

**Town of Montville Public Hearing Meeting Minutes of Monday, June 14, 2010  
 Town Council Chambers  
 6:00 p.m.**

Chairperson Jacobson opened the Public Hearing at 6:03 p.m. and asked that everyone stand for the Pledge of Allegiance.

**TOWN OF MONTVILLE NOTICE OF PUBLIC HEARING**

Notice is hereby given that the Town of Montville will hold a public hearing on June 14, 2010 at 6:00 p.m. at the Montville Town Hall, Council Chambers, 310 Norwich New London Turnpike, Uncasville, CT 06382, on proposed revisions to the existing water rate schedule. At this hearing, all consumers of water, property owners serviced by the Montville Water Department and other interested persons shall have an opportunity to be heard, and written communications relative to the above will be received and considered.

The dollar amounts of such proposed increase to the existing rate schedule are set forth below. Copies of the complete text of the proposed rate schedule are on file at the offices of the Town of Montville Town Clerk and Montville Water Pollution Control Administrative Office, 310 Norwich New London Turnpike, Uncasville, CT and are available for public inspection on the Town's website Montville-ct.org.

**RATE SCHEDULE FOR ALL WATER SERVICE LOCATED WITHIN THE TOWN OF MONTVILLE  
 SERVICE AREA  
 BILLED ON AND AFTER JULY 1, 2010**

**1. MONTHLY RATE IS THE SUM OF THE SERVICE CHARGE AND THE CONSUMPTION CHARGE.**

- A. The monthly **service charge** is based on meter size and includes consumption charge for the first 2,000 gallons for monthly customers and 6,000 gallons for quarterly customers.

Monthly Meter Size	Monthly Service charge	Quarterly Meter Size	Quarterly Service Charge
3"	\$100.00	5/8"	\$35.00
4"	155.00	3/4"	35.00
8"	480.00	1"	35.00
10"	480.00	1 1/2"	95.00
12"	1,175.00	2"	185.00

- B. The monthly **consumption charge** is based on the number of gallons recorded on the meter during the billing period and is calculated in 1,000 increments in accordance with this Schedule:

Monthly Consumption	Monthly Charge	Quarterly Consumption	Quarterly Charge
0-2,000 gal.	N/C	0-6,000 gal.	N/C
2,000+	4.85	6,000+	4.85

**2. HYDRANT AND FIRE SPRINKLER CHARGES**

- A. Hydrant Annual Service Charge \$290.00

- B. Fire Sprinkler Service in accordance with the following schedule:

Connection Size	Annual Charge
2"	\$ 45 (residential sprinklers only)
3"	880
4"	880
6"	880
8"	880
10"	880

**3. NEW SERVICE CONNECTIONS**

- A. New Account Administration Fee - \$35.00
- B. Service Connection operational charge - \$185 per unit
- C. Installation for residential corporation cock, copper feeder line, and curb stop - \$2,750, plus any additional time and material needed.
- D. Installation for commercial/industrial connection will be negotiated with the applicant based on average gallons per day and time and materials.
- E. Service Connection infrastructure charge –

Residential - \$4,000  
Commercial/Industrial - \$7.25 per gallon of average daily consumption and time and materials  
with a minimum of \$4,000

4. MISCELLANEOUS SERVICE AND ADMINISTRATIVE CHARGES

A.	Emergency service after business hours	\$ 55/hr minimum 3hrs
B.	Emergency service during business hours	\$ 40
C.	Service work by appoint during business hours	N/C
D.	Returned check fee	\$ 35
E.	Curb shut off	\$ 50
F.	Restoration of service	\$ 50
G.	Meter accuracy test requested by customer	
	If meter is off more than 4%	N/C
	If meter is off less than 4%	\$130
H.	Backflow prevention device test (1)	\$ 75
	Each additional unit at same site	\$ 30

Dated at Montville, Connecticut this 11th day of May, 2010.

Lisa Terry, Town Clerk

Chairperson Jacobson asked if anyone from the public would like to address the Council regarding the proposed water rate increase.

John Geary, 11 Depot Road, Uncasville came forward to address the Council. He stated the water rates increase is approximately fourteen percent, stating a small customer like himself would pay thirty five dollars a quarter and will now pay at least that with a twelve dollar a month increase. He explained this entitles him to sixty six gallons of water per day average, plus fire protection, street hydrants, lower insurance as a homeowner and no need to have a water pump while maintaining the same water pressure that he would normally have, even if the electricity is out in town, stating it is a real good deal. He stated that Montville is a secondary water provider, getting water by agreement from the City of Groton to have two million gallons of water per day; he feels the town must be pro-active and competent in managing the water system and he feels the town is currently doing so, nothing is being neglected. This requires constant inspections, systematic replacement of water meters and the infrastructure includes Meter Pit A in Ledyard, Meter Pit B on Dock Road, plus a long pipe across the Thames River, a monstrous tank off of Route 32 that holds about six hundred thousand gallons of water, the Route 32 corridor from Waterford to Crow Hill, where the MTUA is located, various pump stations with more on the way near the Polish Club and one on Roselund Hill Road paid for by SCWA. He discussed the future, stating Connecticut DEP projects for the area that in forty years this area will have a ten million gallon per day shortage of water, and hopefully within a few weeks a presentation that was done at the SCWA advisory board will be available, outlining an eight or ten year program at Millers Pond that offers some hope for a new source of water, the estimates are 1.3 million to 3 million gallons per day subject to lots of oversight by both the Health Department and DEP. He strongly supports the water budget and would urge the Council not to chop it in any fashion.

Ellen Hillman, 229 Route 163, a member of the Town Council and the WPCA. She stated Groton has had a big boom in industry over the last ten years with several new contracts at Electric Boat and the expansion of Pfizer, those contracts have since dwindled down and Electric Board is downsizing and Pfizer is closed. Groton Utilities chose to put in more infrastructure to support the increased water usage and that cost money, manpower, and maintenance. The costs to pay for the infrastructure are passed on to the rate payers now that the big business is not there to pay for it. Groton, Ledyard, and Montville are all sharing in the costs because they all share the water and the increase is approximately sixteen percent, for Montville personally the biggest change was to the after hours emergency service, it went up to fifty five dollars with a three hour minimum. The three hour minimum is a Union contract requirement; it used to be thirty five dollars an hour. An after hours visit to a home for a problem that is not a town related water issue was costing the town money and now it breaks even. That is the only effect on the town side that has changed.

Chairperson Jacobson inquired regarding the number of people this rate increase will affect. Greg Bassetti indicated there are approximately four hundred and thirty customers that will be affected.

Councilor Beetham discussed the fire hydrant charge over the past two years. John Geary indicated the last increase was from \$190 to \$260 a few years ago.

Greg Bassetti, 1061 East Lake Road, an employee of the WPCA stated the fee to the town was thirty thousand dollars for approximately ninety four hydrants, breaking down to approximately three hundred dollars per hydrant.

Councilor Beetham stated the fire hydrants are there for public safety reasons, convenience when there is a fire in front of an industrial building or a home, the fire department can get the water right away, stating this is the purpose of the hydrants. He inquired regarding the increase to the hydrant annual service charge and asked Mr. Bassetti if he knows the exact increase amount over last years rate so that he can calculate the percentage of the rate increase. Mr. Bassetti indicated he did not know the answer to that question and stated there has been a ten year tank inspection off of Cook Drive and it passed with flying colors, the tank is already ten years old and in ten year the town will have to take the tank down, drain it, sandblast and paint it to a cost of approximately a quarter of a million dollars, and the sixteen percent water increase gives the town a little bit of money to save toward this expense as it is required by the Health Department to take that tank down once it gets to a certain point and he discussed the water meter change out program that is reducing the amount of loss due to unaccounted for water. The program is working out well and a quarter of the meters have been changed out, both the small and large meters. He discussed transitioning to the automatic read that reduces time spent on reading meters. This should be completed in about three years, saving the town about four thousand dollars per year.

Mayor Jaskiewicz indicated the proposed hydrant fee is an increase of thirty dollars.

Chairperson Jacobson asked three times if there was anyone who would like to address the Council regarding this matter. Hearing none she closed Public Hearing at 6:15 p.m.

Chairperson Jacobson opened the Public Hearing at 6:30 p.m. and asked that everyone stand for the Pledge of Allegiance.

**TOWN OF MONTVILLE**  
**NOTICE OF ORDINANCE HEARING**

The following Ordinance, copies of which may be obtained at the office of the Town Clerk during office hours, was introduced at a regular meeting of the Town Council held May 10, 2010 and a public hearing thereon and for its consideration by the Town Council will be held at Town Hall Council Chambers, June 14, 2010 at 6:30 P.M.

**ORDINANCE AUTHORIZING CONVEYANCE OF**  
**THE TOWN'S REMAINING INTEREST, IF ANY, IN THE**  
**DISCONTINUED PORTION OF WALKER ROAD**

THE TOWN OF MONTVILLE HEREBY ORDAINS:

Section 1.

The Mayor is authorized to execute and the Town Clerk to attest and affix the seal of the Town of Montville to the following instruments of conveyance:

- a. A **Quit Claim Deed(s)** of the interest of the Town of Montville, if any, in the discontinued portion of Walker Road beginning at a point from Bozrah Light & Power pole #2168, which is approximately 900 feet from the intersection of Walker Road with Caroline Road and running to the end of Walker Road to the Bozrah town line, which portion of Walker Road was discontinued by the Town of Montville on June 1, 2004, to the owners of the property abutting said discontinued portion of Walker Road, each owner to be conveyed the Town's interest to the center line of the discontinued road. In the event that either owner declines to accept the conveyance, the other owner shall be offered the interest in the portion of Walker Road, opposite his/her property.

Section 2.

The purpose of the Quit Claim Deeds is to disencumber the Town of its interest (if any) in a discontinued public road.

This ordinance shall become effective thirty (30) days from the date of its adoption.

Dated at Montville Connecticut this 11<sup>th</sup> day of May 2010.

Lisa Terry, Town Clerk

Chairperson Jacobson asked three times if there was anyone who would like to come forward to address the Council regarding this Public Hearing. Hearing none she asked if any of the Councilors would like to speak regarding this Public Hearing. Mayor Jaskiewicz stated Walker Road was discontinued a number of years ago and stated the abandonment does not automatically mean that the butting property owners automatically acquire the abandoned property, so the town is going to enhance the abandonment by stating the property owners will receive the property. He stated it is not assumed the abutting

owners receive the property. Councilor Beetham stated he was unaware of this as well. Attorney Gladke stated the prior Town Attorney has worked on this original discontinuance and she has their original materials and it appears the Town has a very old deed to the property and this is going to clear up the title because there was an existing deed to the town, the rule where the land automatically conveys to the abutting property owners at the center is only in effect if you can not prove who has actual ownership of the road if there is no deed for the roadway and that is the rule for clearing title to someone's property. Councilor Hillman stated she saw the deed and it makes sense.

Chairperson Jacobson inquired if there were any additional comments, and hearing none she closed the Public Hearing at 6:32 p.m.

Chairperson Jacobson called the Public Hearing to order at 6:45 p.m. and asked everyone to stand for the Pledge of Allegiance.

**TOWN OF MONTVILLE**  
**NOTICE OF ORDINANCE HEARING**

The following Ordinance, copies of which may be obtained at the office of the Town Clerk during office hours, was introduced at a regular meeting of the Town Council held May 10, 2010 and a public hearing thereon and for its consideration by the Town Council will be held at Town Hall Meeting Room, June 14, 2010 at 6:45 P.M.

ORDINANCE REGARDING THE CONVEYANCE OF REAL PROPERTY  
KNOWN AS 12 NEW YORK ROAD (A.K.A. NEVADA ROAD)

THE TOWN OF MONTVILLE HEREBY ORDAINS:

Section 1.

The Mayor is hereby authorized to sell and convey the real property known as 12 New York Road (a.k.a. Nevada Road) (the "Property"), which is further described on Schedule A, to Marion Stanavage, or her nominee, for no consideration.

Schedule A

A certain piece or parcel of land situated in the Town of Montville, County of New London, State of Connecticut, known as 12 New York Road and shown as "Nevada Road" on a map entitled: "SECTION V SUBDIVISION MAP MONTVILLE MANOR PROPERTY OF THE HUNTER CONSTRUCTION COMPANY MONTVILLE, CONN. DRAWN BY J. STEWART CHECKED BY M. FEINSTEIN DRAWING NO. 6028 DATE JUNE 6, 1961 SCALE 1" = 40' SHEET 2 OF 3 FILE NO. 364-X," prepared by Morton S. Fine Civil Engineer & Land Surveyor 19 Whitney St. Hartford, Conn., which map is on file as Map 208-B in the Town Clerk's Office in the said Town of Montville to which reference may be had.

Said premises are a portion of those conveyed to the Town of Montville by Warranty Deed from The Hunter Construction Company and referred to therein as "Nevada Road," which deed is dated October 14, 1963 and recorded in Volume 79, Page 614 of the Montville Land Records.

Section 2.

The Mayor is also hereby authorized to execute, and the Town Clerk to attest to and affix the seal of the Town of Montville to, a quit claim deed to the Property, which deed shall be approved by the Town Attorney as to form, content and legality.

Section 3.

The Mayor is hereby authorized to include such other terms, conditions, easements and restrictions in the deed as he deems to be in the best interests of the Town of Montville. The Mayor is also authorized to execute any other documents required to complete the sale and conveyance of the Property.

Section 4.

This ordinance shall become effective thirty (30) days from the date of its adoption.

Dated at Montville Connecticut this 11<sup>th</sup> day of May 2010.

Lisa Terry, Town Clerk

Chairperson Jacobson inquired three if there was anyone from the public who would like to speak regarding this Public Hearing, hearing none she inquired if the Councilors would like to speak regarding the Public Hearing. Mayor Jaskiewicz stated this is a piece of property that the family has been paying taxes on for many years although it was not their property, it was owned by the town. The family expressed interest in obtaining this property. Attorney Gladke stated the Council did receive the background information regarding this proposal stating the developer had conveyed the roadway to the town, then a few years later the developer conveyed the roadway to the family and this is how the property ended up on the tax rolls due

to this conveyance, but then a title search revealed the town did have the deed to the property. The Town Council did discontinue the roadway on January 12, 2009 and now it is a matter of conveying the road and because the town has the deed to the roadway this is being presented by ordinance because this is an actual conveyance and the town will need to execute a deed to the family if this ordinance is approved.

There being no more questions or comments, Chairperson Jacobson closed the public hearing at 6:47 p.m.

**Town of Montville Town Council  
Regular Meeting Minutes for Monday, June 14, 2010  
7:00 p.m. – Town Council Chambers - Town Hall**

**1. Call to Order**

Chairperson Jacobson called the regular meeting of the Montville Town Council to order at 7:00 p.m.

**2. Pledge of Allegiance**

Chairperson Jacobson requested everyone stand for the Pledge of Allegiance and to remain standing for a moment of silence in honor of fallen hero, Staff Sergeant Edwin Rivera from Waterford, Connecticut.

**3. Roll Call.**

Present were Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Also present were Mayor Jaskiewicz and Attorney Lisa Gladke from the law office of Shipman & Goodman.

**4. Special Recognitions**

Chairperson Jacobson indicated there are no Special Recognitions at this time.

**5. Alterations to the Agenda**

Chairperson Jacobson asked for a motion to alter the agenda to reflect the removal of items 14 (a) and 14 (b), and 16 (d), and the addition of the following under agenda item 16, New Business;

p. The Town of Montville Hereby resolves to approve and authorize the Mayor to execute an Agreement between the Town of Montville and Glenn Sneddon and Amber Sneddon in settlement of a drainage issue on their property at 394 Kitemaug Road. (Mayor Jaskiewicz)

q. The Town of Montville Hereby resolves to accept and authorize the Mayor to execute a temporary construction easement from Glenn Sneddon and Amber Sneddon to allow the Town to install drainage on the property of 394 Kitemaug Road. (Mayor Jaskiewicz)

r. The Town of Montville Hereby resolves to approve and authorize the Mayor to execute an Agreement between the Town of Montville and M & R Thames Construction, LLC, owner of the cul-de-sac of Elberta Place, in settlement of the drainage issue on the property of 394 Kitemaug Road. (Mayor Jaskiewicz)

Motion made by Councilor Hillman, seconded by Councilor Buebendorf. Discussion: Chairperson Jacobson explained she received an e-mail from Mr. Richard Beauchene indicating he has a prior commitment and is unable to attend the meeting. Voice vote: 7-0, all in favor, motion carried, agenda amended.

6. To consider and act on a Motion to approve the public hearing minutes of April 22, 2010, the regular meeting minutes of May 10, 2010, the special meeting minutes of May 24, 2010, and the special meeting minutes of May 26, 2010.

Motion made by Councilor Hillman, seconded by Councilor Caron. Discussion: Councilor Beetham stated there was a couple of items he did not see reflected in the minutes, the first being the discussion between Councilor Murphy and himself regarding the cause of the fiscal problem in the Town of Montville and requested a transcript of exactly what was said. Chairperson Jacobson stated the recordings of each meeting are available at the Town Clerk's office if he wishes to amend the motion she needs a motion to do so regarding the special meeting of May 26, 2010. Councilor Beetham also requested a transcript of the discussion he had with the Mayor at the special meeting held to discuss finances regarding a paragraph out of the Town Charter where the Mayor said he would take full responsibility for the losses of the Town. Chairperson Jacobson inquired if he would like a written transcript or a copy of the recording and Councilor Beetham requested a transcript for the two items discussed at the May 26, 2010 meeting. Councilor Beetham requested an amendment to the meeting minutes of the special meeting of May 26, 2010. Motion made by Councilor Beetham, seconded by Councilor Murphy. Discussion: Councilor Murphy inquired if this meeting is in regard to the conversation he had where he blamed Councilor Beetham for lying to the people and Councilor Beetham stated it was so. A discussion was held regarding the substance of the conversation at the meeting in question. Voice vote: 7-0 to amend the motion as follows:

To consider and act on a Motion to approve the public hearing minutes of April 22, 2010, the regular meeting minutes of May 10, 2010 and the special meeting minutes of May 24, 2010 with a request to re-do the May 26, 2010 meeting minutes.

Roll call vote: 7-0. Voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. All in favor, motion passes.

#### **7. Executive Session.**

**A.** To consider and act on a Motion to enter into Executive Session for the purpose of interviewing the following people for appointment or re-appointment to boards and/or commissions: Mr. Richard Beauchene for re-appointment to the Inland Wetlands Commission; Mr. Michael Whittaker for re-appointment to the Inland Wetlands Commission.

Motion made by Councilor Murphy, seconded by Councilor Hillman. Discussions held during Executive Session to include the Council members and Mayor Jaskiewicz. Voice vote: 7-0, all in favor, motion carried and Councilors left Chambers for Executive Session at 7:08 p.m. Councilors returned from Executive Session at 7:11 p.m. and Chairperson Jacobson indicated no votes were taken and resumed the meeting.

**B.** To consider and act on a motion to enter into Executive Session for the purpose of discussions regarding the proposed settlement agreement between Amber Sneddon and the Town of Montville.

Motion made by Councilor Beetham, seconded by Councilor Hillman. Discussions held during Executive Session to include members of the Town Council, Mayor Jaskiewicz and Attorney Lisa Gladke. Voice vote: 7-0, all in favor, motion carried and all parties left Chambers for Executive Session at 7:15 p.m., returning at 7:23 p.m. and Chairperson Jacobson indicated no formal votes were taken.

#### **8. Remarks from the Public Relating to Matters on the Agenda**

Chairperson Jacobson inquired three times if there was anyone who would like to address the Council regarding items on the agenda and reminded them to stay within the three minute time frame requested by the Council and to state their name and address for the record.

Nicholas Mann stated his father is John Mann, from M & R Thames Construction, LLC and is speaking for his father who is on his way back from Boston and will be here before the meeting concludes. He submitted a letter regarding the Elberta Place cul de sac and 394 Kittemaug Road that depicts everything done to date to clean the Sneddin's pool and photographs of the original state of the pool as well as current photos and an invoice depicting the cost of pool water to fill the pool. All of the solid waste has been removed from the pool. He indicated his father will be present to answer any questions from the Council prior to the conclusion of the meeting.

Amber Sneddin, 394 Kittemaug Road inquired why there was no vote taken during Executive Session and Chairperson Jacobson clarified the process. She stated the pool is still full of mud and she is not opposed to the drain.

#### **9. Communications**

The Councilors received a document from McGladry & Pullen, Certified Public Accountants regarding the audit that is coming up in the near future.

#### **10. Report from the Town Attorney on Matters Referred**

Attorney Lisa Gladke stated the only matter that came out of last months meeting which she has been working on is the WPCA matter that Attorney Ochsner had discussed. Attorney Chudwick did speak with Attorney Ochsner and the Mayor and they are working through the issue in a cooperative manner and they are going to set up a meeting to have a meeting with all the parties involved to try to work through the open issues that were brought up at the last Council meeting. These issues are regarding the WPCA and the authority of the Council to act on the employment agreement.

Councilor Beetham requested the Town Attorney review all of the proceedings of the sex offender building that they want to construct in Montville to determine if there was anything illegal done regarding the signing of the bill and how the project was put out to bid, etc. He stated if the town has to they can take this matter to court against the State of Connecticut. Discussion was held regarding procedure for suing the State. Attorney Gladke indicated the Mayor has authorized her firm to begin reviewing all of the information.

#### **11. Remarks from the Mayor and/or Administrative Department Heads on Matters Referred.**

Mayor Jaskiewicz stated work has begun on the Oxoboxo Bridge, the trailer has been set up, the construction signage is in, the silt fence is up and the official schedule information will go out to the public for review on Channel 20. He stated the road will be shut down for six weeks after July 4<sup>th</sup>. The tentative plan is to get all of the heavy work done between July 7<sup>th</sup> and August 28<sup>th</sup>, the road will be opened up after this time but there is a possibility the road may have to close again for another two weeks. He appreciates everyone's patience with this project and explained the process with the government, the bidders, the state and town that held the project up so

long. He discussed the demolition of the two properties on 275 Route 163 and 275 Maple Avenue stating bids have come in for both jobs and he hopes to have them demolished by the end of June. He is working on the 14 Bridge Street cleaning project and discussed a grant to do so. He continues to work on the budget.

**12. Reports from Standing Committees.**

**A. Town Administration / Rules of Procedure**

Councilor Hillman stated Administration met on May 18<sup>th</sup> and an informational hand out was given to the members on forming a historical commission or committee and this will be discussed in more detail at Tuesday's meeting.

**B. Finance**

Councilor Murphy stated the Finance Committee held a meeting last week, a vote was taken to move along with the Finance Committee's recommendation to the Town Council on the budget, they did so even though they thought it was not as it should be just to get it moving along so that the Town Council can have their say on the budget and make their line item cuts. They met with some departments two and three times to work out the budgets and make recommendations.

Chairperson Jacobson inquired regarding clarification regarding the Finance recommended mill rate. Councilor Murphy explained the process to her and the votes taken and reasoning for doing so.

Councilor Beetham inquired regarding the report from the Finance Department and Ms. Fafard stated there are revenues coming in from various departments and she expects more revenues prior to the end of the fiscal year. She explained the report generated to the Council is for the prior month and the one in the packet is for the month of May.

**C. Public Works / Solid Waste Disposal**

Councilor McFee stated Solid Waste/Public Works met on June 2<sup>nd</sup> and discussed among other things the sale of town owned cars, the cost of the dump stickers and other options for disposal of household waste. The system is flawed and needs to be fixed to avoid the abuse of the system in the years to come. The current system is costing the town money and he discussed the proposed rate increase to help offset the costs to the town, he explained the taxpayers are subsidizing the Transfer Station operating costs and he hopes to find a solution to generate income so they do not have to in the future and to make the facility self sufficient. They discussed the Montville Road Bridge repairs and hopes the town does not give up on this project but he understands there is no money in the budget to move forward at this time.

**13. Reports from Special Committees and Liaison Councilors.**

Planning & Zoning Commission	Councilor Beetham
Library Committee	Councilor Beetham

Councilor Beetham indicated he did not attend the meeting for Planning & Zoning but he did contact the library but did not hear back regarding a meeting date and time or if they had utilized their remaining one thousand dollars remaining in their account from last year.

Parks & Recreation Commission	Councilor Buebendorf
Public Safety Commission	Councilor Buebendorf

Councilor Buebendorf stated the Parks & Recreation Commission is working mostly on summer camp, they have hired all of the councilors and training is scheduled. Camp will run for five weeks this year. They have coordinated a series of summer concerts scheduled for four Tuesday nights during the summer at Camp Oakdale that are supported by local business at no cost to the town. She stated it is a great cooperative effort between the local businesses and the town to help supply these concerts. They have also coordinated Saturday night movies for five weeks in a row during the summer. This is a cooperative effort between the Public Works Department and Montville Youth Services Bureau and will be held at Camp Oakdale Pavilion. The movies are family friendly rated G and PG movies. She did not attend the last Public Safety Commission meeting and has nothing to report.

Councilor Caron inquired regarding progress to the volleyball court. Councilor Buebendorf stated there is no money to finish the project. Don Bourdeau stated the money was approved to finish the project but it is currently frozen and can not be utilized. The cost to finish the project is approximately seven thousand dollars.

Commission on the Aging	Councilor Caron
Economic Development Commission	Councilor Caron
Social Services	Councilor Caron
Youth Services Bureau & Advisory Board	Councilor Caron

Commissioner Caron indicated the Commission on Aging did not meet, Economic Development did not meet, and Social Services did not meet. Youth Services had a meeting and have scheduled a blood drive for the 21<sup>st</sup> from 1:00 p.m. to 5:45 p.m and hopes the Councilors can make it.

Montville Fair LLC	Councilor McFee
Volunteer Fire Fighters' Relief Fund	Councilor McFee

Councilor McFee stated the Montville Fair can be removed from the agenda as there will not be a fair for Montville in the future. There were no meetings on either the Community Center or the Volunteer Fire Fighters Relief Fund.

Board of Education	Councilor Murphy
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Councilor Murphy stated school is over this week and the children are taking their exams, graduation is Thursday night and he is hoping for nice weather, he was in contact with Kathy Lamoureaux and the Superintendent of Schools to determine if and how much money will be coming back to the town. They promised him they will contact him as soon as they have that information available. Their meeting is Tuesday night.

WPCA	Councilor Hillman
Non-Profit Organizations	Councilor Hillman

Councilor Hillman stated the WPCA had two meetings in the past month. At the regular meeting, Mike Didato reported that a dive team repaired a few holes in the outfall pipe. These holes are installed in the pipe to allow it to sink into the water. They are then plugged with wooden plugs and the plugs needed to be replaced. The Cook Drive water tower was inspected and found to be in good shape. She continues to be in contact with various nonprofit organizations, and am pleased that they all understood the need to cut them this year. The ones that were discontinued have not been heard from with the exception of Girls Softball and she offered to give them the paper work and have them fill it out but they were not heard from after the last contact with them. A discussion was held regarding whether or not the Girls' Softball team submitted the required information to the Town this year.

Public Safety Building Committee	Councilor Jacobson
School Building Committee	Councilor Jacobson

Councilor Jacobson stated the Public Safety Building Committee has the drawings rendered and are now at the junction of tweaking the building itself. It came in at 17,000 square feet which is 1,000 square feet more than was originally anticipated and they are looking at bringing things back to the original numbers. They meet every two weeks to move this process along. The place that they located is going to have high importance to the town in the long run considering where the sex offender facility is going to be placed. The School Building Committee did not have a meeting.

#### 14. **Appointments and Resignations.**

**A.** To consider and act on a Motion to waive Rule 13C of the Town Council Rules of Procedure in order to re-appoint Mr. Richard Beauchene to the Inland Wetlands Commission. This item was tabled/removed from the agenda at the beginning of the meeting because Mr. Beauchene was unable to attend the meeting due to a prior commitment.

**B.** To fill a vacancy for a full voting member of the Inland Wetlands Commission, with a term to expire on May 10, 2014. (Mr. Richard Beauchene has indicated that he would like to be re-appointed, and was interviewed by the Council on June 14, 2010.) This item was tabled/removed from the agenda at the beginning of the meeting because Mr. Beauchene was unable to attend the meeting due to a prior commitment.

#### 15. **Unfinished Business.**

a. **Resolution #2010-053.** THE TOWN OF MONTVILLE HEREBY RESOLVES to accept and incorporate into the Town roadway system the extension of Elberta Place to the cul-de-sac at its end; said road is located in the McCloy Subdivision and shown on Maps 2043 through 2046; Subdivision plan prepared for James McCloy, 376 Kitemaug Road, Montville, Conn. Prepared By CME Associates Inc.

Motion made by Councilor Murphy, seconded by Councilor Beetham. Discussion: none. Roll call vote: 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy, Jacobson. Voting in opposition, none, resolution adopted.

#### 16. **New Business.**

a. **Resolution #2010-054.** THE TOWN OF MONTVILLE HEREBY RESOLVES to refund taxes due to overpayments and corrections in the amount of \$518.29 (five hundred eighteen dollars and twenty nine cents) at the request of the Tax Collector per Schedule A.



Motion made by Councilor Murphy, seconded by Councilor Beetham Discussion: none. Discussion: none. Roll call vote: 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy, Jacobson. Voting in opposition, none, resolution adopted.

b. THE TOWN OF MONTVILLE HEREBY RESOLVES to transfer all available monies from inactive Capital Project accounts, excluding those for road improvements, to the Unreserved/Undesignated General Fund account

Motion made by Councilor Beetham, seconded by Councilor Caron. Discussion: Councilor Murphy inquired regarding how much money is in this account. Terry Fafard indicated she is not clear which accounts the Council wants to review. She stated the inactive accounts were reviewed and that money was returned to the General Fund, so she inquired if the Council has a question regarding the remaining accounts. She stated there is money that has been set aside for the handicap improvements at the Pavilion, Camp Oakdale, contributions to the Capital for the Fire Department, Black Ash money has to stay in the fund, a new well, the restroom facilities at Camp Oakdale, and multi-purpose paths. There is money left in police cars that may be able to be returned, there is money set aside for a police boat and Camp Oakdale projects that have been budgeted to move forward. Councilor Beetham stated all spending is frozen with the exception of public works repairs. He stated the town needs to build up the General Fund Surplus reserve before the town gets the auditors report. The town should not go below the eight percent cushion and will be in a position where they need to put money in the bank to maintain the financial integrity of the town in case they need it. This is the time to put the money back and if the projects come up in the future and the town is financially stronger the Council can approve the projects that are most important. The money has to be in the account prior to the July 1<sup>st</sup> audit to avoid problems. Councilor Hillman inquired if there are any additional stipulations other than Black Ash. Mayor Jaskiewicz stated there is approximately \$228,000 in Capital designated to prior approved money. Money left over from projects that have not started. Councilor Murphy inquired regarding how much money is in the fire truck account and Ms. Fafard stated there was \$150,000 in Capital Non, and there is \$24,000 carried over from the past year. Councilor Murphy reminded the Council members they made an agreement with the fire chiefs that they would put \$180,000 a year away so that the town would not be hit with a \$400,000 bill for a fire truck and they would put money in each year and it would carry over and the fire departments would take it as it became available instead of asking the town for \$400,000 for a truck all at once. The fund has been cut down to \$80,000, then it was \$100,000 and the fund is not building up and now the Council is proposing to take the money that has been in a savings account for the fire department is wrong. This year the money has already been cut out and there will be no money put into the account. Councilor Hillman requested a breakdown of the list of the \$228,000 that is in the Capital fund and the \$229,000 that is in the prior year to determine the unfinished projects in the Capital fund. Councilor Buebendorf stated she would not feel comfortable voting for this until she gets the chance to review the document and the impact the numbers have. All money for completed projects should go back into the Capital Fund. Money taken out of the Capital Plan will not affect the 5 year plan. Chairperson Jacobson inquired if Councilor Beetham would like to withdraw his motion to allow Ms. Fafard to put together a package of all the information requested and incorporated into budgetary numbers and allow the Councilors to review the materials. Councilor Beetham withdrew his motion and Councilor Caron withdrew the second to the motion.

c. THE TOWN OF MONTVILLE HEREBY RESOLVES to transfer any interest earned on investments from the School Renovation Project bonding proceeds to the Unreserved/Undesignated General Fund account.

Motion made by Councilor Beetham, seconded by Councilor McFee. Discussion: Mayor Jaskiewicz stated he believes this has been done already. Councilor Beetham inquired regarding the amount of money transferred and Ms. Fafard explained how the investment interest was utilized and explained it was all in a Webster Bank account in the General Fund and money was transferred as the project required money. The interest was always in the General Fund and therefore when the books are closed at the end of the fiscal year that money went into the Fund Balance. She stated they money was never in a separate account, not in a separate bank account and always resided in the General Fund balance as they have each year since the project was adopted. The money is in General Fund Surplus just like any other interest. Those funds have since been depleted but the money always resided in the General Fund. There is no money to be transferred. Councilor Beetham withdrew his motion, Councilor McFee withdrew his second to the motion.

d. THE TOWN OF MONTVILLE HEREBY RESOLVES to approve and authorize the Mayor to execute the settlement agreement reached between Amber Sneddon and the Town of Montville concerning drainage issues on the property of 394 Kitemaug Road. (Mayor Jaskiewicz) per Schedule B.

This item was removed from the agenda at the beginning of the meeting.

e. **Resolution 2010-055.** THE TOWN OF MONTVILLE HEREBY RESOLVES to Amend Resolution #2010-034 as follows: THE TOWN OF MONTVILLE HEREBY RESOLVES to approve and authorize the Chairman of the Water Pollution Control Authority and the Mayor to execute a Memorandum of Understanding between the Town of Montville Water Commission **and the** Mohegan Tribal Utility Authority for Water System Operations Assistance on an as-needed basis; the term is for one year and is automatically extended from year to year unless either party moves to terminate.

Motion made by Councilor Beetham, seconded by Councilor Caron. Discussion: Mayor Jaskiewicz stated the purpose of this resolution is for housekeeping purposes only, the council previously approved this but there was wording left out of the resolution inadvertently.

Roll call vote: 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy, Jacobson. Voting in opposition, none, resolution adopted.

f. THE TOWN OF MONTVILLE HEREBY RESOLVES to approve the new water rates and fees for all water service located within the Town of Montville service area, billed on and after July 1, 2010

Motion made by Councilor Murphy, seconded by Councilor Hillman. Discussion: Councilor Beetham made a motion to cut the fire hydrant rate to \$260 per fire hydrant. Councilor Caron seconded the motion to amend. A discussion was held regarding the current hydrant charge. Councilor Hillman clarified Councilor Beetham stated \$260, not \$250. Councilor Hillman stated the taxpayers should not have to pay an inflated fee for hydrant maintenance and she agrees with Councilor Beetham, but they she also sees the other side and stated this fee has not increase in the past few years yet the cost of maintenance, salaries and supplies has gone up. This is the same fee the town used to pay SCWA for maintenance of the hydrants and it is time to have a little bit of an increase so that maintenance items can be performed in a timely and efficient manner and the testing can be done on a regular basis and not on an as needed basis so the town knows that when the firefighters go the that hydrant they can be assured that it will work no matter what and that is the price you have to pay. Chairperson Jacobson inquired if the \$30 increase will cover costs to be pro-active with maintenance. Mr. Bassetti clarified the best he could with the information he has. Councilor Beetham stated the last hike was three or four years ago and went from \$190 to \$260. He stated all the town departments have been asked to stay at less than a one percent increase and then the water and sewer department is asking for a sixteen percent increase. He inquired regarding the number of fire hydrants rebuilt in the past months. Mr. Bassetti answered six have been repaired since he was hired six months ago. Chairperson Jacobson asked for a voice vote on the amendment to the resolution. Voice vote: 4-3. Murphy, Hillman and Buebendorf opposed. Amendment passed 4-3. Chairperson Jacobson read the amended motion as follows:

**Resolution #2010-056.** THE TOWN OF MONTVILLE HEREBY RESOLVES to approve the new water rates and fees for all water service located within the Town of Montville service area, billed on and after July 1, 2010 to include an amendment to decrease item 2A of the rate fee, hydrant annual service charge from the proposed \$290 (two hundred and ninety dollars) to the original \$260 (two hundred and sixty dollars).

Roll call vote: 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Jacobson. Voting in opposition was Councilor Murphy, resolution adopted as amended and depicted in Schedule C attached.

g. **Resolution #2010-057.** THE TOWN OF MONTVILLE HEREBY RESOLVES to adopt the ordinance authorizing the conveyance of the Town's remaining interest, if any, in the discontinued portion of Walker Road per Schedule D.

Motion made by Councilor Beetham, seconded by Councilor Caron. Discussion: Mayor Jaskiewicz explained this has been an ongoing problem and he stated he thought that once a road was discontinued or abandoned that it automatically was conveyed to the adjoining property owners and that is not the case because the town had a deed for the property and the Town Attorney worked with the town on this matter and this is how it will be resolved. Filing now will give the property to the abutting homeowners on each side.

Roll call vote: 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy, Jacobson. Voting in opposition, none, resolution adopted.

h. **Resolution #2010-058.** THE TOWN OF MONTVILLE HEREBY RESOLVES to adopt the ordinance regarding the conveyance of real property known as 12 New York Road (aka Nevada Road) per Schedule E.

Motion made by Councilor Murphy, seconded by Councilor Beetham. Discussion: Mayor Jaskiewicz stated people were paying taxes on this property and it was owned by the town and he feels that the property should be conveyed to the residents who have been paying taxes on it for the past thirty years.

Roll call vote: 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy, Jacobson. Voting in opposition, none, resolution adopted.

i. THE TOWN OF MONTVILLE HEREBY RESOLVES to award the Fiscal Year 2011 Revaluation contract to Vision Appraisal in the amount of \$284,500 and authorizes the Mayor to enter into contract for this amount.

Motion made by Councilor Murphy, seconded by Councilor Caron. Discussion: Mayor Jaskiewicz stated this item was discussed at one of the Finance meetings. It is time for a revaluation and the bid came in considerably less than anticipated for a full service revaluation. The company will go into each home for a full inspection of each property. The tax assessor recommended the use of this service provider. Councilor Hillman inquired why the contract was not incorporated in the meeting packet. Councilor McFee stated he did not feel Vision Appraisal did a good job last time around. Mayor Jaskiewicz stated last revaluation was not a full blown revaluation, it was a statistical revaluation. Councilor McFee stated he would not recommend the hire of Vision Appraisal for this work. Mayor Jaskiewicz stated the Assessor worked very well with the company and recommends them for this work again. Ms. Fafard reviewed the various options sent out to bid. Councilor Beetham indicated he is not comfortable approving a contract he did not review and would like to see it before he votes on it. A discussion was held regarding time constraints and it was determined there was not one at this time, but the sooner the better.

Mayor Jaskiewicz stated he will supply the Council with copies of the contract. Councilor Hillman stated in the future she would like the opportunity to review all contracts prior to voting on them. Councilor Hillman made a motion to postpone/table this matter until the Councilors have the opportunity to review the contract with Vision Appraisal. Seconded by Councilor Caron. Voice vote: 7-0, all in favor, motion carried to table this item.

j. **Resolution #2010-059.** THE TOWN OF MONTVILLE HEREBY RESOLVES to transfer \$9,000 (nine thousand dollars) to Tax Refunds (10410-52026) from Contingency ((10480-52164).

Motion made by Councilor Beetham, seconded by Councilor Caron. Discussion: Roll call vote: 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy, Jacobson. Voting in opposition, none, resolution adopted.

k. **Resolution #2010-060.** THE TOWN OF MONTVILLE HEREBY RESOLVES to transfer \$200 (two hundred dollars) to Park & Recreation Commission Secretary (10760-51016) from Contingency (10480-52164).

Motion made by Councilor Beetham, seconded by Councilor Caron. Discussion: Ms. Fafard clarified the money is to cover payroll for the Commission's secretary.

Roll call vote: 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy, Jacobson. Voting in opposition, none, resolution adopted.

l. **Resolution #2010-061.** THE TOWN OF MONTVILLE HEREBY RESOLVES to transfer \$5,000 (five thousand dollars) to Fair Oaks Electricity (10770-52000) from Contingency (10480-52164).

Motion made by Councilor Beetham, seconded by Councilor Caron. Discussion: Mayor Jaskiewicz stated that there is a lack of activity and are in the process of updating the heating system so it can work electronically, he will keep an eye on it.

Roll call vote: 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy, Jacobson. Voting in opposition, none, resolution adopted.

m. THE TOWN OF MONTVILLE HEREBY RESOLVES to amend the Town of Montville Solid Waste Collection and Disposal Regulations Section VIII Fees, Annual permit.

Motion made by Councilor McFee, seconded by Councilor Buebendorf. Discussion: Councilor McFee stated he received figures from the Transfer Station and there are approximately twenty three hundred tons of garbage comes from the Transfer Station from the residents who have a dump sticker and if you multiply that by the amount of money the town pays it comes out to in excess of \$140,000 and the town sells approximately two thousand dump stickers at fifty dollars each except for the senior permits which are less costly. The town generates a little over one hundred thousand dollars, leaving \$40,000 to be subsidized by the town. The town needs to develop a better system in the future, but he is proposing the increase of fees to generate funds now. He thinks this program should fund itself in the future. He recommends raising the rates fifteen dollars across the board and that would generate approximately thirty thousand dollars and this would help the town. He stated fifteen dollars is a fair amount, bringing the regular sticker to sixty five dollars and the senior sticker would be fifty five dollars. Changing the pricing could offset the towns cost, not generate revenue, but make this program pay for itself. Councilor Hillman stated stickers are scheduled to go on sale for this upcoming year in the next couple of days and by Charter the change could not go into effect until twenty days after the Council votes on it. She explained the Charter supercedes the regulations. A discussion was held regarding the best way to propose the rate change to the public. A minimal increase was implemented in 2007 and this rate still kept Montville substantially lower than surrounding towns. Councilor Buebendorf stated the proposed increase will put the town more in line with the rates of surrounding towns. Stickers with the new rate would not be able to go on sale to the public until July 7<sup>th</sup> if this is passed this evening. A discussion was held regarding loss of revenue for this fiscal year if this proposal is implemented and various options for selling the permits. Councilor Caron stated he does not have an issue with the proposal. Chairperson Jacobson inquired if the senior permit prices are incorporated in the fifteen dollar rate increase. Councilor McFee stated the proposal is across the board and he does not feel it is excessive. Chairperson Jacobson stated seniors did not receive an increase in social security this year and does not feel it is fair. Councilor Caron indicated he would prefer the senior passes stay at the same rate they currently are with no increase. Don Bourdeau discussed various alternatives for trash disposal that would cut down on tipping fees and increase recyclables. Councilor Jacobson stated a five dollar increase would be acceptable, but not a fifteen dollar increase for seniors. Councilor Caron does not agree with raising the senior rates.

Motion made by Councilor Beetham, seconded by Councilor Caron to keep the senior rate for a transfer station dump sticker the same for one year.

Chairperson Jacobson stated the Council needs to make an amendment on the original motion regarding the permits themselves. The original motion is worded to raise the annual permit fees, and she stated the Council needs to differentiate the annual permit, amend it and then make individual amendments as needed.

Motion made by Councilor McFee, seconded by Councilor Beetham to amend the original motion to raise the permit to \$65 for residents and \$55 for seniors starting July 7, 2010 with the option for residents to purchase the stickers early at the 09/10 rate prior to July 7, 2010. Roll call vote on original motion as amended, 4-3, voting in

favor of the amendment to the original resolution were Councilors Beetham, Buebendorf, Caron and McFee, voting in opposition were Councilors Hillman, Murphy and Jacobson. Original amendment passes.

Councilor Caron made a motion to amend the motion to keep the senior passes at the same rate with no increase for one year. Seconded by Councilor Beetham. Discussion: Councilor Buebendorf inquired if the Council would be undoing what they just passed because the motion Councilor McFee made was for \$65 and \$55 for seniors and that passed., now we are potentially undoing the senior rate and leaving it at the current rate. This is an amendment to the amendment. Roll call vote, 3-4, voting in favor were Councilors Beetham, Caron and Jacobson. Voting in opposition were Councilors Buebendorf, Hillman, McFee and Murphy. The amendment to lower the fees for the seniors has been defeated.

Chairperson Jacobson asked for a motion to vote on the amended motion in total

The Town of Montville Hereby Resolves to amend the Town of Montville Solid Waste and Disposal Regulations, Section IIIV fees that will be sold now at current rate of \$50 for annual permits and seniors at \$40 for annual permits with the rate to change on July 7, 2010 to reflect a \$15 increase thus the annual permit will be \$65 and the senior permit will be \$55. Roll call vote: 2-5, voting in favor of adopting this resolution as amended were Councilors Buebendorf and McFee. Voting in opposition were Councilors Beetham, Caron, Hillman, Murphy and Jacobson. Resolution failed to pass.

n. **Resolution #2010-062.** THE TOWN OF MONTVILLE HEREBY RESOLVES to transfer \$182,000 to Revaluation (10410-52009) from Rand Whitney Debt Interest (10460-52193) for the 2011 Revaluation costs.

Motion made by Councilor Murphy, seconded by Councilor Buebendorf. Discussion: Mayor Jaskiewicz stated the Finance Director plans to pay for the revaluation with the interest money. Ms. Fafard discussed the proposal and was able to refund this particular bond and this money was left over and she would like to transfer it and move this along when the contract is awarded. This will not impact the mill rate at all.

Roll call vote: 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy, Jacobson. Voting in opposition, none, resolution adopted.

o. To consider and act on a motion to discuss the transfer of funding associated with the Old Colchester Road construction project from its proprietary account to the Unreserved/Undesignated General Fund account.

Motion made by Councilor Hillman, seconded by Councilor Beetham. Discussion: Councilor Beetham stated this was intended for a point of discussion. He stated he wants the reserve to be as high as possible for July 1<sup>st</sup> and he was under the impression the transfer was made during the 2008/2009 budget and once he investigated the 2008/09 budget he could not find it and he found it under 2009-100 passed on September 14, 2009 indicating that the money is now going to show up under the account on July 1<sup>st</sup> when the auditor comes in. He hopes this is going to keep the town above the eight percent. Ms. Fafard stated the auditors came in during the months of October and November to work on the audit and she showed this to them and she asked Councilor Beetham to look at the audit for the year end 2009 and he will see there is no designated money for the road project because that was taken care of last year but they actually did it in this budget year. Ms. Fafard explained the designated funds and when they were appropriated and when they were transferred. It is on the balance sheet for the auditor. Councilor Beetham and Councilor Hillman withdrew their motion and second.

p. **Resolution #2010-063.** The Town of Montville Hereby resolves to approve and authorize the Mayor to execute an Agreement between the Town of Montville and Glenn Sneddon and Amber Sneddon in settlement of a drainage issue on their property at 394 Kitemaug Road.

Motion made by Councilor Murphy, seconded by Hillman. Discussion: none.

Roll call vote: 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy, Jacobson. Voting in opposition, none, resolution adopted.

q. **Resolution #2010-064.** The Town of Montville Hereby resolves to accept and authorize the Mayor to execute a temporary construction easement from Glenn Sneddon and Amber Sneddon to allow the Town to install drainage on the property of 394 Kitemaug Road.

Motion made by Councilor Murphy, seconded by Councilor Beetham. Discussion: none.

Roll call vote: 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy, Jacobson. Voting in opposition, none, resolution adopted.

r. The Town of Montville Hereby resolves to approve and authorize the Mayor to execute an Agreement between the Town of Montville and M & R Thames Construction, LLC, owner of the cul-de-sac of Elberta Place, in settlement of the drainage issue on the property of 394 Kitemaug Road.

Motion made by Councilor Murphy, seconded by Councilor Beetham. Discussion: Councilor Hillman stated they are no longer the owner of the cul de sac because it was transferred over to the town so the wording should be amended. Attorney Gladke suggested the Council take out the wording "owner of the cul-de-sac of Elberta Place". Motion made by Councilor Hillman, seconded by Councilor Buebendorf to amend the resolution to read:

**Resolution #2010-065.** The Town of Montville Hereby Resolves to approve and authorize the Mayor to execute an Agreement between the Town of Montville and M & R Thames Construction, LLC in settlement of the drainage issue on the property of 394 Kitemaug Road Voice vote: 7-0, all in favor, resolution amended.

Motion made by Councilor Hillman, seconded by Councilor Murphy. Discussion: none.

Roll call vote: 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy, Jacobson. Voting in opposition, none, resolution adopted.

17. Remarks from the Public

Chairperson Jacobson inquired if anyone would like to address the Council and stated if they do to please state their name and address for the record.

Dick Wilson stated he can not hear people speaking when they use the microphone and suggested the town fix this problem. He discussed a public hearing in April where he requested an answer as to why the sewer and water assessments were being transferred into the town's budget rather than into the water and sewer budget as required by State Statutes, he expected the Finance Director to give him an answer and it has been two months now and he still does not have an answer. He requested someone give him an answer in writing as to why this is being done.

Ms. Fafard, Finance Director, stated the research she did found that when the town put in the water and sewer lines, the town itself bonded this project and what happened was when individuals hooked up to this line, they had to pay an assessment and because the town bonded the money, and the town pays the bond, then the town gets the money for the water and sewer assessment. The town bonded for it, paid for the bond and therefore the town gets the money.

Mr. Ray Chester, 35 Williams Road. He stated he is speaking with regard to wetlands. He started a complaint on September 18, 2007 to the wetlands officer and as of today, nothing has been done to rectify the problem. The man he complained about never fixed anything the town asked him to after he ripped up the wetlands on his property, so the town sent it to the attorney on September 17, 2009 and its nine months later and no action has come out of the attorney and he asked the Council and the Mayor for direction as to what he can do to expedite this matter. Mayor Jaskiewicz stated he will check with the attorney as to the status of the case. Mr. Chester stated it has been three years since the damage was done and nothing has been done to fix it. Councilor Murphy suggested he follow up with whoever does not respond to him until he gets the answers he is looking for. Mr. Chester stated the Wetlands Officer does not have authority to enforce anything and he believes she should have more authority to do her job.

John Mann thanked the Mayor and members of the Town Council for finally resolving the Elberta Place cul de sac issue and drain for the Sneddon's. The final part is to release the bond and he will be in to sign the documents tomorrow.

Don Bourdeau clarified the volleyball court and there is \$10,600 in the volleyball court fund.

18. Remarks from Councilors.

Councilor Murphy inquired if it would be possible to send a letter to Planning & Zoning requesting they never name another road Nevada Road because it is already on the maps and GPS systems as Nevada Road and it makes it confusing for dispatchers and eliminating the possibility of having another road named Nevada Road would alleviate much confusion later on down the road.

Councilor Caron stated the boy's varsity baseball team won the State Championship and hopefully the Council will invite them to a meeting to congratulate them in person. They did a fantastic job.

Councilor Hillman stated the sex offender facility is coming into town and the company that is running it is called Connections, Inc. and they are hosting a fund raiser on Friday in Deep River if anyone chooses to go and protest, bring your vote no sign, it is at the Stone House in Deep River, it is on a Town road, she has been in contact with their Mayor and Town Clerk and there is nothing that stops someone from walking up and down on the sidewalk with a sign. Darryl Strawberry will be speaking, it is called the Gala of Hope and he will be speaking in regards to autism, although he is aware that they do support sex offender programs. 21 of them happen to do with criminals and one deals with autism and one deals with mental retardation. Darryl Strawberry is there to speak regarding his foundation that deals with autism. It is a \$100 per plate dinner and if you want to get your point across that is the place to go stand with a sign.

Councilor Beetham did not have any remarks.

Councilor McFee stated he is disappointed the Council could not agree regarding the permit fees at the Transfer Station because the town could have used the money. The seniors would have had twenty days to purchase their stickers at a savings and that would have solved the problem and the town could have generated a little more income. He hopes a plan can be agreed upon in the future so the town does not have to subsidize the garbage disposal.

Councilor Buebendorf did not have any remarks.

Mayor Jaskiewicz did not have any remarks.

**19. Adjournment.**

Motion made by Councilor Murphy, seconded by Councilor Beetham to adjourn the meeting at 9:11 p.m.  
 Discussion: none. Voice vote: 7-0, all in favor, motion carried.

Respectfully Submitted by:

Audrey Ulmer, Recording Secretary for the Town of Montville

\*\*\*\*Schedule A\*\*\*\*

Rebates for June 14, 2010

Constant, Mark A.	Disability Exemption	\$21.42
Financial Socveh Trust	Vehicle Sold	\$131.82
Financial Services Vehicle Trust	Vehicle Sold	\$291.85
Murdock, Terrence D. & Cheryl G.	Veteran's Exemption	\$41.06
Murdock, Terrence D. & Cheryl G.	Veteran's Exemption	\$32.14
	Total:	\$518.29

\*\*\*\*Schedule C\*\*\*\*

**RATE SCHEDULE FOR ALL WATER SERVICE LOCATED WITHIN THE TOWN OF MONTVILLE  
 SERVICE AREA  
 BILLED ON AND AFTER JULY 1, 2010**

**1. MONTHLY RATE IS THE SUM OF THE SERVICE CHARGE AND THE CONSUMPTION CHARGE.**

A. The monthly **service charge** is based on meter size and includes consumption charge for the first 2,000 gallons for monthly customers and 6,000 gallons for quarterly customers.

Monthly Meter Size	Monthly Service charge	Quarterly Meter Size	Quarterly Service Charge
3"	\$100.00	5/8"	\$35.00
4"	155.00	3/4"	35.00
8"	480.00	1"	35.00
10"	480.00	1 1/2"	95.00
12"	1,175.00	2"	185.00

B. The monthly **consumption charge** is based on the number of gallons recorded on the meter during the billing period and is calculated in 1,000 increments in accordance with this Schedule:

Monthly Consumption	Monthly Charge	Quarterly Consumption	Quarterly Charge
0-2,000 gal.	N/C	0-6,000 gal.	N/C
2,000+	4.85	6,000+	4.85

**2. HYDRANT AND FIRE SPRINKLER CHARGES**

A. Hydrant Annual Service Charge \$260.00

B. Fire Sprinkler Service in accordance with the following schedule:

<u>Connection Size</u>	<u>Annual Charge</u>
2"	\$ 45 (residential sprinklers only)
3"	880
4"	880
6"	880
8"	880
10"	880

3. NEW SERVICE CONNECTIONS

- A. New Account Administration Fee - \$35.00
- B. Service Connection operational charge - \$185 per unit
- C. Installation for residential corporation cock, copper feeder line, and curb stop - \$2,750, plus any additional time and material needed.
- D. Installation for commercial/industrial connection will be negotiated with the applicant based on average gallons per day and time and materials.
- E. Service Connection infrastructure charge –  
Residential - \$4,000  
Commercial/Industrial - \$7.25 per gallon of average daily consumption and time and materials with a minimum of \$4,000

4. MISCELLANEOUS SERVICE AND ADMINISTRATIVE CHARGES

- A. Emergency service after business hours \$ 55/hr minimum 3hrs
- B. Emergency service during business hours \$ 40
- C. Service work by appoint during business hours N/C
- D. Returned check fee \$ 35
- E. Curb shut off \$ 50
- F. Restoration of service \$ 50
- G. Meter accuracy test requested by customer  
If meter is off more than 4% N/C  
If meter is off less than 4% \$130
- H. Backflow prevention device test (1) \$ 75  
Each additional unit at same site \$ 30

\*\*\*Schedule D\*\*\*

ORDINANCE AUTHORIZING CONVEYANCE OF  
THE TOWN'S REMAINING INTEREST, IF ANY, IN THE  
DISCONTINUED PORTION OF WALKER ROAD

THE TOWN OF MONTVILLE HEREBY ORDAINS:

Section 1.

The Mayor is authorized to execute and the Town Clerk to attest and affix the seal of the Town of Montville to the following instruments of conveyance:

- b. A **Quit Claim Deed(s)** of the interest of the Town of Montville, if any, in the discontinued portion of Walker Road beginning at a point from Bozrah Light & Power pole #2168, which is approximately 900 feet from the intersection of Walker Road with Caroline Road and running to the end of Walker Road to the Bozrah town line, which portion of Walker Road was discontinued by the Town of Montville on June 1, 2004, to the owners of the property abutting said discontinued portion of Walker Road, each owner to be conveyed the Town's interest to the center line of the discontinued road. In the event that either owner declines to accept the conveyance, the other owner shall be offered the interest in the portion of Walker Road, opposite his/her property.

Section 2.

The purpose of the Quit Claim Deeds is to disencumber the Town of its interest (if any) in a discontinued public road.

This ordinance shall become effective thirty (30) days from the date of its adoption.

Dated at Montville Connecticut this 11<sup>th</sup> day of May 2010.

\*\*\*\*\*Schedule E\*\*\*\*\*

**TOWN OF MONTVILLE**  
**NOTICE OF ORDINANCE HEARING**

The following Ordinance, copies of which may be obtained at the office of the Town Clerk during office hours, was introduced at a regular meeting of the Town Council held May 10, 2010 and a public hearing thereon and for its consideration by the Town Council will be held at Town Hall Meeting Room, June 14, 2010 at 6:45 P.M.

ORDINANCE REGARDING THE CONVEYANCE OF REAL PROPERTY  
KNOWN AS 12 NEW YORK ROAD (A.K.A. NEVADA ROAD)

THE TOWN OF MONTVILLE HEREBY ORDAINS:

Section 1.

The Mayor is hereby authorized to sell and convey the real property known as 12 New York Road (a.k.a. Nevada Road) (the "Property"), which is further described on Schedule A, to Marion Stanavage, or her nominee, for no consideration.

Schedule A

A certain piece or parcel of land situated in the Town of Montville, County of New London, State of Connecticut, known as 12 New York Road and shown as "Nevada Road" on a map entitled: "SECTION V SUBDIVISION MAP MONTVILLE MANOR PROPERTY OF THE HUNTER CONSTRUCTION COMPANY MONTVILLE, CONN. DRAWN BY J. STEWART CHECKED BY M. FEINSTEIN DRAWING NO. 6028 DATE JUNE 6, 1961 SCALE 1" = 40' SHEET 2 OF 3 FILE NO. 364-X," prepared by Morton S. Fine Civil Engineer & Land Surveyor 19 Whitney St. Hartford, Conn., which map is on file as Map 208-B in the Town Clerk's Office in the said Town of Montville to which reference may be had.

Said premises are a portion of those conveyed to the Town of Montville by Warranty Deed from The Hunter Construction Company and referred to therein as "Nevada Road," which deed is dated October 14, 1963 and recorded in Volume 79, Page 614 of the Montville Land Records.

Section 2.

The Mayor is also hereby authorized to execute, and the Town Clerk to attest to and affix the seal of the Town of Montville to, a quit claim deed to the Property, which deed shall be approved by the Town Attorney as to form, content and legality.

Section 3.

The Mayor is hereby authorized to include such other terms, conditions, easements and restrictions in the deed as he deems to be in the best interests of the Town of Montville. The Mayor is also authorized to execute any other documents required to complete the sale and conveyance of the Property.

Section 4.

This ordinance shall become effective thirty (30) days from the date of its adoption.

Dated at Montville Connecticut this 11<sup>th</sup> day of May 2010.