

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

1. Call to Order – Chairperson Jacobson called the meeting to order at 7:01 PM.
2. Pledge of Allegiance
3. Roll Call – Present were Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Also present were Mayor Jaskiewicz and Town Attorney Bruce Chudwick. Absent was Councilor Murphy.
4. Special Recognitions – None.
5. Alterations to the Agenda

Motion by Councilor Hillman, Second by Councilor Caron to make the following alterations to the agenda: 1) add Attorney Carey to agenda item 7A, executive session; 2) move item 15C to 15A; 3) postpone items 16F and 16G to the November meeting; 4) add agenda item 16J, motion to accept two (2) favorable 8-24 Reviews from Planning & Zoning; and 5) postpone indefinitely agenda item 15B. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Motion Carried 6-0.**
6. **Motion** by Councilor Beetham, Second by Councilor Hillman to approve to approve the amended special meeting minutes of August 31, 2010; the special meeting minutes of September 8, 2010; the regular meeting minutes of September 13, 2010; and the public hearing minutes of September 30, 2010. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Motion Carried 6-0.**
7. Executive Session
 - A. **Motion** by Councilor Hillman, Second by Councilor Caron to enter into Executive Session to enter into Executive Session for the purpose of discussing Employee Contractual negotiations and litigation. Executive session will include Council members, Mayor Jaskiewicz, and Attorney Carey. Attorney Carey arrived at 7:13 PM. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Motion Carried 6-0.** Council members entered into executive session at 7:07 PM; they returned at 8:05 PM and Chairperson Jacobson stated that no formal votes had been taken.
 - B. **Motion** by Councilor Caron, Second by Councilor Hillman to enter into Executive Session for the purpose of interviewing the following people for appointment to board or commission: Mr. John Geary for re-appointment to the Commission on the Aging; Mr. Colin Provencher for appointment to the Planning & Zoning Commission and/or the Zoning Board of Appeals; Mr. William Pieniadz for re-appointment to the Building Code Board of Appeals; Ms. Nancy delaCruz for re-appointment to the Parks & Recreation Commission; Ms. Susan Rickards for re-appointment to the Youth Advisory Board; and Mr. Stanley Gwudz for re-appointment to the Parks & Recreation Commission. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Motion Carried 6-0.** Council members entered into executive session at 8:06 PM; they returned at 8:22 PM and Chairperson Jacobson stated that no formal votes had been taken. Mr. Provencher, Ms. Rickards and Ms. delaCruz were not in attendance.
8. Remarks from the Public

Mr. Gary Pike, 38 Bergman Drive, spoke on item 15B, stating that he is in favor of Councilor McFee’s motion to postpone this matter due to the current financial developments with the casino, and asked that the Council considering doing a study to find out the economical impact should the sex offender facility be built.
9. Communications
 - A. Letter from the Youth Services Advisory Board regarding the Child Safety Zone ordinance.
 - B. Notice from the Parks & Recreation Department regarding the 2010 Holiday Parade.
10. Report from the Town Attorney on matters referred – Attorney Chudwick reported that his office is currently working with the WPCA and appointed subcommittee, as well as a couple of other miscellaneous matters.
11. Remarks from the Mayor and/or Administrative Department Heads

Mayor Jaskiewicz reported on the following: 1) regarding the Oxoboxo Bridge project; work is scheduled to be complete by the end of November, and things are going smoothly; 2) paving on Old Colchester Road to Gallivan Lane is scheduled to begin in a couple of weeks; 3) the properties located at 275 Maple Avenue and 275 Rte. 163 are scheduled to go up for auction on October 30th at 10:00 AM and 11:00 AM, with one half hour prior to each auction for inspections; 4) at November’s meeting the Council will hear a presentation from Justice Resource Institute of Connecticut regarding a group home that is scheduled to be opened on Chesterfield Road; 5) there are many properties that have been cited to the Mayor as breaking the blighted properties ordinance, and work will begin to investigate each property to determine which properties the ordinance applies to; and 6) he will be requesting that the Chairwoman schedule a special meeting of the Town Council next week.

Ms. Terry Hart, Finance Director, gave a year-to-date update on tax collection, revenues and expenditures. All of the bids have been reviewed for work to be done at Camp Oakdale and the Palermtown sidewalks, and the Council is being asked to waive the bid process to hire a local contractor to perform the work on both properties based on his low bid.

12. Reports from Standing Committee

A. Town Administration / Rules of Procedure – Councilor Hillman reported that the committee has been looking into the creation of several possible ordinances; child safety zones, Human Resources, IT and WPCA. Also, they discussed the possibility of forming a cultural awareness committee and a historical committee. Also discussed was the disposal of town property.

B. Finance – Nothing to report.

C. Public Works / Solid Waste Disposal – Nothing to report.

13. Reports from Special Committees and Liaison Councilors

Planning & Zoning Commission / Inland Wetlands Commission – Nothing to report.

Library Committee – Councilor Beetham stated that the next meeting is on October 25th.

Parks & Recreation Commission - Councilor Buebendorf reported on the following: 1) at their last meeting they did a walkthrough of the parks and Camp Oakdale and discussed developing a maintenance plan for these properties. She noted that the President of the Youth Football was in attendance at the walkthrough, and he stated that he is proud of Montville's football facilities, and that Montville is known in the area for having superior facilities; 2) discussing the possibility of creating special revenue accounts, which all program fees will cycle through; and 3) scheduled to discuss the Child Safety Zone ordinance at the next meeting, and asked Councilor Hillman if she would be willing to postpone the acceptance of the ordinance until the Parks & Recreation Commission has a chance to review it.

Public Safety Commission - Councilor Buebendorf reported that they are still discussing their rules and procedures and the dispatch issues regarding communication and scheduling. A small group is going to be created in order to address these issues regarding dispatch. The Commission has been involved with the Public Safety Building Committee's public forums; the first couple were moderately attended, but the last couple have had better attendance.

Commission on the Aging – Nothing to report.

Economic Development Commission – Councilor Caron stated that Mr. Chuck Longton, member of the EDC, will present to the Council at the November meeting.

Social Services – Councilor Caron reported that 100 backpacks have recently been distributed to local children in Town; and please make sure to donate can good and non-perishable food items to the Social Services office in order to help provide for those in Town that may need a little assistance.

Youth Services Bureau & Advisory Board – Councilor Caron reported that the Board received a \$1,700.00 donation from the Montville Education Foundation.

Volunteer Fire Fighters' Relief Fund – Nothing to report.

Community Center Building Committee – Nothing to report.

Board of Education - Nothing to report.

WPCA – Councilor Hillman reported on the following: 1) there was a public hearing held on the facility plan prior to the last monthly meeting; and 2) the issue of whether the Montville WPCA should be billing an annual hydrant maintenance charge to owners of private fire hydrants was held. Currently, the Fire Marshal pays the WPCA \$250.00 for each hydrant that is located along Town roads. The purpose of this fee is for the maintenance of each hydrant to include the water usage both for testing and in the event of a fire, lubricating and exercising, flushing, flow testing, weeding, painting, numbering, and to do repairs as needed. There are approximately 25 privately owned hydrants and 10 at the State prison. The Commission needs to make a determination if they can charge the property owners for these services. A discussion was held regarding what other towns charge for these fees and how many towns have ordinances regarding privately owned hydrants. This is an ongoing discussion that will be addressed at the next WPCA meeting.

Non-Profit Organizations – Councilor Hillman reported that little league baseball is beginning to form their leagues. The National and American leagues have recently merged, and they are currently beginning to form their Board of Directors.

Public Safety Building Committee – Councilor Jacobson stated that a few of the public information sessions has taken place in conjunction with representatives from the Police Department and Kaestle Boos. Both Sgt. Collins and Lt. Bunnell have contributed greatly to these information sessions.

School Building Committee – Nothing to report.

Conservation Commission – Councilor Jacobson reported that now that they have a full board of 3 members, they have been meeting and building this commission.

14. Appointments and Resignations

A. **Nomination** for Mr. Vince Roemmele by Councilor Buebendorf, Second by Councilor Beetham, to fill a vacancy for a full voting member of the Housing Authority, with a term to expire on April 30, 2012. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Motion Carried 6-0. Mr. Roemmele appointed.**

B. **Nomination** for Ms. Deborah Schober by Councilor Buebendorf, Second by Councilor Caron, to fill a vacancy for a full voting member of the Uncas Health District, with a term to expire on July 12, 2013. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Motion Carried 6-0. Ms. Schober appointed.**

C. **Motion** by Councilor Buebendorf, Second by Councilor Hillman to waive Rule 13C of the Town Council Rules of Procedure to re-appointment the following people to boards or commission; Ms. Nancy Delacruz, Ms. Susan Rickards, and Mr. Stanley Gwudz; their respective term expiration dates are in October. **Discussion:** **Motion** by Councilor Hillman, Second by Councilor Beetham to remove Ms. Nancy delaCruz and Ms. Susan Rickards because they were unable to attend tonight's meeting. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Motion Carried 6-0.** Chairwoman

Jacobson called for a roll call vote on the motion as amended. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Motion Carried 6-0.**

Motion by Councilor Buebendorf, Second by Councilor Hillman to postpone agenda items 14D and 14E to the November meeting since neither applicant were able to make their interviews. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Motion Carried 6-0.**

D. To Consider and Act on a Motion to fill a vacancy for a full voting member of the Parks & Recreation Commission, with a term to expire on October 11, 2014. (Ms. Nancy Delacruz has indicated that she would like to be re-appointed, and was interviewed by the Council on October 13, 2010.) **Postponed.**

E. To Consider and Act on a Motion to fill a vacancy for a full voting member of the Youth Advisory Board, with a term to expire on October 13, 2012. (Ms. Susan Rickards has indicated that she would like to be re-appointed, and was interviewed by the Council on October 13, 2010.) **Postponed.**

F. **Nomination** for Mr. Stanley Gwudz by Councilor Buebendorf, Second by Councilor Caron to fill a vacancy for a full voting member of the Parks & Recreation Commission, with a term to expire on October 11, 2014. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Motion Carried 6-0. Mr. Gwudz appointed.**

G. **Motion** by Councilor Beetham, Second by Councilor Hillman to accept the resignation of Councilor McFee as liaison to the WPCA for the purpose of discussing the duties of the Town and WPCA on employee contracts and other such items as deemed necessary. **Discussion:** Councilor Buebendorf thanked Councilor McFee for his work on this committee, and stated that she would have like to have seen what he had to offer in this matter and wished he had stayed on. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Motion Carried 6-0.**

H. **Nomination** for Councilor Beetham by Councilor Hillman, Second by Councilor Beetham to fill a vacancy as liaison created by Councilor McFee to meet with delegates from the WPCA, Attorney Ron Ochsner, the Town's Attorney, and Mayor Jaskiewicz for the purpose of discussing the duties of the Town and WPCA on employee contracts and other such items as deemed necessary. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Motion Carried 6-0. Councilor Beetham appointed.**

15. Unfinished Business

A. **Resolution #2010-096 – The Town of Montville Hereby Resolves** to approve the 2010-2011 Water Budget of the Water Pollution Control Authority. **Motion** by Councilor Caron, Second by Councilor McFee. **Discussion:** Mr. Brian Lynch requested that the Council approve this budget, and noted that the Town is doing well and yielding a good return. There is a \$200,000.00 increase from last year in the budget, but it is partly due to having to stay in line with Groton's rates. Councilor Beetham inquired if any leaks were found in the system, and Mr. Lynch reported that the problem was not leaks but many meters not working properly. Broken meters have been identified and subsequently replaced; the next phase will be to start replacing some of the older industrial meters. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Resolution #2010-096 Adopted 6-0.**

B. **Motion** by Councilor Buebendorf, Second by Councilor Caron to hear a presentation by Glenn Mathieu about a "Montville Day" proposal. **Discussion:** Mr. Glenn Mathieu gave a presentation on his vision of the proposed Montville Day, and requested that he be allowed to present a more thorough synopsis of this vision. Councilor Beetham asked if Mr. Mathieu can organize a scrimmage at the High School between the Patriots and either the Giants or the Jets. Councilor Buebendorf suggested that the Council schedule Mr. Mathieu's presentation at 6:30 PM on the night of the November meeting, and also suggested that the Council should consider awarding the in-kind services requested.

16. New Business

A. **Resolution #2010-097 – The Town of Montville Hereby Resolves** adopt the ordinance entitled "Child Safety Zones", as introduced at a public hearing of the Town Council on September 30, 2010. **Motion** by Councilor Hillman, Second by Councilor Beetham. **Discussion:** Councilor Caron asked if the Senior Center is or can be represented within this ordinance; Councilor Hillman stated that this ordinance only applies to children. Councilor Buebendorf thanked Councilor Hillman for working hard on this ordinance, and requested that she consider the option of postponing this vote to the November meeting in order to allow the Parks & Recreation Commission to review and discuss the ordinance. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Resolution #2010-097 Adopted 6-0.**

B. **Resolution #2010-098 – The Town of Montville Hereby Resolves** to refund taxes due to overpayments and corrections in the amount of \$1,194.86 (one thousand one hundred ninety-four dollars and eighty-six cents), as requested by the Tax Collector and attached hereto as Schedule A. **Motion** by Councilor Caron, Second by Councilor Beetham. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Resolution #2010-098 Adopted 6-0.**

C. **Resolution #2010-099 – The Town of Montville Hereby Resolves** to authorize the Mayor to enter into a contract with Lombardi Gravel and Excavation, LLC for the Camp Oakdale Restroom Building Project. **Motion** by Councilor Caron, Second by Councilor Beetham. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Resolution #2010-099 Adopted 6-0.**

D. **Resolution #2010-100 – The Town of Montville Hereby Resolves** to authorize the Mayor to enter into a contract with Lombardi Gravel and Excavation, LLC for the Palmer School Sidewalk Repairs Project. **Motion** by

Councilor Caron, Second by Councilor McFee. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Resolution #2010-100 Adopted 6-0.**

E. Resolution #2010-101 – The Town of Montville Hereby Resolves to amend Resolution #2010-047 (adopted May 10, 2010) as described in Resolution #2006-057 [(adopted July 10, 2006) (The Finance Director is hereby directed to transfer all accounting functions to the Administration Division of the Water & Sewer Department effective immediately.)] and extend it for 3 (three) months until Jan. 1, 2011. **Motion** by Councilor Caron, Second by Councilor Beetham. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Jacobson and McFee. Opposed; Councilor Hillman. **Resolution #2010-101 Adopted 5-1.**

F. THE TOWN OF MONTVILLE HEREBY RESOLVES to rescind Resolution 1996-137 establishing an account called Due from WPCA O & M and allowing the WPCA to borrow funds up to a ceiling of (\$375,000) from General Fund Surplus adopted at a special meeting on December 19, 1996; to rescind Resolution 2002-78 authorizing the WPCA to increase ceiling level of the Due to/Due from internal loan to \$500,000 adopted at a special meeting dated August 28, 2002; to rescind 2002-91 authorizing the WPCA to extend the ceiling on the Due to/Due From account to \$1,000,000 with the resolution paying back inter-fund by September 2003 adopted at a regular meeting dated September 9, 2002; to rescind Resolution 2005-86 authorizing the increase in the WPCA line of credit from 1,000,000 to 1,600,000 at a special meeting dated July 25, 2005. (Murphy) **Postponed to the November meeting.**

G. THE TOWN OF MONTVILLE HEREBY RESOLVES to establish an amount to be determined by the Town Council for WPCA's line of credit. (Murphy) **Postponed to the November meeting.**

H. Resolution #2010-102 – The Town of Montville Hereby Resolves to approve a bid waiver in order to allow the Mayor to execute a Letter of Agreement with CERC. **Motion** by Councilor Caron, Second by Councilor Hillman. **Discussion:** Ms. Marcia Vlaun gave a brief summary of this matter and how the WPCA will be involved. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Resolution #2010-102 Adopted 6-0.**

I. Resolution #2010-103 – The Town of Montville Hereby Resolves to authorize the Mayor to execute the Letter of Agreement between the Town of Montville Water Pollution Control Authority and the Connecticut Economic Resource Center, Inc., (CERC), dated September 27, 2010; as approved by the WPCA at their meeting of October 4, 2010. **Motion** by Councilor Caron, Second by Councilor Beetham. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson and McFee. Opposed; None. **Resolution #2010-103 Adopted 6-0.**

J. Motion by Councilor Caron, Second by Councilor Hillman to approve two favorable 8-24 Reviews from Planning & Zoning: 1) for a land exchange between WPCA property and GL&C Construction property located at Pink Row; and 2) acquisition of the waste water pump station at 82 Jerome Road (Village Apartments). **Discussion:** Councilor Hillman stated that although it is not necessary in order for the Council to approve these documents, the WPCA has not yet had a chance to review the 8-24's. **Roll Call Vote:** In Favor; Councilors Buebendorf, Caron and Jacobson. Opposed; Councilors Beetham, Hillman and McFee. **Motion Fails 3-3.**

17. Remarks from the Public

Mr. Gary Pike, 38 Bergman Drive, stated that he received a letter from the Mayor regarding 36 Bergman Drive, and wrote a letter to the Mayor in response; Mr. Pike distributed copies of these letters to the Council. Mr. Pike requested that the Town Engineer do a site walk at the property in question before the cold weather comes along and things start freezing up.

Ms. Marcia Vlaun, Town Planner, noted that the PowerPoint presentation that is being used at the public information sessions regarding the public safety facility project is available on the Town website for the public's access. Additionally, Ms. Vlaun offered to create maps outlining the child safety zones in Town to work in conjunction with the Child Safety Zone ordinance, and stated that these could also be placed on the webpage for public access.

18. Remarks from Councilors

Councilor Buebendorf thanked Ms. Vlaun, as well as members of the Public Safety Building Committee, Lt. Bunnell and Sgt. Collins for attending these public information sessions.

Councilor Hillman thanked the Council for supporting the Child Safety Zones ordinance, and stated to Ms. Vlaun that creating such a map is a great idea and she would like the P&Z department to development such.

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 and McFee. Opposed; None. **Motion Carried 6-0. The meeting adjourned at 9:31 PM.**

Respectfully Submitted by:

Sandra Anderson CPS
Minutes Clerk
Montville Town Council