

**Town of Montville Town Council**  
**Regular Meeting Minutes for October 14, 2009**  
**7:00 PM – Town Council Chambers**  
**Town Hall**

1. Call to Order – Chairwoman Buebendorf called the meeting to order at 7:03 PM.
2. Pledge of Allegiance
3. Roll Call – Present were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Also present were Mayor Jaskiewicz and Town Attorney Bruce Chudwick.
4. Items to be Added to the Agenda - **Motion** by Councilor Murphy, Second by Councilor Radgowski to add agenda item 6B to enter into executive session for the purpose of discussing the proposed employment contract with the Mayor’s Administrative Assistant, Cathy Cubilla. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0.**
5. **Motion** by Councilor Beetham, Second by Councilor Radgowski to approve the regular meeting minutes of September 14, 2009; and the special meeting minutes of September 14, 2009. **Discussion:** Chairwoman Buebendorf stated that in the regular meeting minutes of September 14, 2009, the following amendments should be made: 1) amend item 14G to reflect a term end date for the employment agreement with the Finance Director, Terry Fafard, to be June 30, 2011; 2) amend item 14H to reflect a term end date for the employment agreement with the Director of Information Systems, William O’Neill, to be June 30, 2012; and 3) assign Resolution #2009-106 to item 13A regarding the approval of the revised Rules and Procedures. **Motion** by Councilor Beetham, Second by Councilor Caron to amend the minutes as noted. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0.** Chairwoman Buebendorf called for a voice vote on the Motion on the table, as amended. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0.**
6. Executive Session
  - A. **Motion** by Councilor Jones, Second by Councilor Geary to enter into Executive Session for the purpose of interviewing the following person for re-appointment to boards and/or commissions; Mr. Robert Baron for re-appointment to the Planning and Zoning Commission. Executive Session will include Town Council members and Mayor Jaskiewicz. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0.** Council members entered into executive session at 7:10 PM; they returned at 7:22 PM and Chairwoman Buebendorf stated that no formal votes were taken.
  - B. **Motion** by Councilor Jones, Second by Councilor Radgowski to enter into Executive Session for the purpose of discussing the proposed employment contract with the Mayor’s Administrative Assistant, Cathy Cubilla. Executive Session will include Town Council members, Mayor Jaskiewicz, and Finance Director, Terry Fafard. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0.** Council members entered into executive session at 7:24 PM; they returned at 7:40 PM and Chairwoman Buebendorf stated that no formal votes were taken.
7. Remarks from the Public – None.
8. Communications
  - A. Memorandum from Marcia Vlaun, Planning Department, dated September 11, 2009, regarding an opinion by Attorney Mark Branse of Branse, Willis & Knapp, LLC.
  - B. Memorandum from Marcia Vlaun, Planning Department, dated September 25, 2009, regarding Award of STEAP Grant.
  - C. Letter to Mayor Jaskiewicz from Marcia Vlaun, Planning Department, dated September 24, 2009, regarding an unfavorable §8-24 Review for the purchase of property located at 20 Connecticut Blvd.
9. Report from the Town Attorney on matters referred

Attorney Bruce Chudwick stated that all matters are on the agenda.
10. Remarks from the Mayor and/or Administrative Department Heads

Mayor Jaskiewicz reported on the following: 1) bid request for work to be done on Oxoboxo Dam Road was sent out today and deadline for response is November 15, 2009; 2) Town was awarded the STEAP Grant for community center improvements; 3) Impulse Design has been contracted to make upgrades within interiors of some Town buildings; 4) energy grant has been approved; and 5) Mystic Air Quality has been contracted to remove asbestos on Town-owned properties that are scheduled to be demolished.

Finance Director, Terry Fafard, reported on the following: 1) Town has received a AA Moody Rating for bonding. It has been recommended that no additional funds be used from General Fund Balance for the next three months; and 2) \$12,000,000.00 bond due on October 29<sup>th</sup>, after 15 day waiting period. Councilor Beetham inquired if the WPCA has begun making payments to the Town, and Ms. Fafard stated that no payments have yet been made. Councilor Beetham suggested that the WPCA begin making quarterly payments.

Public Works Director, Don Bourdeau, reported on the following: 1) re-paving on Old Colchester Road has begun; and 2) single stream recycling has begun and there have only been four complaints in regards to the change of pick-up times.

11. Reports from Standing Committee

- A. Town Administration – Nothing to report.
- B. Finance – Nothing to report
- C. Rules and Procedures – Nothing to report.
- D. Public Works – As reported by the Public Works Director above.
- E. Solid Waste Disposal – As reported by the Public Works Director above.

12. Reports from Special Committees and Liaison Councilors

Councilor Beetham reported on the following: 1) meeting was held on September 22<sup>nd</sup>, and a tour of the Raymond Hill Library was held to show renovations done 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 thanked the volunteers that have pitched in due to the absence of the Director of the Parks and Recreation Department, and reported that the process has begun to appoint a new Director.

13. Appointments and Resignations

A. **Motion** by Councilor Jones, Second by Councilor Beetham to accept the resignation of Mr. Jordan Hartman from the Montville Youth Advisory Board, effective September 26, 2009. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0.**

B. **Motion** by Councilor Beetham, Second by Councilor Geary to re-appoint Mr. Allen Polhemus to the Planning & Zoning Commission, with a term to expire on November 9, 2013. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0.**

C. **Motion** by Councilor Murphy, Second by Councilor Beetham to re-appoint Ms. Margaret Skinner to the Commission on the Aging, with a term to expire on November 9, 2012. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0.**

D. **Motion** by Councilor Jones, Second by Councilor Radgowski to waive the waiting period in order to re-appoint Mr. Robert Baron to the Planning & Zoning Commission. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0.**

E. **Motion** by Councilor Beetham, Second by Councilor Radgowski to re-appoint Mr. Robert Baron to the Planning & Zoning Commission, with a term to expire on November 9, 2013. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0.**

14. Unfinished Business

A. **Resolution #2009-107.** The Town of Montville Hereby Resolves to approve and adopt the ordinance entitled “An Ordinance Regarding Blighted Premises”, as read at a public hearing on Wednesday, October 14, 2009. **Motion** by Councilor Jones, Second by Councilor Radgowski. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-107 Adopted 7-0.**

15. New Business

A. **Resolution #2009-108.** The Town of Montville Hereby Resolves to refund taxes due to overpayments and corrections in the amount of \$1,321.37 (One Thousand Three Hundred Twenty-One Dollars and Thirty-Seven Cents), at the request of the Tax Collector and as outlined on Schedule A and made a part of the agenda. **Motion** by Councilor Jones, Second by Councilor Radgowski. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-108 Adopted 7-0.**

B. **Resolution #2009-109.** The Town of Montville Hereby Resolves that Resolution No. 2009-102 is hereby amended to change the starting date of the employment agreement with Thomas McNally to September 21, 2009. **Motion** by Councilor Murphy, Second by Councilor Caron. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-109 Adopted 7-0.**

C. **Resolution #2009-110.** The Town of Montville Hereby Resolves to approve and authorize the Mayor to execute a Memorandum of Understanding between the Town of Montville and Local 1303- 341, Council 4, AFSCME, AFL-CIO concerning the placement of the Potable Water Operator position into the union. **Motion** by Councilor Murphy, Second by Councilor Radgowski. **Discussion:** Mayor Jaskiewicz stated that this matter should have been on last month’s agenda to correspond with the Council approving the job description and pay rate. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-110 Adopted 7-0.**

D. **Resolution #2009-111.** The Town of Montville Hereby Resolves that Mayor Joseph W. Jaskiewicz is hereby authorized to make the required certifications on behalf of the Town of Montville and to execute the Water Supply Agreement Certificate in accordance with the requirements of the Regional Water Supply Agreement of May 24, 2004. **Motion** by Councilor Jones, Second by Councilor Beetham. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-111 Adopted 7-0.**

E. **Resolution #2009-112.** The Town of Montville Hereby Resolves that Mayor Joseph W. Jaskiewicz be, and hereby is, authorized to execute the grant agreement entitled: "Agreement Between the State of Connecticut and the Town of Montville for the Construction, Inspection and Maintenance of the Replacement of Old Colchester Bridge (Bridge No. 085005) over Oxoboxo Lake project utilizing Federal funds under the American Recovery and Reinvestment Act of 2009 Public Law 111-5. **Motion** by Councilor Murphy, Second by Councilor Radgowski. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-112 Adopted 7-0.**

F. **Resolution #2009-113.** The Town of Montville Hereby Resolves to accept the unfavorable CGS §8-24 review conducted by the Planning & Zoning Commission with regard to the Town purchasing the property of 20 Connecticut Boulevard and therefore reject the owner's request for the Town to make the purchase. **Motion** by Councilor Murphy, Second by Councilor Radgowski. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-113 Adopted 7-0.**

G. **Resolution #2009-114.** The Town of Montville Hereby Resolves to accept the favorable CGS §8-24 review conducted by the Planning & Zoning Commission with respect to the Town selling a portion of the property located at 1887 Route 32 (PTA Lane) and accordingly request the Town Attorney to prepare an ordinance for the sale of the property. **Motion** by Councilor Beetham, Second by Councilor Radgowski. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-114 Adopted 7-0.**

H. **Resolution #2009-115.** The Town of Montville Hereby Resolves to approve and authorize the Mayor to execute an Employment Agreement between the Town of Montville and Cathy Cubilla, Administrative Assistant to the Mayor, for the term of July 1, 2008 through June 30, 2011. **Motion** by Councilor Jones, Second by Councilor Beetham. **Discussion:** **Motion** by Councilor Beetham, Second by Councilor Caron to change the bring up-to-date adjustment from \$2,000.00 to \$1,000.00. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary and Jones. Opposed; Councilors Murphy and Radgowski. **Motion Carries 5-2.** Chairwoman Buebendorf called for a Roll Call Vote on the Resolution as amended. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-115 Adopted 7-0, as Amended.**

I. **Resolution #2009-116.** The Town of Montville Hereby Resolves to use \$10,000.00 from line item 20999-54010 (Custodian Van) for the purchase of a Building/Maintenance Pick-up Truck. **Motion** by Councilor Geary, Second by Councilor Radgowski. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-116 Adopted 7-0.**

J. **Resolution #2009-117.** The Town of Montville Hereby Resolves to transfer \$5,000.00 to 10960-54054 (Vehicle Replacement) from Contingency (10480-52164) for the purchase of Building/Maintenance Pick-up Truck. **Motion** by Councilor Jones, Second by Councilor Caron. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-117 Adopted 7-0.**

K. **Resolution #2009-118.** The Town of Montville Hereby Resolves to transfer \$10,600.00 from line 30999-54080 (Field Lighting) to a new line 20999-54321 (Camp Oakdale Volley Ball Court). **Motion** by Councilor Jones, Second by Councilor Caron. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones and Radgowski. Opposed; Councilor Murphy. **Resolution #2009-118 Adopted 6-1.**

L. **Resolution #2009-119.** The Town of Montville Hereby Resolves to transfer \$20,000.00 from line 30999-54080 (Field Lighting) to a new line 30999-54322 (Multi-purpose Path Construction). **Motion** by Councilor Jones, Second by Councilor Radgowski. **Roll Call Vote:** In Favor; Councilors Buebendorf, Caron, Geary and Radgowski. Opposed; Councilors Beetham, Jones and Murphy. **Resolution #2009-119 Adopted 4-3.**

#### 16. Remarks from the Public

*Mr. Chuck Longton, 31 Laurel Drive,* addressed the Council and requested from the Finance Director the Contingency Fund balance after the transfer approved in agenda item 15J. Ms. Fafard stated that there is a balance of \$215, 325.00 in Contingency.

*Mr. Gary Pike, 38 Bergman Drive,* addressed the Council and thanked them for approving the Blighted Premises Ordinance, which will give taxpayers more rights.

*Ms. Kristen Ford, 559 Raymond Hill Road,* addressed the Council and thanked them for the great programs offered by the Parks and Recreation Department, specifically the choices of dance for young children.

*Mr. Brian Molinari, 68 Kitemaug Road,* addressed the Council and stated that the Blighted Premises Ordinance as approved is flawed, specifically regarding the large fines imposed.

#### 17. Remarks from Councilors

Councilor Geary stated that since it is the last meeting of the Town Council before the election in November, he thanked the Mayor and his staff for work on the budget and for the work in receiving the grants that the Town has. Also, thank you to the Chairwoman and the Town Attorney for their hard work and dedication. Good luck to everyone in the upcoming election.

Councilor Jones agreed with Councilor Geary's sentiments, as well as thanking the Council for approving the Blighted Premises Ordinance; she feels the Town has made history and is proud to have been a part of it.

Councilor Beetham stated that the Blighted Premises Ordinance is the biggest endeavor this Council has taken on this year.

Councilor Murphy stated that this was his first time sitting on the Council, and the first year was a challenge with the Rand Whitney situation and he feels the Council did a great job. Good luck to everyone in the upcoming election. Thank you to the Mayor and to the Finance Director for their support in helping him to learn about the Town Council and Finance processes.

Councilor Caron thanked the public for their support, and thanked the Chairwoman for doing a great job. Thank you to the Mayor for working hard to get the Town so much stimulus money from the State. Good luck to everyone in the upcoming election.

Mayor Jaskiewicz assured the public that he will not allow the Blighted Premises Ordinance to be abused, and asked the Council to be mindful that there may need to be changes made as time goes on, and please use best judgment to make sure this ordinance serves its purpose of protecting the taxpayers. Good luck to everyone.

Chairwoman Buebendorf thanked everyone for the opportunity to serve as Chair of the Town Council; it has been a privilege working with the Council. Thank you to the Mayor and Finance Director for their hard work.

18. Adjournment – **Motion** made by Councilor Beetham, Second by Councilor Radgowski, to adjourn the meeting. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0. The meeting adjourned at 8:52 PM.**

Respectfully Submitted by:

Sandra Anderson CPS  
Minutes Clerk  
Montville Town Council