

Town of Montville Town Council
Regular Meeting Minutes for February 8, 2010
7:00 PM – Town Council Chambers
Town Hall

1. Call to Order – Chairwoman Jacobson called the meeting to order at 7:00 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 Bruce Chudwick.
4. Items to be Added to the Agenda - **Motion** by Councilor Buebendorf, Second by Councilor Murphy to add agenda item 6B to enter into Executive Session for the purpose of discussing personnel issues, and will include Town Council members, Mayor Jaskiewicz and Town Attorney Bruce Chudwick. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0.**
5. **Motion** by Councilor Buebendorf, Second by Councilor Hillman to approve the regular meeting minutes of January 11, 2010. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0.**
6. Executive Session
 - A. **Motion** by Councilor Buebendorf, Second by Councilor Beetham to enter into Executive Session for the purpose of interviewing the following people for re-appointment to boards and/or commissions; Mr. Homer Waters for re-appointment to the Housing Authority, Mr. Michael Butterworth for re-appointment to the Public Safety Commission, Mr. Timothy Shanahan for re-appointment to the Youth Advisory Board, and Ms. Laura Tanner for appointment to the Parks and Recreation Commission, to include Council members and Mayor Jaskiewicz; and B. to enter into Executive Session for the purpose of discussing personnel issues, to include Council Members, Mayor Jaskiewicz and town Attorney Bruce Chudwick. **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 7:05 PM; they returned at 8:00 PM.
7. Remarks from the Public

Mr. Ron Siber, 766 Route 163, addressed the Council and stated that he is concerned and confused over the multiple titles used in relation to the recently created Human Resources Manager.

Mr. Tom Sanders, President of the MAME Union, addressed the Council regarding agenda item 14A. Mr. Sanders stated that the Union has met and discussed this matter they are not in a position to sign and agree to the proposed Memorandum of Understanding.
8. Communications – None.
9. Report from the Town Attorney on matters referred

Attorney Bruce Chudwick reported that he has been working on the discontinuance of Nevada Road, and the Elberta Road matter.
10. Remarks from the Mayor and/or Administrative Department Heads

Mayor Jaskiewicz reported on the following: 1) the asbestos removal project at 275 Maple Avenue and 275 Route 163 is complete, and the next phase will be to demolish the structures. Town of Montville is working with the town of Salem to possibly utilize their equipment to do the demolition independently in order to save money; 2) received notification from Nathan Jacobson that they will not be asking for an increase in rates for this year; 3) Oxoboxo Bridge project is ready to begin, with an anticipated start date in March and an anticipated completion in July. Mayor Jaskiewicz asked that the Council please approve the item on tonight’s agenda relating to this matter; 4) discussions ongoing with the Raymond Hill Library and the Congregational Church to work out property issues. Councilor Jacobson stated that she would like the Town to consider preserving the church based on its historical value to the town; 5) met with residents regarding the Silver Falls Bridge and possible options such as making it a one way bridge or a walking bridge; 6) town engineer is working on the Montville Bridge project and looking into alternative fixes in order to reduce costs.

Finance Director, Terry Fafard, introduced Mr. Bob Lucas of Tax Management Associates. Mr. Lucas gave a presentation to the Council on the benefits of hiring his firm to perform personal property audits for the Town.

11. Reports from Standing Committee

A. Town Administration / Rules of Procedure – Councilor Hillman reported that the Human Resources position was discussed and discrepancies were found and the document sent back to the Mayor’s office for revision. A discussion was held regarding Liaisons and how and when they are appointed. Reviewing the cost of copying paper documents at Town Hall. Discussion was held on the MOU for the Parks and Recreation Clerk, and a recommendation was made and sent to the Mayor’s office.

B. Finance – Councilor Murphy stated that there are items on the agenda from Finance. He read into record an email the Finance Director received from Barry Bernabe of Webster Bank regarding the Town’s bond rating.

C. Public Works / Solid Waste Disposal– Councilor McFee reported that discussion was held regarding possible town-wide trash pickup. Reviewing options for disposing of surplus town vehicles. The paving schedule is being worked on. Discussion was held regarding the current recyclable program.

12. Reports from Special Committees and Liaison Councilors

Planning & Zoning Commission - Councilor Beetham reported they did not hold a 2nd meeting for the month of January. At the next meeting they will be voting on the subdivision off of Gay Hill Road.

Library Committee - Councilor Beetham reported they are preparing to go online with the new computer system.

Parks & Recreation Commission - Councilor Buebendorf reported that they held a special meeting to work on the budget. Currently evaluating the basketball program, specifically the cost of the monitors and referees. Subcommittee has been reviewing resumes for the Director position.

Public Safety Commission - Councilor Buebendorf reported that they held a special meeting to work on the budget. Final draft of the report regarding regionalization of the police and fire departments is due by the end of the month.

Commission on the Aging - Councilor Caron reported that they continue to work jump starting the Guardian Angel program, and that the Chicken Soup program is moving along.

Economic Development Commission - Councilor Caron reported that the new Chair is Chuck Longton and the Vice Chair is Al Skulczyck. Town Planner gave a presentation on the economic development of the Town.

Social Services - Councilor Caron stated that there is nothing to report.

Youth Services Bureau & Advisory Board - Councilor Caron stated there was no meeting.

Montville Fair LLC - Councilor McFee stated that there is nothing to report.

Volunteer Fire Fighters' Relief Fund - Councilor McFee stated that there is nothing to report.

Board of Education - Councilor Murphy reported that the Town has received a \$25,000.00 after school program grant. Completed last of five budget forums. He will be meeting with the Superintendent to discuss the budget further. An information meeting will be held at the high school for the 8th graders.

WPCA - Councilor Hillman reported that there will be a public information meeting on Thursday, February 18th at 6:30 PM at Oakdale School to identify and evaluate the sewage collection and treatment needs of the town. Mr. Lynch will be looking into solar and wind power sources for the WPCA facility to reduce electric costs. A light grant has been secured through CL&P to replace existing lighting with energy efficient lighting. The DEP released funds totaling approximately \$484,000.00 to cover part of the facility study of which the preliminary draft is ready. The WPCA and the Fire Marshal’s office have secured 2-way radios to be used in emergency situations. They currently use cell phones, which may not work in the event of an emergency or natural disaster. There was one new sewer connection.

Non-Profit Organizations - Councilor Hillman reported that only one organization has responded to the town’s request for application for funds.

Public Safety Building Committee - Councilor Jacobson reported that a special joint meeting with the Town Council is scheduled for Wednesday, February 10th.

School Building Committee - Councilor Jacobson reported that work is complete at Tyl Middle School, and meetings will be held to finalize the budget for the High School project.

Councilor Murphy reported that he and Councilor Caron attended the 2nd grade workshop regarding “This is our Town” at Oakdale School. Numerous local businesses, as well as representatives from the Fire Department and Police were there to answer the kids’ questions regarding how businesses work and how town government works.

13. Appointments and Resignations

A. **Motion** by Councilor Beetham, Second by Councilor Caron to accept, with regret, the resignation of Ms. Dorothy Murtha from the Parks and Recreation Commission. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0.**

B. **Motion** by Councilor Murphy, Second by Councilor Caron to waive the waiting period outlined in Rule 13C of the Town Council Rules of Procedures, in order to re-appoint Mr. Timothy Shanahan to the Youth Advisory Board. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0.**

C. **Nomination** for Mr. Timothy Shanahan by Councilor Hillman, Second by Councilor Caron. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Carried 7-0; Mr. Timothy Shanahan** will fill a vacancy for a full voting member of the Youth Advisory Board, with a term to expire on December 10, 2011.

14. Unfinished Business

A. **Motion** by Councilor Hillman, Second by Councilor Beetham to remove this item from the agenda. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0.**

B. **Motion** by Councilor Buebendorf, Second by Councilor Beetham to remove this item from the agenda. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0.**

15. New Business

A. **Resolution #2010-008.** The Town of Montville Hereby Resolves to refund taxes due to overpayments and corrections in the amount of \$4,362.51 (Four Thousand Three Hundred Sixty-Two Dollars and Fifty-One Cents), at the request of the Tax Collector and as outlined on Schedule A and made a part of the agenda. **Motion** by Councilor Beetham, Second by Councilor Murphy. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Resolution #2010-008 Adopted 7-0.**

B. **Motion** by Councilor Caron, Second by Councilor Hillman to appoint a Town Council member as liaison to the Community Center Building Committee. **Discussion:** Councilor Jacobson reported that that this Committee has been inactive since 2007; however, because of monies available through the STEAP Grant, this committee should be reinstated and a Town Councilor appointed as a liaison. It was agreed that the existing members would be invited to the next scheduled Town Council meeting for interviews and to be re-appointed if they so desire. **Motion** by Councilor Buebendorf, Second by Councilor Beetham to table this matter to the March meeting. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0. Matter Tabled to the March Town Council meeting.**

C. **Motion** by Councilor Buebendorf, Second by Councilor Beetham to send letters of commendation to the following: Montville Police, State Police and paramedics from the Mohegan Tribe for their outstanding service to our community regarding the Search and Rescue Operation held in the Fire Street area on December 23, 2009. . **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0.**

D. **Motion** by Councilor Caron, Second by Councilor Buebendorf to set the date for a special joint meeting of the Town Council and the Public Safety Building Committee for Wednesday, February 10, 2010, at 6:00 PM in Council Chambers. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0.**

E. **Motion** by Councilor Beetham, Second by Councilor Hillman to set the date for a special workshop meeting on February 24, 2010, at 7:00 PM in Council Chambers. The purpose of this meeting will be to develop a list of Goals and correlating Initiatives for the Town of Montville. These Goals and Initiatives will create a document to support a shared understanding about the challenges Montville currently faces and a collective sense of the direction in which the Town would like to channel its energies. Upon completion, the Goals and Initiatives will be posted on the Town's website. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0.**

F. **Resolution #2010-009.** The Town of Montville Hereby Resolves that Joseph W. Jaskiewicz, Mayor of the Town of Montville, be and hereby is authorized to execute the Local Bridge Program Supplemental Application for the Derry Hill Road over Mohegan Brook, Bridge No. 085008. **Motion** by Councilor Buebendorf, Second by Councilor Murphy. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Resolution #2010-009 Adopted 7-0.**

G. **Resolution #2010-010.** The Town of Montville Hereby Resolves to adopt, as its policy, to support the nondiscrimination agreements and warranties required under Connecticut General Statutes §4a-60(a)(1) and § 4a-60a(a)(1), as amended in State of Connecticut Public Act 07-245 and sections 9(a)(1) and 10(a)(1) of Public Act 07-142, as those statutes may be amended from time to time. **Motion** by Councilor Beetham, Second by Councilor Caron. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Resolution #2010-010 Adopted 7-0.**

H. **Resolution #2010-011.** The Town of Montville Hereby Resolves that Joseph W. Jaskiewicz, Mayor of the Town of Montville, be and hereby is authorized to make, execute and approve on behalf of the Town of Montville, any and all contracts and amendments and to execute and approve on behalf of the Town, other instruments, a part of or incident to such contracts and amendments effective until otherwise ordered by the Town Council with respect to the award of FY2008/2009 Two Hundred Thousand Dollar (\$200,000.00) grant for the renovation of the Fair Oaks building into a Community Center from the Small Town Assistance Program (STEAP) administered by the State of Connecticut Department of Social Services. **Motion** by Councilor Beetham, Second by Councilor Caron. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Resolution #2010-011 Adopted 7-0.**

I. **Resolution #2010-012.** The Town of Montville Hereby Resolves that Joseph W. Jaskiewicz, Mayor of the Town of Montville, be and hereby is authorized to execute the 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 utilizing Federal funds under the American Recovery and Reinvestment Act of 2009 Public Law 111-5 (hereinafter "Act"). **Motion** by Councilor Beetham, Second by Councilor Caron. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Resolution #2010-012 Adopted 7-0.**

J. **Resolution #2010-013.** The Town of Montville Hereby Resolves that Joseph W. Jaskiewicz, Mayor of the Town of Montville, be and hereby is authorized to execute the agreement entitled "Agreement Between the Town of Montville and Nathan L. Jacobson & Associates, Inc. for Construction Inspection Services Required In Conjunction With The Replacement of The Old Colchester Road Bridge (Bridge No. 085005) Over The Oxoboxo

Lake. **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 #2010-013 Adopted 7-0.**

K. **Resolution #2010-014.** WHEREAS, pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, and Sections 4-8, 32-1c(c) and 32-8 of the Connecticut General Statutes, the Connecticut Department of Economic and Development is authorized to extend financial assistance for economic development projects; and,

WHEREAS, it is desirable and in the public interest that the Town of Montville make application to the State for Two Hundred and Twenty Thousand (\$220,000.00) Dollars and No Cents in order to undertake the 14 Bridge Street Remediation Project and to execute an Assistance Agreement:

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE MONTVILLE TOWN COUNCIL:

1. That it is cognizant of the conditions and prerequisites for the state financial assistance imposed by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, and Sections 4-8, 32-1c(c) and 32-8 of the Connecticut General Statutes, and;

2. That the filing of an application for State financial assistance by the Town of Montville in an amount not to exceed Two Hundred and Twenty Thousand (\$220,000.00) Dollars and No Cents is hereby approved and Mayor Joseph W. Jaskiewicz is directed to execute and file such application with the Connecticut Department of Economic and Community Development, to provide such additional information and execute such other documents as may be required to execute an Assistant Agreement with the State of Connecticut for State financial assistance if such an agreement is offered, to execute any amendments, decisions, and revisions thereto, and to act as the authorized representative of the Town of Montville, and;

3. That it adopts or has adopted as its policy to support the following nondiscrimination agreements and warranties provided in subsection (a)(1) of Connecticut General Statutes sections 4a-60 and 4a-60a, respectively, as amended by Public Act 07-142, and for which purposes the "contractor" is the Town of Montville and "contract" is said Assistance Agreement:

The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation or physical disability, including but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the state of Connecticut. The contractor further agrees to take affirmative action to ensure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation, or physical disability, including but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved.

The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation in any manner prohibited by the laws of the United States or of the state of Connecticut, and that employees are treated when employed without regard to their sexual orientation. **Motion** by Councilor Caron, Second by Councilor Beetham. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Resolution #2010-014 Adopted 7-0.**

L. **Resolution #2010-015.** The Town of Montville Hereby Resolves to transfer \$30,000.00 (Thirty Thousand Dollars) to the Outside Contracting line (#10310-52129) in the Mayor's budget from Contingency (#10480-52164) for the demolition of two town properties. **Motion** by Councilor Caron, Second by Councilor Beetham. **Discussion:** Councilor Jacobson stated that the property at 275 Maple Avenue holds historical significance, and she would like to see the property preserved versus demolished. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; Councilor Jacobson. **Resolution #2010-015 Adopted 6-1.**

M. **Motion** by Councilor McFee, Second by Councilor Beetham to make an appropriation to the Montville Road Bridge line (#19999-54087). **Discussion:** **Motion** by Councilor Jacobson, Second by Councilor Caron to send this matter to Finance for further review. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0. Matter will be sent to Finance.**

N. **Resolution #2010-016.** The Town of Montville Hereby Resolves to transfer \$1,000.00 (One Thousand Dollars) to the Parks & Recreation Commission Secretary line (#10760-51016) from the Recreation Director line (#10730-51058). **Motion** by Councilor Buebendorf, Second by Councilor Caron. **Discussion:** Councilor Buebendorf explained that this line item is experiencing a deficiency due to unexpected additional meetings. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Resolution #2010-016 Adopted 7-0.**

16. Remarks from the Public

Mr. Tom Sanders, President of the MAME Union, addressed the Council and inquired as to what will happen with the MOU outlined in item 14B, which was removed from the agenda. Chairwoman Jacobson stated that she did not have any information to provide him. As a resident of the Town of Montville, Mr. Sanders stated that he is concerned that there is no system in place to replace Town employees as they leave. The concern revolves around making connections and networking within the community.

Jim Andriote, 23 Tra-Mat Drive, addressed the Council and stated that he appreciates their hard work.

17. Remarks from Councilors

Councilor Buebendorf stated that she recently attended a CT Conference for Municipalities, at which a lot of good information was communicated. The CCM is a valuable tool and the information should be considered and utilized where appropriate. For example, the CCM is working on changing the rules for advertising public meetings in order to eliminate the costs of advertising by posting such public ads on the town website instead of having them published in the newspapers.

Councilor Hillman stated that at the last WPCA meeting it was announced that a new unfunded mandate regarding groundwater runoff is being sent down from the State, and it will change the way that we look at wells, construction, roadwork, etc., and it is something that the Town will have to keep on top of.

Councilor Beetham stated that it is election year for the State Legislators, and he would like the voters to push for a change in the revaluation from 5 years back to 10 years in order to save the municipalities thousands of dollars. He also feels as though the State should be pushed to pass a budget before May 1, 2010. The Board of Education is requesting that the Town Council attend the Saturday hearing regarding the budget next week.

Councilor Murphy reported that the Mohegan Fire Company received a \$51,000.00 federal grant from FEMA, and they will be purchasing radios and a diesel fume removal system for the fire house. Oakdale Fire Company is waiting to hear if they will receive their grant.

18. Adjournment – **Motion** made by Councilor Murphy, 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 9:55 PM.**

Respectfully Submitted by:

Sandra Anderson CPS
Minutes Clerk
Montville Town Council