

**REGULAR MEETING
OF THE
VERNON TOWN COUNCIL
September 19, 2006**

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

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, Marie A. Herbst, Brian R. Motola, Mary A. Oliver, Pauline A. Schaefer, Connie Simon; 10.

Absent: Council Members Jason L. McCoy, Christy N. Vale; 2.

Entered During Meeting: Council Members Jason L. McCoy (7:42 p.m.); 1.

Exited During Meeting: Council Member Mark S. Etre (10:43 p.m.); 1.

Also Present: Mayor Ellen L. Marmer, M.D., Town Administrator Christopher Clark, Recording Secretary Karin Z. Pike.

Mayor Marmer offered her condolences to Officer Hathaway and the Vernon Police Department for the passing of his police dog. If any citizen would like to make a donation towards another police dog it should be made to the Police Equipment Fund.

The Mayor also reminded all that there would be a Bicentennial Committee meeting on October 19, 2006 at 7:00 p.m. in the Senior Center.

CITIZEN'S FORUM:

Joseph Spinelli, 51 Franklin Street, spoke regarding 49 Franklin Street and the deplorable conditions that the house and yard are in. He also questioned why there hasn't been anything done to resolve the situation.

Mayor Marmer responded by stating that the Town would see what could legally be done to remedy the situation.

*Sheila Spinelli, ~~49 Franklin Street~~, She also spoke regarding 49 Franklin Street and stated that they want satisfaction and would not stop until the situation is resolved. She also felt that the sidewalks on Franklin Street were in disrepair.

Donald Maguda, 61 Franklin Street, retired Fire Marshall, spoke regarding 49 Franklin Street and felt that neighboring homes are being devaluated.

Ronald Laplante, 22 Burke Road, spoke regarding 49 Franklin Street.

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

Mark Etre, 5 Rheel Street, spoke regarding 49 Franklin Street and stated that the home has been in disrepair since 1978. He also requested that the Spinelli's be kept informed as to what the Town is doing to remedy the problem.

*** Address should read "51 Franklin Street"**

Mayor Marmer responded that they will be contacted.

No other residents wished to speak and Citizen's Forum was closed at 7:45 p.m.

PRESENTATIONS:

Mayor Ellen L. Marmer, M.D., presented a certificate to Geraldine Strong, Chairman of the Captain Noah Grant Chapter, Daughters of the American Revolution and also proclaimed September 17, 2006 through September 23, 2006 CONSTITUTION WEEK.

John Leary, Chair, School Building Advisory Commission was present to give an update relative to the school building projects.

-Informational.

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 AUGUST 15, 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 Schaefer abstained.

CONSENT AGENDA ITEMS:

1. Request for Tax Refunds – Current and Prior Fiscal Year(s).
2. Request the Town Council approve the appointment of George Males as a member of the Risk Management Advisory Committee.
3. Request the Town Council approve the appointment of George G. Greco as a member of the Permanent Municipal Building Committee.
4. Request the Town Council approve the appointment of Scott Sierakowski as a regular member of the Conservation Commission.
5. Request the Town Council approve the appointment of Victoria Nagelis as an alternate member of the Inland Wetlands Regulatory Commission.
6. Request the Town Council approve the appointment of Roland Klee as an alternate member of the Design Review Advisory Commission.
7. Request the 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.
8. Request the Town Council approve the re-appropriation of FY 2004-2005 encumbrances.

NEW BUSINESS (CONSENT ITEMS):

Council Member Champagne pulled C.N.B. 7 for discussion.

Council Member McCoy pulled C.N.B. 8 for discussion.

Council Member Herbst, seconded by Council Member Schaefer, 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 and Prior Year(s).

THE TOWN COUNCIL APPROVES THIRTY SIX (36) TAX REFUNDS FOR THE CURRENT YEAR IN THE AMOUNT OF \$8,072.73 AND SIX (6) TAX REFUNDS FOR THE PRIOR YEAR IN THE AMOUNT OF \$1,847.27, AS OUTLINED IN THE MEMORANDUM FROM THE COLLECTOR OF REVENUE DATED SEPTEMBER 14, 2006 TO THE TOWN ADMINISTRATOR.

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

C.N.B. 2. Request the Town Council to approve the Mayor's appointment of George Males, (D) 64 School Brook Lane, as a member of the Risk Management Advisory Committee, to fill a vacancy due to the resignation of Katherine Fowler, said term to expire on August 31, 2007.

THE TOWN COUNCIL HEREBY APPROVES THE APPOINTMENT OF GEORGE MALES (D) TO SERVE AS A MEMBER OF THE RISK MANAGEMENT ADVISORY COMMISSION, SAID TERM TO EXPIRE ON AUGUST 31, 2007.

C.N.B. 3. Request the Town Council to approve the Mayor's appointment of George G. Greco, (D) 21 Ironwood Drive, as a member of the Permanent Municipal Building Committee, to fill a vacancy due to the death of David A. Chmielecki, said term to expire on June 30, 2007.

THE TOWN COUNCIL HEREBY APPROVES THE APPOINTMENT OF GEORGE G. GRECO (D) TO SERVE AS A MEMBER OF THE PERMANENT MUNICIPAL BUILDING COMMITTEE, SAID TERM TO EXPIRE ON JUNE 30, 2007.

C.N.B. 4. Request the Town Council to approve the Mayor's appointment of Scott Sierakowski, (D) 60 Cubles Road, as a member of the Conservation Commission, to fill a vacancy due to the resignation of Suzanne Freniere, said term to expire on December 31, 2007.

THE TOWN COUNCIL HEREBY APPROVES THE APPOINTMENT OF SCOTT SIERAKOWSKI (D) TO SERVE AS A MEMBER OF THE CONSERVATION COMMISSION, SAID TERM TO EXPIRE ON DECEMBER 31, 2007.

C.N.B. 5. Request the Town Council to approve the Mayor's appointment of Victoria Nagelis, (U) 90 Discovery Road, as an alternate member of the Inland Wetlands Regulatory Commission, to fill a vacancy due to the resignation of Danielle Mangold, said term to expire on December 31, 2008.

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

C.N.B. 6. Request the Town Council to approve the Mayor's appointment of Roland Klee, (D) 132 Hany Lane, as an alternate member of the Design Review Advisory Commission, said term to expire on December 31, 2008.

THE TOWN COUNCIL HEREBY APPROVES THE APPOINTMENT OF ROLAND KLEE (D) TO SERVE AS AN ALTERNATE MEMBER OF THE DESIGN REVIEW ADVISORY COMMISSION, SAID TERM TO EXPIRE ON DECEMBER 31, 2008.

The motion was carried 10 to 0 on a voice vote. Council Member McCoy abstained.

NEW BUSINESS ITEMS (TAKEN FROM CONSENT AGENDA):

C.N.B. 7. 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 Herbst, seconded by Council Member McCoy, 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, 2007 FOR LOOM CITY LOFTS, LLC TO EXECUTE ITS OPTION. The motion was carried unanimously 11 to 0 on a voice vote.

C.N.B. 8. Request Town Council to authorize the liquidation and re-appropriation of FY 2004-2005 encumbrances to the FY 2005-2006 budget.

Finance Officer James Luddecke was available for questions and comment.

Discussion took place.

Council Member Oliver, seconded by Council Member Simon, moved that THE TOWN COUNCIL HEREBY AUTHORIZES THE LIQUIDATION AND RE-APPROPRIATION OF FISCAL YEAR 2004-2005 ENCUMBRANCES IN THE AMOUNT OF \$24,483.68 TO THE FISCAL YEAR 2005-2006 BUDGET. The motion was carried 10 to 1 on a voice vote with Council Members Anderson, Campbell, Champagne, Etre, Fox, Herbst, Motola, Oliver, Schaefer, and Simon voting yes and Council Member McCoy voting no.

Council Member Campbell requested a recess.

The meeting recessed at 8:48 p.m.

The meeting reconvened at 8:52 p.m.

OLD BUSINESS:

1. Request the Town Council to reaffirm the job description for the Ordinance Compliance Inspector as revised.

THE TOWN COUNCIL HEREBY REAFFIRMS THE JOB DESCRIPTION FOR THE ORDINANCE COMPLIANCE INSPECTOR AS REVISED.

Gene Bolles, Building Official, was available for questions and comments.

After brief discussion and recommendation from Building Official Gene Bolles, the motion was postponed until the next Council meeting.

IDENTIFICATION AND ADOPTION OF ADDITIONAL AGENDA ITEMS:

A.A.I. 1. Council Member Anderson requested that Informational Items #14 & 15 be added for discussion.

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

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 #67-72 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 Simon, moved that THE TOWN COUNCIL HEREBY APPROVES THE AMENDMENT REQUEST(S) FOR FISCAL YEAR 2005-2006 AS OUTLINED IN BUDGET AMENDMENT FORMS #67-72 AND/OR ADDITIONAL AMENDMENT FORMS AS PROVIDED BY THE FINANCE OFFICER AT THE MEETING. The motion was carried unanimously 11 to 0 on a voice vote.

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

N.B. 1A. Request for Town Council to approve the budget amendments for fiscal year 2006-2007 as outlined in the Budget Amendment #2.

Finance Officer James Luddecke was available for questions and comment.

Finance Officer James Luddecke instructed Council Members to remove Sheet 1A from the amendments.

Discussion took place.

Council Member Herbst, seconded by Council Member Oliver, moved that THE TOWN COUNCIL HEREBY APPROVES THE AMENDMENT REQUEST FOR FISCAL YEAR 2006-2007 AS OUTLINED IN BUDGET AMENDMENT FORM #2 AS PROVIDED BY THE FINANCE OFFICER. The motion was carried unanimously 9 to 0 on a voice vote.. Council Members Champagne and McCoy abstained.

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

N.B. 2. Request the Town Council to schedule a Public Hearing and Special Town Meeting to hear comments and take the necessary action relative to "A Resolution Regarding an Additional Appropriation for the Farmland and Historic Preservation Surcharge in the Amount of \$118,950.00.

Finance Officer James Luddecke was available for questions and comment.

Discussion took place.

Council Member Herbst, seconded by Council Member Oliver, moved that THE TOWN COUNCIL HEREBY SCHEDULES A PUBLIC HEARING ON OCTOBER 3, 2006 AT 7:35 P.M. AND SPECIAL TOWN MEETING AT 7:40 P.M. IN THE VERNON SENIOR CENTER, 26 PARK PLACE, VERNON, CT IN ORDER TO HEAR COMMENTS AND TAKE THE NECESSARY ACTION RELATIVE TO "A RESOLUTION REGARDING AN ADDITIONAL APPROPRIATION FOR THE FARMLAND AND HISTORIC PRESERVATION SURCHARGE IN THE AMOUNT OF \$118,950.00. The motion was carried unanimously 11 to 0 on a voice vote.

N.B. 3. Request the Town Council approve an additional sum for the finalization of design work for the third floor of Town Hall.

Discussion took place.

Council Member Herbst, seconded by Council Member Oliver, moved that THE TOWN OF VERNON APPROVE AN ADDITIONAL SUM OF \$10,000.00 FOR THE FINALIZATION OF DESIGN WORK FOR THE THIRD FLOOR MUNICIPAL OFFICES OF TOWN HALL, SAID FUNDING TO COME FROM AVAILABLE LOCIP FUNDS.

Discussion took place.

The motion was carried unanimously 11 to 0 on a voice vote.

N.B. 4. Request Town Council to approve an additional appropriation of \$20,000.00 for the installation of a retaining wall behind Town Hall.

Discussion took place.

Council Member Herbst, seconded by Council Member Schaefer, moved TO APPROVE THE REQUEST OF \$20,000.00 AS AN ADDITIONAL APPROPRIATION AND TO APPROVE BUDGET AMENDMENT REQUEST #3 FOR FISCAL YEAR 2006-2007 FOR THE INSTALLATION OF A RETAINING WALL BEHIND TOWN HALL WITH RELATED FEATURES. The motion was carried unanimously 11 to 0 on a voice vote.

N.B. 5. Request the Town Council to authorize Ellen L. Marmer, M.D., Mayor to enter into the Intermodal Transportation Center Grant with the Greater Hartford Transit District and authorize the Mayor to submit a checklist of information for submission to the GHTD and the Federal Transit Authority.

Council Member Herbst, seconded by Council Member Oliver, moved that THE TOWN COUNCIL HEREBY AUTHORIZES THE MAYOR TO ENTER INTO THE INTERMODAL TRANSPORTATION CENTER GRANT AGREEMENT #07-GHTD-002 WITH THE GREATER HARTFORD TRANSIT DISTRICT FOR THE PURPOSES OF UNDERTAKING MASS TRANSPORTATION CAPITAL ASSISTANCE PROJECT WITH THE DISTRICT'S ASSISTANCE TO THE TOWN USING FUNDS RECEIVED BY THE DISTRICT FOR SUCH PURPOSE UNDER THE PROVISIONS OF CAPITAL GRANT #CT-04-002 BETWEEN THE DISTRICT AND THE FEDERAL TRANSIT AUTHORITY OF THE U.S. DEPARTMENT OF TRANSPORTATION. SAID PROJECT SHALL INCLUDE A TOTAL MAXIMUM PROJECT COST OF \$6,040,000.00.

Discussion took place.

Council Member McCoy, seconded by Council Member Schaefer, moved TO EXTEND CURFEW UNTIL THE CONCLUSION OF BUSINESS. The motion was carried unanimously 11 to 0 on a voice vote.

Council Member McCoy requested a recess.

The meeting recessed at 10:13 p.m.

The meeting reconvened at 10:20 p.m.

The motion was carried unanimously 9 to 0 on a voice vote. Council Members Etre and Oliver abstained.

Council Member Herbst, seconded by Council Member McCoy, moved that THE TOWN COUNCIL HEREBY AUTHORIZES THE MAYOR TO SUBMIT A CHECKLIST OF INFORMATION REQUIRED FOR PROBABLE CATEGORICAL EXCLUSIONS SECTION 771.117 FOR SUBMISSION TO THE GREATER HARTFORD TRANSIT DISTRICT AND TO THE FEDERAL TRANSIT AUTHORITY FOR APPROVAL OF THE REVISED PROJECT DESCRIPTION RELATED TO THE INTERMODAL TRANSPORTATION CENTER GRANT. The motion was carried unanimously 9 to 0 on a voice vote. Council Members Etre and Oliver abstained.

DISCUSSION OF ADDITIONAL AGENDA ITEMS: (Taken out of order.)

A.A.I. 1. Council Member Anderson requested that Informational Items #14 & #15 be added for discussion.

Discussion took place.

Council Member Etre exited the meeting (10:43 p.m.)

N.B. 6. David Wheeler, Assessor will be present for discussion/presentation/informational session relative to revaluation. (Taken out of order.)

Informational.

INTRODUCTION OF ORDINANCES:

None.

EXECUTIVE SESSION:

None.

INFORMATIONAL ITEMS:

1. Minutes from Board of Education regular meeting of June 26, 2006, minutes from Board of Education special meeting of July 6, 2006, minutes from Board of Education meeting of August 28, minutes from Design Review Committee meeting of June 6, 2006.
2. Monthly report for July and August from Penny Rand, Senior Center Director.
3. Copy of memorandum to Jeffrey Schambach, Supervisor, Department of Public Works, from Ellen L. Marmer, M.D., Mayor, appointing him as Tree Warden along with letter of recommendation from George Fetko, Director of Public Works.
4. Copy of letter from Charlie Baumann, commending the Department of Public Works for their excellent work.
5. Copy of memo to Martin Burke Esq. from Town Administrator Christopher Clark relative to revisions to "Hearing Procedure for Citations on Parking Tickets".
6. Copy of letter to Martin Burke Esq. from Town Administrator Christopher Clark regarding Hockanum Mill, assignment of tax lien.
7. Copy of letter from Suzanne Freniere resigning from the Conservation Commission.
8. Copy of letter from Christopher A. Crowne resigning from the School Board Advisory Commission.
9. Copy of letter from Danielle Mangold resigning from the Inland Wetlands Commission.
10. Copy of letter from Mayor Marmer to State Representative Claire Janowski regarding the elimination of matching grant requirement of 10% outlined in the "*Draft 2006-2007 Action Plan for Housing and Community Development*".
11. Copy of letter from Mayor Marmer to State Representative Joan Lewis regarding the elimination of matching grant requirement of 10% outlined in the "*Draft 2006-2007 Action Plan for Housing and Community Development*".
12. Copy of letter from Mayor Marmer to State Senator Tony Guglielmo regarding the elimination of matching grant requirement of 10% outlined in the "*Draft 2006-2007 Action Plan for Housing and Community Development*".
13. Copy of article from New York Times Sunday, August 27, 2006 relative to rate increase request from Connecticut Water Company.
14. Letter to L. Wagner & Associates from Town Administrator Christopher Clark regarding Small Cities Community Development Block Grant.
15. Letter to Chris DeAngelis, Vollmer Associates, from Town Administrator Clark concerning bid submissions for Central Park renovations.
16. Copy of letter from Darlene Lehofer, Assistant General Manager, Holiday Inn Express along with response from Mayor Marmer relative to the poor condition of Kelly Road.
17. Memorandum to George Fetko, Director of Public Works from Christopher Clark, Town Administrator, relative to work on Town Hall.
18. Copy of appointment of Gary W. Mather as Sub-Registrar of Vital Statistics for the Town of Vernon.
19. Memorandum from Councilmember Anderson requesting council discussion relative to information item #9 from the Town Council meeting of August 15th entitled "Update of Projects".
20. Copy of minutes from the Bicentennial Committee meeting of September 7th. An informational session and presentation for volunteers and interested parties regarding the Town's 200th birthday will be held at the Senior Center on October 19th at 7:00 P.M. Town Council members are encouraged to attend.

ADJOURN:

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

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

The meeting adjourned at 11:14 p.m.

Received: September 26, 2006
Approved as amended: October 3, 2006

Karin Z. Pike
Asst. Town Clerk/Recording Secretary

Appendix A

Appendix A (continued)

Appendix A (continued)

Appendix A (continued)

Appendix B

Appendix B (continued)

Appendix B (continued)

Appendix B (continued)

Appendix B (continued)

Appendix B (continued)

Appendix C