

**Town of Montville Town Council
Regular Meeting Minutes for August 10, 2009
7:00 PM – Town Council Chambers
Town Hall**

1. Call to Order – Chairwoman Buebendorf called the meeting to order at 7:02 PM.
2. Pledge of Allegiance
3. Roll Call – Present were Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Also present were Mayor Jaskiewicz and Town Attorney Bruce Chudwick. Absent was Councilor Caron.

Chairwoman Buebendorf called for the following changes to the agenda: 1) agenda item 5A add McNally (after Mr. Thomas); 2) agenda items 12A and 12B change to “a member of the Representative Advisory Board to SCWA; 3) agenda item 13B change to Motion to discuss; 4) remove agenda item 13B; 5) agenda item 13C remove “water” and replace with “sewer”; 6) agenda item 14J change “know” to “known”; and 7) remove agenda item 15. **Motion** by Councilor Radgowski, Second by Councilor Beetham to approve the amendments. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 6-0.** **Motion** by Councilor Geary, Second by Councilor Murphy to add agenda item 14K. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 6-0.**

4. **Motion** by Councilor Beetham, Second by Councilor Murphy to approve the regular meeting minutes of July 15, 2009; and the public hearing meeting minutes of July 15, 2009, regarding blighted properties. **Discussion:** Councilor Jones stated that in the July 15, 2009, minutes, agenda item 7D should indicate that she receive (8) letters in favor and (1) letter in opposition; and agenda item 9 should read that Salem will possibly be part of the proposed district probate court. Councilor Geary made the following changes to the Public Hearing minutes; Mr. Gary O’Bern spoke in opposition. Regular Meeting minutes; item 3, line 14 should read Frank Lathrop; page 2 regarding the probate district should read, “the Governor has recommended cutting the number of Probate Courts from 117 to 36, but the expectation is that the Legislature will approve between 40-50; agenda item 14H in Attorney Oschner’s remarks should read, “. . . was prepared in conjunction with the WPCA and consultants from URS/McGuire Engineers as part of the State mandated Waste Water Facility Study, which projects the Town’s development and waste water needs for the next 20 years. He explained the proposed regulations are to take effect on September 1, 2009”. **Motion** by Councilor Jones, Second by Councilor Beetham to amend the minutes as noted. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 6-0.** Chairwoman Buebendorf called for a voice vote on the Motion on the table, as amended. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 6-0.**

5. Executive Session

A. **Motion** by Councilor Jones, Second by Councilor Beetham to enter into Executive Session for the purpose of interviewing the following people for appointment to boards and/or commissions; Mr. Thomas McNally for appointment to the Public Safety Commission; and Mr. Christopher Ida for appointment to the Public Safety Building Committee. Executive Session will include Town Council members and Mayor Jaskiewicz. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 6-0.** Council members entered into executive session at 7:12 PM; they returned at 7:19 PM and Chairwoman Buebendorf stated that no formal votes were taken.

B. **Motion** by Councilor Jones, Second by Councilor Murphy to enter into Executive Session for the purpose of reviewing records, reports and statements of strategy or negotiations with respect to collective bargaining. Executive Session will include Town Council members, Mayor Jaskiewicz, Finance Director Terry Fafard and Labor Attorney Eileen Duggan. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 6-0.** Council members entered into executive session at 7:20 PM; they returned at 7:45 PM and Chairwoman Buebendorf stated that no formal votes were taken.

Motion by Councilor Murphy, Second by Councilor Jones to move item 9A in order to hear the presentation on the U.S. 2010 Census. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 6-0.**

Mayor Jaskiewicz introduced Mr. James Palma, Jr., Coordinator for the U.S. Census Bureau. Mr. Palma provided the Council with a package of information, and spoke briefly on the importance of the census. Mr. Palma thanked the Mayor and the Council for organizing a task force in order to boost public awareness and participation in the census.

6. Remarks from the Public – None.

7. Communications

A. Letter from Mayor Jaskiewicz to the Honorable Paul J. Knierim regarding the Council’s decision to join a new Probate District (Resolution #2009-072).

B. Letter from Mr. Jon Chase to the Montville WPCA, dated July 10, 2009, regarding Application of 9R Burlake LLC, property at 120 Gay Hill Road.

8. Remarks from the Town Attorney on matters referred

Attorney Bruce Chudwick reported on the following matters: 1) a proposed noise ordinance is being worked on, and will be ready to present at the September meeting; 2) currently working with Willimantic Waste Paper to consider switching over to single stream recycling, as previously reported by the Public Works Director; and 3) working on the amended easement agreement with Smurfit Stone Containerboard, which is on the agenda.

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

Mayor Jaskiewicz reported on the following: 1) a revised version of the proposed blighted properties ordinance has been given to the Council for their review and comment; 2) working with a vendor to switch over to single stream pickup recycling, and Mr. Bourdeau will comment on this further; 3) the State is running by executive order by the Governor, so there is no Town Aid Road (TAR) money available, as well as some grants have been held; 4) bid waiver for salt for the upcoming winter is on the agenda and the Public Works Director will be elaborating on the issue. The Mayor is happy with the outcome of using this product last winter and would like the Council to authorize the use of such this year; and 5) the Mayor is having the Public Works Director get pricing for demolition of the two blighted properties that did not sell at auction.

Public Works Director, Don Bourdeau, reported on the following: 1) negotiations with Willimantic Waste Paper regarding single stream recycling is ongoing; 2) Mr. Bourdeau handed out pictures of specific culverts in town that need to be replaced in order to prevent continuous repair work on roadways, as discussed at last month's meeting; 3) Councilor Beetham inquired as to how much salt is estimated to be needed for the upcoming winter, and Mr. Bourdeau reported that approximately 2,000 tons of salt will be needed.

10. Reports from Standing Committees

A. Town Administration – No meeting.

B. Finance – Finance Director Terry Fafard reported on the following: 1) the Town locked in a price for energy at \$0.0878 per kilowatt hour for one year, and noted that CL&P has raised their rate to \$0.127 per kilowatt hour; 2) the Tax Assessor is proposing another revaluation of properties in town for next year, which will be included in next year's budget; 3) regarding bonding to take place in November, they are looking at possible deferring payments for three years by paying just interest, and that she is working closely with Webster Bank on this matter; 4) the Finance Committee has recommended that the Town enter into a contract with Nxegen for retrofit work in some Town buildings in order to save energy and money. This matter is on the agenda; and 5) bid waiver for high band radio equipment for the Police Department and Public Works Department, which is on the agenda.

C. Rules and Procedures – Councilor Geary reported that the minutes from the last meeting outlining proposed changes to the Rules and Procedures have been given to the Council for review. He indicated that since it is very close to the end of this Council's term, it might be wise not to make any changes at this time and wait for the new Council to come on board in November.

D. Public Works – As reported by the Public Works Director above.

E. Solid Waste Disposal – As reported by the Public Works Director above.

11. Reports from Special Committees and Liaison Councilors

Councilor Beetham reported on the following: 1) the Raymond Hill Library has begun renovations after the damage over the winter from the pipes bursting; and 2) that Planning & Zoning has been very slow and no big projects are upcoming.

Chairwoman Buebendorf reported that the Parks & Recreation summer camp is over and that they are reviewing how things went and how the changes made this year affected the program. There are two more summer concerts planned for Tuesday, August 11th and Tuesday, August 18th at Camp Oakdale, and she is hopeful that many people will attend both.

12. Appointments and Resignations

A. **Motion** by Councilor Beetham, Second by Councilor Radgowski to re-appoint Mr. John Geary as a member of the Representative Advisory Board to SCWA, with a term to expire on September 1, 2011. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 6-0.**

B. **Motion** by Councilor Geary, Second by Councilor Beetham to re-appoint Mr. Anthony Siragusa as a member of the Representative Advisory Board to SCWA, with a term to expire on September 1, 2011. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 6-0.**

C. **Motion** by Councilor Geary, Second by Councilor Beetham to waive the waiting period in order to appoint Mr. Thomas McNally and Mr. Christopher Ida to the respective Commissions. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 6-0.**

D. **Motion** by Councilor Murphy, Second by Councilor Beetham to appoint Mr. Christopher Ida to the Public Safety Building Committee as an alternate member. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 6-0.**

E. **Motion** by Councilor Murphy, Second by Councilor Beetham to appoint Mr. Thomas McNally to the Public Safety Commission as an alternate member, with a term to expire on August 10, 2012. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 6-0.**

13. Old Business

A. **Motion** by Councilor Jones, Second by Councilor Murphy to adopt the revised Rules and Procedures for the Montville Town Council. **Discussion:** **Motion** by Councilor Jones, Second by Councilor Beetham to postpone this matter to next month in order to give the Council some additional time to review. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 6-0 to postpone to September.**

B. Removed from the agenda.

C. **Resolution #2009-076.** The Town of Montville Hereby Resolves to adopt the ordinance as read at a public hearing on August 10, 2009, concerning Sewer Use. **Motion** by Councilor Geary, Second by Councilor Beetham. **Discussion:** Councilor Jones again expressed her concern with the short turnaround of the citation process and the possible risks associated. Mr. Richard Kruczek, representative from URS/McGuire, addressed the Council and stated that the wording in this proposed ordinance is the suggested language by the Connecticut State Department of Environmental Protection. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Murphy and Radgowski. Opposed; Councilor Jones. **Resolution #2009-076 Adopted 5-1.**

14. New Business

A. **Resolution #2009-077.** The Town of Montville Hereby Resolves to accept the \$5,000.00 grant from the State Historical Preservation Grant Program for the fiscal year 2009-2010; and to make an additional appropriation from General Fund Surplus to line item 10560-53023 "Land Records Expense". **Motion** by Councilor Murphy, Second by Councilor Beetham. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-077 Adopted 6-0.**

B. **Resolution #2009-078.** The Town of Montville Hereby Resolves to enter into a contract with Nexgen for proposed retrofit work to be performed in accordance with CL&P Small Business Energy Advantage program for the Town Hall, Senior Center and Public Works; and further, to authorize the Mayor to execute any and all necessary related documents. **Motion** by Councilor Murphy, Second by Councilor Jones. **Discussion:** Mr. Jack Kirshbaum, representative of Nexgen, addressed the Council and explained how this program will save the Town money in energy, and how the program works. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-078 Adopted 6-0.**

C. **Resolution #2009-079.** The Town of Montville Hereby Resolves to approve, fund, and authorize the Mayor to execute the Collective Bargaining Agreement between the Town of Montville and the Teamsters Local Union 493 (Transfer Station Employees) for the period of July 1, 2009 through June 30, 2012. **Motion** by Councilor Jones, Second by Councilor Beetham. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-079 Adopted.**

D. **Resolution #2009-080.** The Town of Montville Hereby Resolves to approve the revised position descriptions for Transfer Station Gate Attendant, Transfer Station Attendant I, and Transfer Station Attendant II. **Motion** by Councilor Murphy, Second by Councilor Beetham. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-080 Adopted 6-0.**

E. **Resolution #2009-081.** The Town of Montville Hereby Resolves to establish two equal Administrative Assistant positions for the Public Works Department as replacements for the original clerical positions for the department and to approve the position description for said positions. **Motion** by Councilor Jones, Second by Councilor Beetham. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-081 Adopted 6-0.**

F. **Resolution #2009-082.** The Town of Montville Hereby Resolves to enter into a Memorandum of Understanding with the Public Works union whereby the original Administrative Assistant position and the Clerk position are replaced with two equal Administrative Assistant positions. **Motion** by Councilor Beetham, Second by Councilor Jones. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-082 Adopted 6-0.**

G. **Resolution #2009-083.** The Town of Montville Hereby Resolves to set the wage of \$9.00 an hour for the part-time, per diem Transfer Station employees, and, further, to authorize a 3% increase each year for five years with the first increase effective July 1, 2011, and the last approved increase effective July 1, 2015. **Motion** by Councilor Beetham, Second by Councilor Geary. **Discussion:** **Motion** by Councilor Murphy, Second by Councilor Beetham to change the dates to effective July 1, 2009 through July 1, 2013. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. Chairwoman Buebendorf called for a roll call vote on the Resolution as amended. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-083 Adopted 6-0.**

H. **Resolution #2009-084.** The Town of Montville Hereby Resolves to approve an increase to the rate of pay for the part-time MedRIDE drivers from \$10.00 an hour up to \$11.00 an hour; said wages are covered by the grant for this program. **Motion** by Councilor Radgowski, Second by Councilor Beetham. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-084 Adopted 6-0.**

I. **Resolution #2009-085.** The Town of Montville Hereby Resolves to waive Section C708 of the Town Charter and authorize the Public Works Director to obtain salt for the winter season from the same product as last year. **Motion** by Councilor Radgowski, Second by Councilor Geary. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-085 Adopted 6-0.**

J. **Resolution #2009-086.** The Town of Montville Hereby Resolves to approve and authorize the Mayor to execute an amendment to the Temporary Easement granted to the Town from Smurfit-Stone Container Enterprises, Inc. in May of 2009; this amendment is know as the First Amendment to the temporary easement and amends the expiration date to July 31, 2014 from December 1, 2009. This First Amendment shall be made a part of these minutes. **Motion** by Councilor Radgowski, Second by Councilor Beetham. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-086 Adopted 6-0.**

K. **Resolution #2009-087.** The Town of Montville Hereby Resolves to waive Section C708 of the Town Charter and authorize the Fire Marshall to purchase high band radio equipment for the Police Department and Public Works Department repeaters, to keep the same type of equipment and same vendor as was used for the purchase of the Fire Department repeaters. **Motion** by Councilor Murphy, Second by Councilor Geary. **Discussion:** Mr. Ray Occhialini addressed the Council and explained that they are asking for a waiver in order to use the same vendor and equipment that was used to replace the Fire Department repeaters as this vendor is familiar with the existing system and will provide seamless support to include Police and Public Works into the existing system. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-087 Adopted 6-0.**

15. Executive Session – Removed from agenda.

16. Remarks from the Public

Mr. Dana McFee, 192 Leffingwell Road, addressed the Council and spoke about the high value put on his homemade trailer by the Tax Assessor, as well as additional information to support his feelings that the public is being over-taxed for their property.

17. Remarks from Councilors

Councilor Jones inquired if the proposed blight ordinance has been sent to committee for review. Mayor Jaskiewicz remarked that it is being review by the Building Inspector, and then he will send it to committee for review.

Councilor Murphy remarked that he understands Mr. McFee's concerns regarding the tax assessment issue, and he hopes that the Council will look into this matter further. He also commented that he did some research on the surrounding towns, and he found that the Mayor's salary is significantly lower than others in the region. He is hoping that the Council can review this and make a decision to possibly raise the Mayor's salary before the next election.

Councilor Jones commented on the tax assessor matter, and stated that she had made an inquiry to the State Legislature and found that according to CGS 1255, the tax assessor must submit a letter into record explaining why the assessment on property was increased.

18. Adjournment – **Motion** made by Councilor Radgowski, Second by Councilor Murphy, to adjourn the meeting. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 6-0. The meeting adjourned at 9:05 PM.**

Respectfully Submitted by:

Sandra Anderson CPS
Minutes Clerk
Montville Town Council