

**Town of Montville Town Council
Regular Meeting Minutes for Monday, April 9, 2012
7:00 p.m. – Town Council Chambers – Town Hall**

1. Call to Order

Chairperson Buebendorf called the regular meeting of the Town Council to order at 7:00 p.m. after establishing a quorum.

2. Pledge of Allegiance followed by a moment of silence in honor of our military.

3. Roll Call

Present were Councilors Jones, Longton, McFee, Murphy, Tanner and Buebendorf. Absent was Councilor Caron. Also present was Mayor Ron McDaniel.

4. Special Recognitions/Presentations – none.

5. Alterations to the Agenda

Motion made by Councilor Murphy, seconded by Councilor Tanner to authorize the approval of agenda items 14 (a-h) in one vote for approval of all appointments and resignations and to change Ms. to Mr. Lynn Nelson on agenda item (14 (a), and to change the name of the Councilor to Buebendorf from Longton on agenda items 16 (f) and 16 (g). Discussion, none, voice vote, 6-0, all in favor, motion carried and the agenda was amended to reflect the changes.

6. To consider and act on a motion to approve;

a. The regular meeting minutes of March 12, 2012

Motion made by Councilor Murphy, seconded by Councilor Tanner, discussion, Councilor Jones requested an amendment to the minutes, page 11, paragraph #4, change the word “would” to “could”. Voice vote, 6-0, all in favor, motion carried and minutes were approved as amended.

b. The public hearing meeting minutes of March 12, 2012

Motion made by Councilor Jones, seconded by Councilor Longton, discussion, none, voice vote, 5-0-1 (Councilor Murphy abstained as he was out on medical leave), motion carried and the meeting minutes were approved.

c. The special meeting minutes of March 12, 2012

Motion made by Councilor Longton, seconded by Councilor Tanner, discussion, none, voice vote, 4-0-2 (Councilors Murphy and Jones abstained), motion carried and the meeting minutes were approved.

d. The special meeting minutes of March 19, 2012

Motion made by Councilor Tanner, seconded by Councilor Buebendorf, discussion, none, voice vote, 4-0-2 (Councilors Murphy and McFee abstained), motion carried and the meeting minutes were approved.

e. The special meeting minutes of March 29, 2012

Motion made by Councilor Tanner, seconded by Councilor Jones, discussion, none, voice vote, 3-0-3 (Councilors Murphy, McFee and Longton abstained), motion carried and the meeting minutes were approved.

f. The public hearing meeting minutes of March 29, 2012

Motion made by Councilor Tanner, seconded by Councilor Jones, discussion, none, voice vote, 3-0-3 (Councilors Longton, Murphy and McFee abstained), motion carried and the meeting minutes were approved.

g. The special meeting minutes of April 4, 2012.

Motion made by Councilor Tanner, seconded by Councilor Longton, discussion, none, voice vote, 5-0-1 (Councilor Jones abstained), motion carried and the meeting minutes were approved.

7. Executive Session

a. Motion made by Councilor Jones, seconded by Councilor Longton to enter into executive session for the purpose of conducting interviews with the following people; Mr. Charles O’Bday, III to the Inlands Wetlands Commission; Mr. Richard Bartholomew to the Inlands Wetlands Commission and Ms. Marge Gatheral to the Economic Development Commission. Discussions held during executive session to include members of the Town Council and Mayor McDaniel, discussion, none, voice vote, 6-0, all in favor, motion carried and invited parties left Chambers for executive session at 7:09 p.m., returning at 7:25 p.m. Chairperson Buebendorf resumed the meeting and stated all three of the applicants were interviewed and no formal votes were taken during the executive session.

8. Remarks from the public relating to matters on the agenda with a three minute limit.

Mr. Jon Chase, Town Historian spoke in favor of the Council appointing Mr. Lynn Nelson to the Historic Steering Committee, stating he has the experience and invaluable insight to serve on the Committee.

Chairperson Buebendorf asked three times if there was anyone from the public who would like to come forward to address the Council.

9. Communications

- a. A copy of the legal bills from Shipman & Goodwin, LLP for March, 2012;
- b. Monthly statistics reports from the Police Department, Fire Marshal, Building Official, Dog Warden and Fire Companies.
- c. A copy of the March, 2012 budget from the Finance Department.
- d. A letter from Councilor Caron regarding his absence and his liaison reports for Youth Services, Social Services and the Senior Center.

10. Report from the Town Attorney on Matters Referred – none.

11. Remarks from the Mayor and/or Administrative Department Heads to include Matters Referred.

Mayor McDaniel stated he has been working on finalizing the budget proposal for this month, he continues to work on contract negotiations, he volunteered with the Meals on Wheels program

this month, he discussed the St. Patrick's Day Parade and thanked Councilor Murphy for participating in the fire vehicle, he discussed meetings he attended regarding the purchase of electricity from NRG and he discussed a letter he wrote to the Mohegan Tribe requesting the use of the five hundred thousand dollar contribution to the Town be utilized for operating expenses this year. He discussed the Cornerstone Ceremony and invited anyone available to attend.

12. Reports from Standing Committees.

a. Town Administration/Rules of Procedure

Councilor Tanner stated the Committee met and discussed the Political Endorsements ordinance and discussed drafting a letter for applicants applying to Boards and Commissions.

b. Finance

Councilor Murphy indicated the Committee met and discussed the possibility of hiring a part time IT employee. The Committee decided to send out an RFP to determine the costs of hiring an outside contractor vs. hiring a town employee to do the job.

c. Public Works/Solid Waste Disposal

Councilor Longton stated the Committee met and hosted two guest speakers who discussed the Pay as You Throw program and waste recycling. Discussions were held regarding the abuse of the current sticker system used at the Transfer Station and the need to upgrade the system and savings to the Town when curbside recycling is utilized by residents.

13. Reports from Special Committees and Liaison Councilors

a. Councilor Caron: Commission on Aging; Social Services; Montville Youth Services; Senior Center; School Building Committee

Councilor Longton read a report submitted by Councilor Caron into the record regarding the Senior Center, Social Services and Youth Services.

b. Councilor Jones: Library; Planning & Zoning Commission

Councilor Jones stated the Library Committee did not meet and the Planning & Zoning Commission met and approved several permits and discussed a water tower proposal for the Lombardi Industrial Park that would provide water suppression to the area.

c. Councilor Longton: Economic Development Commission

Councilor Longton stated the Economic Development Commission did not meet last month.

d. Councilor McFee: Volunteer Firefighters Relief Fund; Inland Wetlands Commission

Councilor McFee stated he did not have anything to report.

e. Councilor Murphy: Board of Education; WPCA; Public Safety Building Committee

Councilor Murphy stated the Board of Education met and discussed the resignation of the High School Principal. He stated the School Board is in the process of searching for a replacement. He stated there are currently seven hundred and fifty nine students in the school system who

meet the criteria for free or reduced lunches. He discussed tuition rates for students this year and stated he attended the play “Journey West” put on by the fifth grade class.

f. Councilor Tanner: Parks & Recreation Commission; Non-Profit Organizations

Councilor Tanner discussed Park & Recreation activities over the past month, including a night time Easter egg hunt for older kids and a daytime event for the younger children. She thanked the Masons and the Leos clubs for all their help with the events. She discussed lacrosse, stating a league has been formed and clinics will be held over the summer.

g. Councilor Buebendorf: Public Safety Commission; Regional Dispatch Committee

Councilor Buebendorf stated the Public Safety Commission met and discussed police uniforms and gave an update to the progress of the Public Safety Plan, she stated the completion date for the Plan is July, 2012. She stated the Regional Dispatch Committee did not meet but she did take a tour of the building with Town Planner Vlaun and she indicated the tower is up and the progress is moving forward on time and within budget.

14. Appointments and Resignations

Motion made by Councilor Longton, seconded by Councilor Tanner to approve agenda items 14 (a-h), discussion, none, voice vote, 6-0, all in favor, motion carried.

- a. To consider and act on a motion to appoint Mr. Lynn Nelson to the Historic Steering Committee with a term to expire on April 9, 2014. (Mr. Nelson was interviewed by the Council on March 12, 2012).
- b. To consider and act on a motion to appoint Mr. Edward Socha to the Gardner Lake Authority with a term to expire April 9, 2015. (Mr. Socha was interviewed by the Town Council on March 12, 2012).
- c. To consider and act on a motion to waive Section 14(c) of the Rules of Procedure of the Town Council to allow the appointment of Mr. Richard Bartholomew to the Inlands Wetlands Commission.
- d. To consider and act on a motion to appoint Mr. Richard Bartholomew to the Inlands Wetlands Commission with a term to expire April 14, 2016. (Mr. Bartholomew was interviewed by the Town Council on April 9, 2012).
- e. To consider and act on a motion to waive Section 14(c) of the Rules of Procedure of the Town Council to allow the appointment of Mr. Charles O’Bday to the Inlands Wetlands Commission.
- f. To consider and act on a motion to appoint Mr. Charles O’Bday to the Inlands Wetlands Commission with a term to expire April 9, 2016. (Mr. O’Bday was interviewed by the Town Council on April 9, 2012).
- g. To consider and act on a motion to appoint Mr. Vincent James Roemmele to the Housing Authority with a term to expire April 30, 2017. (Mr. Roemmele was interviewed by the Town Council on March 12, 2012).
- h. To consider and act on a motion to appoint Ms. Kailah Pflugbeil to the Youth Advisory Board with a term to expire April 9, 2014.

15. Unfinished Business – none.

16. New Business

- a. To consider and act on a motion to receive the Mayor's budget proposal for fiscal year 2012-2013. (Mayor McDaniel)

Motion made by Councilor Jones, seconded by Councilor Longton, discussion, Finance Director Terry Hart distributed copies of the proposed budget to the Councilors and Mayor McDaniel stated the he proposed for the 2012-2013 fiscal year is \$55,718,440, a 0.21 percent increase over the current year's budget. He stated if this budget is adopted it would mean a rate increase of 6.36 mills, bringing the town's proposed mill rate to 29.36, from its current 23. The tax rate increase would be approximately 8.7 percent. The proposed budget holds the school department to a zero percent increase. Mayor McDaniel said that a large part of the increase in the mill rate (3.64 mills) is a result of the State mandated revaluation that was completed earlier in the year. Another portion, 1.49 mills, is a result of a decrease in revenue from the State. The bankruptcy of AES Thames is responsible for 1.1 mills, and town spending is responsible for 0.13 mills. He stated the budget does not take into account union contracts that are being negotiated this year. He stated the revaluation has a major effect on the tax increase an average citizen can expect to see since it dropped the average value of homes in Montville by roughly fifteen percent, a home with an assessed value of \$200,000 in 2011-2012 now has an assessed value of \$170,428. He discussed the tax increases an average homeowner will expect to pay this year if the proposed budget is passed. Voice vote, 6-0, all in favor, motion carried.

- b. To consider and act on a motion to receive the Mayor's proposed five year Capital Plan for fiscal years 2012-2017. (Mayor McDaniel)

Motion made by Councilor Tanner, seconded by Councilor Jones, discussion, Mayor McDaniel discussed the Capital Plan and stated the proposal is realistic and takes into consideration grant funding that may be available this year. He discussed the sidewalk repairs that were moved into the Public Works budget that can be done in house for cost savings. Voice vote, 6-0, all in favor, motion carried.

- c. To consider and act on a motion to send the Mayor's proposed five year Capital Plan to the Planning and Zoning Commission for comment. (Mayor McDaniel)

Motion made by Councilor Longton, seconded by Councilor Jones. Discussion, Mayor McDaniel stated this is required by Charter and is a formality. Voice vote, 6-0, all in favor, motion carried.

- d. Resolution #2012-017. THE TOWN OF MONTVILLE HEREBY RESOLVES to refund taxes due to overpayments and corrections in the amount of \$5,768.15 (five thousand seven hundred sixty eight dollars and fifteen cents) as requested by the Tax Collector and attached hereto as Schedule A. (Councilor Buebendorf)

Motion made by Councilor Jones, seconded by Councilor Longton, discussion, none, roll call vote, 6-0, voting in favor were Councilors Jones, Longton, McFee, Murphy, Tanner and Buebendorf. Voting in opposition, none, resolution adopted.

- e. Resolution #2012-0018. THE TOWN OF MONTVILLE HEREBY RESOVES to appoint Grant Thornton LLP for the 2011-12 Annual Town Audit. (Councilor Buebendorf)

Motion made by Councilor Longton, seconded by Councilor Jones, discussion, Finance Director Hart stated the appointment is required each year by Charter and the individuals performing the audit are the same as last year and were the lowest bidders. Roll call vote, 6-0, voting in favor were Councilors Jones, Longton, McFee, Murphy, Tanner and Buebendorf. Voting in opposition, none, resolution adopted.

- f. Resolution #20012-019. THE TOWN OF MONTVILLE HEREBY RESOLVES to repeal Resolution No. 98-97 as follows; to set policy as follows in regard to the disposition of town property: A department may dispose of personal property originally purchased below the \$500.00 fixed asset threshold with concurrence of the department head, finance director, and the Mayor in the best interest of the Town. All personal property originally purchased above the \$500.00 fixed asset threshold will be auctioned, traded, or sold with the approval of the Town Council (i.e., Auction List approved by the Town Council.) (Councilor Buebendorf)

Motion made by Councilor Jones, seconded by Councilor Longton, discussion, Chairperson Buebendorf explained this ordinance needs to be repealed prior to adopting the ordinance titled “An ordinance regarding the disposal of surplus personal property” so there are not two conflicting ordinances on the books. Roll call vote, 6-0, voting in favor were Councilors Jones, Longton, McFee, Murphy, Tanner and Buebendorf. Voting in opposition, none, resolution adopted.

g. Resolution #2012-020. THE TOWN OF MONTVILLE HEREBY RESOLVES to adopt the ordinance titled “An ordinance regarding the disposal of surplus personal property” as heard at a public hearing held on April 9, 2012. (Councilor Buebendorf)

Motion made by Councilor Jones, seconded by Councilor Tanner, discussion, none, roll call vote, 6-0, voting in favor were Councilors Jones, Longton, McFee, Murphy, Tanner and Buebendorf. Voting in opposition, none, resolution adopted.

h. Resolution #2012-021. THE TOWN OF MONTVILLE HEREBY RESOLVES to adopt the ordinance titled “An ordinance to provide additional property tax exemption for Veterans” as heard at a public hearing held on April 9, 2012. (Councilor Caron)

Motion made by Councilor Longton, seconded by Councilor Murphy, discussion, Councilor McFee made a motion to amend the motion to reflect a phased in exemption over four years for twenty five hundred dollars per year. Councilor Jones seconded the motion to amend. Discussion, Councilors Longton, Tanner and Buebendorf stated they are not in favor of a phased in exemption for veterans, stating the ordinance affects low income veterans who must meet a criteria and it is a small token of appreciation for those who sacrifice so much for their country. Voice vote, 2-4, motion failed. Roll call vote on the original motion, 6-0, voting in favor were Councilors Jones, Longton, McFee, Murphy, Tanner and Buebendorf. Voting in opposition, none, resolution adopted.

i. Resolution #2012-022. THE TOWN OF MONTVILLE HEREBY RESOLVES that pursuant to Town code Chapter 188 Section 2 “Fee Schedule”; to approve and authorize the implementation of an increase to the building code permit fees as requested by the Building Official, to be effective April 9, 2012. Said fee schedule is outlined on Schedule B and made a part of these minutes. (Councilor Buebendorf)

Motion made by Councilor Murphy, seconded by Councilor Jones, discussion, Mayor McDaniel stated he initiated the fee schedule amendments to keep in line with neighboring towns fees. He stated the fees do not generate revenue but instead cover the actual costs incurred by the department for inspections and will not impact single family homes who do not use the services. Roll call vote, 6-0, voting in favor were Councilors Jones, Longton, McFee, Murphy, Tanner and Buebendorf. Voting in opposition, none, resolution adopted.

j. Resolution #2012-023. THE TOWN OF MONTVILLE HEREBY RESOLVES that Mayor Ronald McDaniel be and hereby is authorized to sign the supplemental agreement entitled “First Supplemental Agreement between the State of Connecticut and the Town of Montville for the construction, inspection and maintenance of the Old Colchester Road Bridge (Bridge No 085005) over Oxoboxo Lake Utilizing Federal Funds Under the American Recovery and Reinvestment Act of 2009 Public Law 111-2 (hereinafter “Act). (Councilor Buebendorf)

Motion made by Councilor Jones, seconded by Councilor Tanner, discussion, Mayor McDaniel stated this is a formality that will get the town one step closer to closing out the project. Roll call vote, 6-0, voting in favor were Councilors Jones, Longton, McFee, Murphy, Tanner and Buebendorf. Voting in opposition, none, resolution adopted.

k. Resolution #2012-024. THE TOWN OF MONTVILLE HEREBY RESOLVES to authorize the use of the contract from ETS (Merrick Bank) for use in the Parks & Recreation office for online payments and registrations. (Councilor Tanner)

Motion made by Councilor Longton, seconded by Councilor Tanner, discussion, Mayor McDaniel stated the town must authorize the contract with ETS prior to use of the program. He stated the program will allow residents to register for programs online and to use their credit or debit cards for payments. Roll call vote, 6-0, voting in favor were Councilors Jones, Longton, McFee, Murphy, Tanner and Buebendorf. Voting in opposition, none, resolution adopted.

1. To consider and act on a motion to introduce an ordinance titled “An Ordinance Implementing Fees for Fire Marshal’s Office Permits and Inspections” and to set a date for a public hearing on Monday, May 14, 2012 at 6:30 p.m. to hear public comment on the matter. (Councilor Buebendorf)

Motion made by Councilor Tanner, seconded by Councilor Jones, discussion, Mayor McDaniel stated he will be away for this public hearing on vacation. He stated the fees are user based and recover actual costs of the inspections. He stated the system is fair and equitable for those who use it. Voice vote, 6-0, all in favor, motion carried.

17. Remarks from the Public with a three minute limit.

Chairperson Buebendorf asked three times if there was anyone from the public who would like to come forward to address the Council.

18. Remarks from the Councilors

Councilor Murphy discussed a proposal he will add to the agenda next month regarding a proposed dog park at the unused tennis court at Camp Oakdale. He thanked the Mayor and Finance Director for a job well done regarding the proposed budget this year.

Councilor Tanner thanked the Mayor and Finance Director for all their hard work on the budget this year and stated the Parks & Recreation Commission is also in the process of discussing a proposed dog park at Camp Oakdale. She thanked the Council for passing the veterans ordinance.

Chairperson Buebendorf thanked the Mayor and Finance Director for all their hard work on the proposed budget this year.

19. Adjournment

Motion made by Councilor Murphy, seconded by Councilor Jones to adjourn the meeting at 8:15 p.m., discussion, none, voice vote, 6-0, all in favor, motion carried.

Respectfully Submitted by:

Audrey Ulmer, Recording Secretary for the Town of Montville.