

**Town of Montville Town Council  
Regular Meeting Minutes for September 13, 2010  
7:00 PM – Town Council Chambers  
Town Hall**

1. Call to Order – Chairperson Jacobson called the meeting to order at 7:02 PM.
2. Pledge of Allegiance
3. Roll Call – Present were Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Also present were Mayor Jaskiewicz and Town Attorney Lisa Gladke.
4. Special Recognitions – None.
5. Alterations to the Agenda
  - A. **Motion** by Councilor Caron, Second by Councilor Buebendorf to make the following alterations to the agenda: 1) remove agenda items 16I and 16J; 2) remove agenda item 16L; 3) add agenda item 7B to enter into executive session for the purpose of discussing an employee settlement agreement, and will include Council members, Mayor Jaskiewicz and Finance Director Terry Fafard; and 4) add agenda item 7C to enter into executive session for the purpose of discussing a possible conflict of interest with litigation, and will include Council members, Mayor Jaskiewicz and Attorney Lisa Gladke. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0.**
6. **Motion** by Councilor Beetham, Second by Councilor Buebendorf to approve the special joint meeting minutes of August 5, 2010; the regular meeting minutes of August 9, 2010; and the amended special meeting minutes of August 31, 2010. **Discussion:** **Motion** by Councilor Hillman, Second by Councilor Beetham to amend the motion to remove the approval of the August 31<sup>st</sup> special minutes and to amend the August 31<sup>st</sup> minutes to include comments from the public. **Voice Vote:** In Favor; Councilors Beetham, Hillman, Jacobson, McFee and Murphy. Opposed; Councilors Buebendorf and Caron. **Motion Carried 5-2.** Chairwoman Jacobson call for a roll call vote on the motion as amended. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0 as amended.**
7. Executive Session
  - A. **Motion** by Councilor Beetham, Second by Councilor Caron to enter into Executive Session for the purpose of interviewing the following people for appointment to board or commission: Ms. Ann Mattson, Conservation Commission; Mr. Colin Provencher, Planning and Zoning and/or Zoning Board of Appeals; and Mr. James Andriote, Water & Sewer Commission. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0.** Council members entered into executive session at 7:10 PM; they returned at 7:23 PM and Chairperson Jacobson stated that no formal votes had been taken. Mr. Provencher was not in attendance.
  - B. **Motion** by Councilor Buebendorf, Second by Councilor Hillman to enter into Executive Session for the purpose of discussing an employee settlement agreement. Included in the Executive Session were Town Council members, Mayor Jaskiewicz and Finance Director Terry Fafard. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0.** Council members entered into executive session at 7:24 PM; they returned at 7:48 PM and Chairperson Jacobson stated that no formal votes had been taken.
  - C. **Motion** by Councilor Buebendorf, Second by Councilor Hillman to enter into Executive Session for the purpose of discussing a possible conflict of interest with litigation. Included in Executive Session were Council members, Mayor Jaskiewicz and Attorney Lisa Gladke. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0.** Council members entered into executive session at 7:48 PM; they returned at 7:54 PM and Chairperson Jacobson stated that no formal votes had been taken.
8. Remarks from the Public

Mr. Gary Pike, 38 Bergman Drive, spoke on item 16C, stating that he is in favor of the proposed ordinance. Mr. Pike asked the Council if they would find a way, possibly on the web page, to keep the public informed as to the status of the situation.

Lt. Leonard Bunnell, Montville Police Department, spoke on item 16A, stating that he is in favor of the Council accepting the favorable 8-24 Review from Planning & Zoning. Regarding item 16F, he is in favor of the Council approving the contract for a Resident State Trooper.

Mr. Ray Occhialini, 7 Anderson Lane, spoke in favor of the Council approving item 16E regarding the State of Connecticut Department of Emergency Management and Homeland Security.
9. Communications
  - A. Draft minutes of the August 26, 2010, WPCA Special Joint Subcommittee meeting. Chairwoman Jacobson noted that these minutes are a draft and for information only until they are officially accepted by the subcommittee.
10. Report from the Town Attorney on matters referred - Attorney Gladke stated that no matters have been referred to the Town Attorney at this time.

11. Remarks from the Mayor and/or Administrative Department Heads

Mayor Jaskiewicz reported on the following: 1) regarding the Oxoboxo Bridge project, he gave a brief summary of what has caused the project to fall behind, and reported that the additional work needed will result in higher costs, which will be reimbursed to the Town from the State at the completion of the project; 2) there will be an auction in October of excess Town equipment; and 3) commended the fire departments on a great job with the recent fires in town. He reported that the WPCA is looking into the situation with the fire hydrants

Mr. Donald Bourdeau, Public Works Director, reported on the following: 1) town roads are currently being striped; 2) paving will begin in October on Old Colchester Road up to Moxley Road; Gallivan Lane to the 395 overpass is expected to begin mid-October; 3) regarding scrap metal pickup, he will put together some information and report back; and 4) he is working with FEMA on the issues of the dock, but it doesn't look hopeful that the Town will receive government funding to make the repairs.

Ms. Terry Fafard, Finance Director, gave a report on revenue for July and August, which is 35.6% - 2% higher than last year at this time, including taxes.

12. Reports from Standing Committee

A. Town Administration / Rules of Procedure – Councilor Hillman stated that there was no meeting in August, and they are scheduled to meet this month.

B. Finance – Councilor Murphy reported that the items are on the agenda.

C. Public Works / Solid Waste Disposal – Councilor McFee reported that they continue to review the transfer station process, and will update the Council as needed. It is being investigated if buying garbage trucks and offering trash pickup to residents would be feasible.

13. Reports from Special Committees and Liaison Councilors

Planning & Zoning Commission / Inland Wetlands Commission - Councilor Beetham reported that it was a slow month for the Commission.

Library Committee – Councilor Beetham thanked Ms. Rosetta Jones for her hard work in obtaining the \$100,000.00 grant for the library.

Parks & Recreation Commission - Councilor Buebendorf reported on the following: 1) there are a few new programs, including dog obedience, zumba and kayaking; 2) discussion has been had about advertising Park & Rec programs on Facebook; and 3) there will be a walkthrough this Wednesday the 15<sup>th</sup> of Camp Oakdale for the bi-annual inspection.

Public Safety Commission - Councilor Buebendorf reported on the following: 1) the Rules of Procedure are currently being reviewed; 2) they are working with the Police Department and the dispatchers to strengthen their working relationship, and 3) police reports are now available to the public on the Montville town website.

Commission on the Aging – Nothing to report.

Economic Development Commission – Nothing to report.

Social Services – Nothing to report.

Youth Services Bureau & Advisory Board – Nothing to report.

Volunteer Fire Fighters' Relief Fund – Councilor McFee stated that there has not been a meeting. Councilor Murphy stated that although there is not a lot of work involved with this committee, the efforts and money are going to five of our fire fighters currently in active military duty.

Community Center Building Committee – Councilor McFee reported that their continues to be no activity with this committee, and that it is being considered to disband. Chairwoman Jacobson stated that they cannot disband without going through the Council, and she will speak with the Mayor and get back to Councilor McFee with possible options.

Board of Education - Councilor Murphy reported on the following: 1) the first week of school went well; however, there has been an increase in enrollment necessitating an additional kindergarten class at Mohegan School, and an additional grade 5 class at Murphy. This will increase the number of teachers needed; 2) the Teacher of the Year this year is Mr. Doug Couture, Montville High School Technology teacher; 3) Mayor Jaskiewicz took the new teachers on a tour of all of the schools; and 4) high school football kicks off this week with a game against New London at the Coast Guard Academy.

WPCA – Councilor Hillman reported on the following: 1) there was discussion about privately owned hydrants in the community and who is responsible for maintaining them if they are tied into public water systems; 2) discussed the WPCA Superintendent's contract, and it was decided to postpone this matter until October's meeting; 3) it was also decided to join the CT WARN program, which is a mutual aid program for emergencies; 4) the commission voted to hire a part-time person to work in the office with the administrator for 19 hours a week; 5) The booster pump station on Maple Avenue continues to move ahead; and 6) the engineer has scheduled a public hearing and open house for Monday October 4, 2010, at 5:30 p.m. to discuss the Facilities Plan. Councilor Hillman encouraged the other Councilors to attend this event.

Non-Profit Organizations – Councilor Hillman reported that she attended an open house last month at the Woman's Center in New London, and was quite impressed with the operation and the care taken by the staff to make clients comfortable. The Woman's Center is always looking for clothing of all sizes, and also used cell phones.

Public Safety Building Committee – Councilor Jacobson stated that the Council met with the Committee on August 5<sup>th</sup> at a special joint meeting, and there is an item on the agenda to send this matter to Planning & Zoning for an 8-24 review, as per the discussion.

School Building Committee – Nothing to report.

Conservation Commission – Councilor Jacobson reported that the commission now has 3 members after the appointment of Ms. Mattson, and now has a quorum and will begin meeting.

14. Appointments and Resignations

A. **Motion** by Councilor Beetham, Second by Councilor Caron to waive Rule 13C of the Town Council Rules of Procedure in order to appoint Ms. Ann Mattson to the Conservation Commission. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0.**

B. **Nomination** for Ms. Ann Mattson by Councilor Buebendorf Second by Councilor Murphy to fill a vacancy for a full voting member of the Conservation Commission, with a term to expire on September 13, 2012. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0. Ms. Ann Mattson appointed to the Conservation Commission.**

15. Unfinished Business – None.

16. New Business

A. **Motion** by Councilor Buebendorf, Second by Councilor Murphy to accept the Planning and Zoning Commission's positive recommendation from their CGS 8-24 review to relocate and construct a municipal public safety building on town owned property at 909 Norwich-New London Turnpike, (Route 32) As shown on Assessor's Map 83 Lot 29. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0.**

B. **Resolution #2010-089 – The Town of Montville Hereby Resolves** to rescind Resolution #2010-088 pertaining to setting the date for a public hearing regarding the ordinance entitled "Child Safety Zones", as adopted by the Town Council on September 8, 2010. **Motion** by Councilor Caron, Second by Councilor Hillman. **Discussion:** Chairwoman Jacobson stated that the previous resolution needs to be rescinded because an actual date was not set. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Resolution #2010-089 Adopted 7-0.**

C. **Motion** by Councilor Hillman Second by Councilor Caron o introduce and set the date for a Public Hearing on the proposed ordinance entitled "Child Safety Zones" on September 30, 2010, at 7:00 PM in the Town Council Chambers. **Discussion: Motion** by Councilor Buebendorf, Second by Councilor Murphy to hold this public hearing on Wednesday, October 13<sup>th</sup> at 6:00 PM. **Roll Call Vote:** In Favor; Councilors Buebendorf and Murphy. Opposed; Councilors Beetham, Caron, Hillman, Jacobson and McFee. **Motion Fails 2-5.** Chairwoman Jacobson called for a roll call vote on the original motion. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0. Public Hearing Scheduled for September 30<sup>th</sup> at 7:00 PM.**

D. **Resolution #2010-090 – The Town of Montville Hereby Resolves** to refund taxes due to overpayments and corrections in the amount of \$2,153.50 (Two Thousand One Hundred Fifty-Three and Fifty Cents), as requested by the Tax Collector and attached hereto as Schedule A. **Motion** by Councilor Hillman, Second by Councilor Caron. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Hillman, Jacobson, McFee and Murphy. Opposed; None. Abstained; Councilor Buebendorf. **Resolution #2010-90 Adopted 6-0 with 1 abstention.**

E. **Resolution #2010-091 – The Town of Montville Hereby Resolves** that the Town of Montville may enter into with and deliver to the State of Connecticut Department of Emergency Management and Homeland Security any and all documents which it deems to be necessary or appropriate; and, be it further resolved that Mayor Joseph W. Jaskiewicz is authorized and directed to execute and deliver any and all documents on behalf of the Town of Montville and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents, including, but not limited to, executing and delivering all agreements and documents contemplated by such documents. **Motion** by Councilor Buebendorf, Second by Councilor Beetham. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Resolution #2010-091 Adopted 7-0.**

F. **Resolution #2010-092 – The Town of Montville Hereby Resolves** that Joseph W. Jaskiewicz, the Mayor, be and hereby is authorized to execute a contract on behalf of the Town of Montville with the Connecticut Department of Public Safety, Division of State Police for the services one (1) Resident State Trooper for the period of July 1, 2009 to June 30, 2011. **Motion** by Councilor Buebendorf, Second by Councilor Beetham. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Resolution #2010-092 Adopted 7-0.**

G. **Resolution #2010-093 – The Town of Montville Hereby Resolves** to accept the \$3,000.00 grant from the State Historical Preservation Grant Program for the fiscal year 2010-2011; and to make an additional appropriation from General Fund Surplus to line item 10560-53023 "Land Records Expense". **Motion** by Councilor Buebendorf, Second by Councilor Caron. **Discussion: Motion** by Chairwoman Jacobson, Second by Councilor Caron to amend the motion to read "from General Fund Surplus to line item 61100-49050 (Historical Preservation Fund). **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0.** Chairwoman Jacobson called for a roll call vote on the motion as amended. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Resolution #2010-093 Adopted 7-0 as amended.**

**H. Resolution #2010-094 – The Town of Montville Hereby Resolves** to seek bids for Personal Property Audits. **Motion** by Councilor Buebendorf, Second by Councilor Hillman. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Resolution #2010-093 Adopted 7-0.**

**I. Resolution #2010-095 – The Town of Montville Hereby Resolves** to add \$500.00 (Five Hundred Dollars) to Misc. Expense in the Public Safety Building budget (10865-53999) from Contingency (10480-52164) in the 2010-11 budget. **Motion** by Councilor Murphy, Second by Councilor Caron. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Resolution #2010-095 Adopted 7-0.**

**J. Motion** by Councilor Beetham, Second by Councilor Caron to postpone the matter of the settlement agreement to the October meeting. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0. Matter postponed to October.**

17. Remarks from the Public

Mr. Gary Pike, 38 Bergman Drive, spoke in regards to a Town-issued permit for the property located at 36 Bergman Drive, and possible violations. He asked the Council to please assist him in this matter as he has been through other departments and has gotten no resolution. Chairwoman Jacobson confirmed that she was in receipt of the correspondence that he sent, and that she distributed such to the Council members for their information. She stated that the Council does not have the authority to act on this matter without consulting with the Mayor, and advised Mr. Pike that she would consult with the Mayor and get back to him.

18. Remarks from Councilors

Councilor Buebendorf acknowledged and thanked the firefighters in Town for their hard work during a tough month for fires. She stated that in regards to Mr. Pike's concerns, she would also follow up and find out why he was not allowed to present his matter to the Planning & Zoning Commission.

Councilor Beetham expressed his concern with the news reports regarding Councilor Buebendorf's comments.

Councilor Murphy expressed his concern with Mr. Pike's matter, and stated that he would also be looking into why he was not allowed to present his case to the Planning & Zoning Commission.

Mayor Jaskiewicz addressed Mr. Pike, and stated that a letter should have been forwarded to him from the Town Attorney. Mr. Pike stated that he had not received such a letter, and the Mayor agreed that he would follow up and get back to him.

19. Adjournment – Motion made by Councilor Caron, Second by Councilor Beetham, to adjourn the meeting. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0. The meeting adjourned at 9:12 PM.**

Respectfully Submitted by:

Sandra Anderson CPS  
Minutes Clerk  
Montville Town Council