIZES ELLEN L. MARMER, M.D., MAYOR, TO EXECUTE THE NECESSARY PAPERWORK TO MAKE APPLICATION FOR AND RECEIVE YOUTH SERVICES BUREAU FUNDS FROM THE STATE DEPARTMENT OF EDUCATION IN AN AMOUNT OF \$22,988.00.

C.N.B. 5. Request Town Council to authorize Carol S. Nelson, Collector of Revenue to remove uncollectible taxes from the Grand Lists, place them on the suspense ledger, and turn them over to a collection agency.

THE TOWN COUNCIL HEREBY AUTHORIZES THE COLLECTOR OF REVENUE TO REMOVE UNCOLLECTIBLE TAXES IN THE AMOUNT OF \$123,572.79 FROM THE GRAND LISTS 1999 THROUGH 2004, TO PLACE SAID TAXES ON THE SUSPENSE LEDGER, AND TO TURN THEM

OVER TO A COLLECTION AGENCY AS SHOWN IN THE MEMORANDUM DATED MAY 30, 2006 FROM THE COLLECTOR OF REVENUE TO THE TOWN ADMINISTRATOR, AND A COMPUTER LISTING RUN ON MAY 30, 2006.

C.N.B. 6. Request Town Council to abate taxes for the 2004 Grand List pursuant to §12-81 and Town owned property.

THE TOWN COUNCIL HEREBY ABATES TAXES FOR THE 2004 GRAND LIST FOR THOSE PROPERTIES AND IN THE DESIGNATED AMOUNTS OUTLINED IN THE MEMORANDUM FROM CAROL S. NELSON, COLLECTOR OF REVENUE TO LAURENCE SHAFFER, TOWN ADMINISTRATOR DATED MAY 30, 2006.

C.N.B. 7. Request Town Council to authorize the Town Administrator to enter into a contract amendment with Malcolm Pirnie in order to complete sewer engineering, design and inspection services.

THE TOWN COUNCIL HEREBY AUTHORIZES THE TOWN ADMINISTRATOR TO ENTER INTO A CONTRACT AMENDMENT WITH MALCOLM PIRNIE OF MIDDLETOWN, CT AT A COST NOT TO EXCEED \$38,000.00 TO COMPLETE THE SEWER ENGINEERING, DESIGN AND INSPECTION SERVICES.

C.N.B. 8. Request Town Council to designate July in the Sky as a community event, and to designate Henry Park and Downtown Rockville as the location for the regulation of "Hawkers and Peddlers".

THE TOWN COUNCIL CONSISTENT WITH ORDINANCE #237, HEREBY DESIGNATES JULY IN THE SKY AS A COMMUNITY EVENT AND HEREBY SETS THE DATES FOR SUCH COMMUNITY EVENT AS JULY 3, 2006, WITH RAIN DATES OF JULY 5, JULY 6, AND JULY 7, 2006.

FURTHER, CONSISTENT WITH THE ORDINANCE, HENRY PARK AS DEFINED BY PARCEL #39-0073-00072, IS HEREBY DESIGNATED AS THE LOCATION FOR THE REGULATION OF HAWKERS AND PEDDLERS, ALONG WITH DOWNTOWN ROCKVILLE, WHICH IS DEFINED BY THE AREA OF EAST MAIN STREET, PARK STREET, PARK PLACE, ELM STREET, MIDDLE ROAD, AND ST. BERNARD'S TERRACE.

The motion was carried 10 to 1 with Council Members Campbell, Champagne, Etre, Fox, Herbst, Motola, Oliver, Schaefer, Simon and Vale voting yes and Council Member McCoy voting no.

#### **NEW BUSINESS (TAKEN FROM CONSENT AGENDA):**

C.N.B. 4. Request Town Council to authorize Ellen L. Marmer, M.D., Mayor to execute an extension of the option agreement between the Town of Vernon and Loom City Lofts, LLC.

Discussion took place.

Council Member Etre requested that a sign be posted on the building stating that the remediation had been completed.

Council Member Herbst, seconded by Council Member Oliver, moved that THE TOWN COUNCIL HEREBY AUTHORIZES ELLEN L. MARMER, M.D., MAYOR, TO EXECUTE AN EXTENSION OF THE OPTION AGREEMENT BETWEEN THE TOWN OF VERNON AND LOOM CITY LOFTS, LLC, WHICH AUTHORIZES AN ADDITIONAL PERIOD OF TIME UP TO DECEMBER 31, 2006 FOR LOOM CITY LOFTS, LLC TO EXECUTE ITS OPTION. The motion was carried unanimously 11 to 0 on a voice vote.

#### **OLD BUSINESS CONSENT:**

1. Request the Town Council to authorize the Town Administrator and the Town Attorney to conduct by auction a sale of the vacant land known as 25 Range Hill Drive.

Discussion took place.

Council Member Herbst, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL CONSISTENT WITH ORDINANCE #196 AND ALSO FURTHER ACKNOWLEDGING MAYOR ELLEN L. MARMER'S POSITIVE RECOMMENDATION, HEREBY AUTHORIZES THE TOWN ADMINISTRATOR AND THE TOWN ATTORNEY TO CONDUCT BY AUCTION A SALE OF THE VACANT LAND KNOWN AS 25 RANGE HILL TO THE HIGHEST BIDDER WITH A MINIMUM PRICE OF \$68,000.00, WITH THE PROCEEDS OF SAID SALE DEDICATED TO THE CAPITAL NON-RECURRING ACCOUNT. The motion was carried unanimously 11 to 0 on a voice vote.

**IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS:**

A.A.I. 1. Council Member Campbell requested that in the future the Administration appoint someone to take specific complaints regarding the Memorial Day parade. The Mayor stated that her office would take all future complaints.

**EXECUTIVE SESSION:**

Council Member Herbst, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL HEREBY DECIDES TO GO INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS AND INVITES DANIEL SULLIVAN, HUMAN RESOURCES DIRECTOR, AND JAMES LUDDECKE, FINANCE OFFICER, TO ATTEND. The motion was carried unanimously 11 to 0 on a voice vote.

The meeting went into Executive Session at 7:55 p.m.

Present at the Executive Session were Mayor Ellen L. Marmer, M.D., Finance Officer James Luddecke, Human Resource Director Daniel Sullivan and Council Members Campbell, Champagne, Etre, Fox, Herbst, McCoy, Motola, Oliver, Schaefer, Simon and Vale.

Council Member Herbst, seconded by Council Member Schaefer, moved TO GO OUT OF EXECUTIVE SESSION. The motion was carried unanimously 11 to 0 on a voice vote.

The meeting came out of Executive Session at 8:14 p.m.

Council Member Anderson entered the meeting (8:15 p.m.)

Council Member McCoy, seconded by Council Member Herbst, moved THAT CONSISTENT WITH THE VERNON TOWN CHARTER, CHAPTER 11, SECTION 3, THE VERNON TOWN COUNCIL HEREBY APPROVES THE MAYOR'S APPOINTMENT OF CHRISTOPHER CLARK OF 8 WOODSIDE CIRCLE, STURBRIDGE, MASSACHUSETTS AS THE TOWN ADMINISTRATOR FOR THE TOWN OF VERNON EFFECTIVE MONDAY, JULY 19, 2006.

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

Christopher Clark was introduced to the Council and public and was available for questions and comment.

**NEW BUSINESS:**

N.B. 1. Request for Town Council to approve the budget amendments for fiscal year 2005-2006 as outlined in the Budget Amendments #17-33 or additional amendments as provided by the Finance Officer at the meeting.

Finance Officer James Luddecke was available for questions and comment.

Discussion took place.

Council Member Herbst, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL HEREBY APPROVES THE AMENDMENT REQUEST(S) FOR FISCAL YEAR 2005-2006 AS OUTLINED IN BUDGET AMENDMENT FORMS #17-33 AND/OR ADDITIONAL AMENDMENT FORMS AS PROVIDED BY THE FINANCE OFFICER AT THE MEETING. The motion was carried unanimously 12 to 0 on a voice vote.

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

N.B. 2. Request Town Council to approve the job description for Assistant Ambulance Coordinator effective June 7, 2006.

Fire Chief Kelley and Deputy Fire Chief Chris Hammick were available for questions and comment.

Discussion took place.

Council Member Fox, seconded by Council Member Schaefer, moved that THE TOWN COUNCIL, CONSISTENT WITH THE TOWN OF VERNON PERSONNEL RULES AND REGULATIONS, IN PARTICULAR SECTION 4.B "JOB DESCRIPTIONS", HEREBY APPROVES THE JOB DESCRIPTION FOR ASSISTANT AMBULANCE COORDINATOR EFFECTIVE JUNE 7, 2006. The motion was carried unanimously 12 to 0 on a voice vote.

Due to the failure of the June 6, 2006 budget referendum N.B 3. and 4. were not taken up.

N.B. 3. If applicable - establishment of Mil Rate for Fiscal Year 2006-2007.

THE TOWN COUNCIL HEREBY SETS THE TAX RATE FOR THE FISCAL YEAR JULY 1, 2006 THROUGH JUNE 30, 2007 AT \_\_\_\_\_ MIL UPON TAXABLE PROPERTY IN THE TOWN OF VERNON AND THAT THE TOWN COUNCIL SIGN THE TAX WARRANT FOR SAID FISCAL YEAR.

N.B. 4. Request the Town Council to authorize the collection of Motor Vehicle tax due and payable in a single installment.

THE TOWN COUNCIL OF THE TOWN OF VERNON IN ACCORDANCE WITH THE PROVISIONS OF SECTION 12-144A OF THE CT GENERAL STATUTES, AUTHORIZES THE COLLECTION OF MOTOR VEHICLE TAX DUE AND PAYABLE IN A SINGLE INSTALLMENT.

A recess was called at 9:24 p.m.

The meeting reconvened at 9:37 p.m.

Council Member Herbst, seconded by Council Member McCoy, moved that THE TOWN COUNCIL HEREBY MOVES TO ADJOURN MEETING DUE TO THE PROPOSED BUDGET NOT PASSING AT REFERENDUM AND TO SCHEDULE A SPECIAL MEETING ON JUNE 8, 2006 AT 7:00 P.M. AT THE SENIOR CENTER, SECOND FLOOR, 26 PARK PLACE VERNON, CONNECTICUT IN ORDER TO DISCUSS POTENTIAL ACTION INCLUDING SETTING A THIRD REFERENDUM DATE FOR APPROVAL OF THE TOWN OF VERNON 2006-2007 BUDGET.

Discussion took place.

The time and place of the meeting had been changed to 7:30 p.m. and would take place on the second floor of the senior center.

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

### **INTRODUCTION OF ORDINANCES:**

1. Request for Town Council to schedule Public Hearing regarding proposed Ordinance entitled "Ordinance for Adoption of the International Property Maintenance Code."

Council Member Etre, seconded by Council Member Fox, moved that THE TOWN COUNCIL HEREBY SETS THE PUBLIC HEARING TO TAKE PLACE ON JUNE 20, 2006 AT 7:35 P.M. AT THE VERNON SENIOR CENTER SECOND FLOOR, 20 PARK PLACE, VERNON, CT TO HEAR COMMENTS AND SUGGESTIONS FROM THE PUBLIC RELATIVE TO THE ORDINANCE ENTITLED "ORDINANCE FOR ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE."

Discussion took place.

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

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

2. Request for Town Council to schedule Public Hearing regarding proposed Ordinance entitled "An Ordinance Prohibiting Parking on Unimproved Surfaces."

Council Member Etre, seconded by Council Member Fox, moved to POSTPONE THE FOLLOWING PUBLIC HEARING AND SEND THE ORDINANCE BACK TO COMMITTEE FOR FURTHER DISCUSSION. The motion was carried unanimously 12 to 0 on a voice vote.

THE TOWN COUNCIL HEREBY SETS THE PUBLIC HEARING TO TAKE PLACE ON JUNE 20, 2006 AT 7:40 P.M. AT THE VERNON SENIOR CENTER SECOND FLOOR, 20 PARK PLACE, VERNON, CT TO HEAR COMMENTS AND SUGGESTIONS FROM THE PUBLIC RELATIVE TO THE ORDINANCE ENTITLED "AN ORDINANCE PROHIBITING PARKING ON UNIMPROVED SURFACES."

### **DISCUSSION OF ADDITIONAL AGENDA ITEMS:**

A.A.I. 1. Council Member Campbell requested that in the future the Administration appoint someone to take specific complaints regarding the Memorial Day parade. The Mayor stated that her office would take all future complaints.

--previously discussed--

### **INFORMATIONAL ITEMS:**

1. Minutes from the Board of Education meeting(s) held on May 1 and May 8, minutes from Conservation Commission meeting April 17, and minutes of Traffic Authority from April 13.
2. Monthly report for March and April from Penny Rand, Senior Center Director.
3. Copy of 2007 legal holidays, Town of Vernon, from Laurence Shaffer, Town Administrator.
4. Phone and email listings for Town of Vernon.
5. Copy of 2006 Executive Summary, Emergency Management Performance Grant (EMPG).
6. Copy of 2006 Executive Summary, Commercial Equipment Direct Assist Program (CEDAP) .

7. Letter from Richard Lorenc resigning from the Risk Management Advisory Committee.
8. Copy of letter from Ellen L. Marmer, M.D., Mayor to Robert Genuario, Chairman, Governor's ECS Commission, Office of Policy and management relative to Public Hearing on June 15<sup>th</sup>.

**ADJOURN:**

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

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

The meeting adjourned at 10:16 p.m.

Received: June 13, 2006  
Approved: June 20, 2006  
Vernon Town Council

Karin Z. Pike  
Asst Town Clerk/ Recording Secretary



Appendix A

Appendix A (continued)

Appendix A (continued)

Appendix B

Appendix C

Appendix D

Appendix D (continued)

Appendix D (continued)



Appendix D (continued)

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