

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

1. Call to Order – Deputy Chairwoman Hillman called the meeting to order at 7:00 PM.
2. Pledge of Allegiance
3. Roll Call – Present were Councilors Caron, Buebendorf, Caron, Hillman, McFee and Murphy. Also present were Mayor Jaskiewicz and Town Attorney Bruce Chudwick. Absent was Chairman Jacobson.
4. Items to be Added to the Agenda - **Motion** by Councilor Caron, Second by Councilor Buebendorf to add agenda item 14C under Unfinished Business to accept and incorporate into the Town roadway system the extension of Elberta Place to the cul-de-sac at its end; said road is located in the McCloy Subdivision. **Voice Vote:** In Favor; Councilors Buebendorf, Caron, Hillman and Murphy. Opposed; Councilors Beetham and McFee. **Motion Carried 4-2.**
5. **Motion** by Councilor Caron, Second by Councilor Beetham to approve the regular meeting minutes of February 8, 2010, and the special meeting minutes of February 24, 2010. **Discussion:** **Motion** by Councilor Buebendorf, Second by Councilor Caron to amend the regular meeting minutes of February 8, 2010, and postpone approval to the April meeting. **Voice Vote:** In Favor; Councilors Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; Councilor Beetham. **Motion Carried 5-1.** Councilor Hillman called for any amendments to the special meeting minutes of February 24, 2010. Councilor Buebendorf stated that “education” should be noted as a possible category as it was decided that the Council would consider where education should fit into the goals as time moves on. **Motion** by Councilor Beetham, Second by Councilor Caron to amend the February 24, 2010 special meeting minutes, as noted. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. **Motion Carried 6-0.** Councilor Hillman called for a roll call vote to approve the special meeting minutes of February 24, 2010, as amended. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. **Motion Carried 6-0.**
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; and Mr. Michael Butterworth for re-appointment to the Public Safety Commission., to include Council members and Mayor Jaskiewicz. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. **Motion Carried 6-0.** Council members entered into executive session at 7:06 PM; they returned at 7:25 PM and Deputy Chairman Hillman stated that no formal vote had been taken.
  - B. **Motion** by Councilor Caron, Second by Councilor Beetham to enter into Executive Session for the purpose of labor negotiations and strategy, and to include Mayor Jaskiewicz and Labor Attorney Eileen Duggan. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. **Motion Carried 6-0.** Council members entered into executive session at 7:26 PM; they returned at 8:09 PM and Deputy Chairman Hillman stated that no formal votes had been taken.
7. Remarks from the Public

*Mr. Dick Wilson and Mr. David Rowley* both spoke in favor of agenda item 15N.

*Mr. Joe Socha, 3 Ventura Drive,* spoke in opposition of agenda item 15F. Mr. Socha stated that he would like to see this new Council work harder to resolve more pressing issues facing the Town and the taxpayers.

*Mr. John Mann, M & R Thames Construction,* thanked the Council for adding agenda item 14C to the agenda and asked that the Council approve the resolution. Mr. Mann indicated that the Council must approve this resolution in order for him to satisfy the terms of his performance bond, and the work has been completed to specification.

*Mr. Chuck Longton, Chairman of the Economic Development Commission,* spoke in opposition of agenda items 15K and 15L. Deputy Chairman Hillman stated that this matter would be tabled and sent to the Economic Development Commission for further review.

*Mr. Tom Sanders, President of the MAME Union,* spoke in opposition of agenda item 15E, stating that the MAME Union believes a member from within this union should be benefited with this temporary position. Mr. Sanders stated that the MAME Union has filed a complaint with the State Labor Board regarding this matter, and that a hearing has been scheduled for April 9<sup>th</sup>.

*Mr. Mike Butterworth, 128 Connecticut Blvd.,* spoke in favor of agenda items 14B and 14C.
8. Communications
  - A. Letter dated March 3, 2010, from Attorney Chudwick to Mayor Jaskiewicz regarding Town Council Authority to Adopt Town Manager Form of Government. Attorney Chudwick provided the invoice amount for this service at \$1,440.00; which totals 6.1 hours for time, research and drafting of the letter to provide this guidance. A hard copy of this invoice has been mailed to the Mayor’s office.
  - B. Letter dated March 3, 2010, from the State of Connecticut Department of Transportation to Mayor Jaskiewicz regarding temporary traffic signals on Route 32.

9. Report from the Town Attorney on matters referred

Attorney Bruce Chudwick reported on the following: 1) Attorney Lisa Gladke if any Council members had any questions regarding matter of Elberta Place, agenda item 14C; and 2) the Committee Center Building Committee is still in existence because it was created by the Town Council, not by ordinance. This committee will remain active until the task is complete, or until such time that the Council disbands it.

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

Mayor Jaskiewicz reported on the following: 1) discussions continue with the town of Salem regarding utilizing their equipment for the demolition projects at 275 Maple Avenue and 275 Route 16; 2) first round of interviews for the Parks and Recreation Direction are complete, and there have been four candidates chosen to meet with the Parks and Recreation Commission later this month; 3) work on the Oxoboxo Bridge project is anticipated to begin April 1<sup>st</sup>, with estimated completion in September; 4) the budget is being worked on; 5) there is a meeting scheduled for March 19<sup>th</sup> with the Army Corps. of Engineers to pursue possible funding from that source. There is no bridge money available in the current State budget; and 5) the Tri-Town Public Safety Plan was distributed to the Council for their review, and the Mayor indicated that Councilor Buebendorf is the liaison. The Mayor stated that it proposes "shared services" versus regionalization, and noted that there are no regionalized police departments in Connecticut. He stressed that even if the Town moved towards a shared services situation, he still supports the Public Safety Building project and wants that to move forward.

Finance Director, Terry Fafard, indicated that all items were on the agenda.

Public Works Director, Donald Bourdeau, reported on the following: 1) regarding the sand and salt budget, he stated that the figures are still being worked and he will have a complete report for the Council at April's meeting. He indicated that although they are over budget, it is not as bad a situation as last year; and 2) on the matter of Elberta Place, he stated that he agrees that the development and construction of the cul-de-sac is not the reason that the neighbor's property is being flooded, and this may be a matter for civil court and not the Town Council.

Building Inspector, Vern Vessey, stated that agenda items 15B and 15C are regarding his report on proposed permit fee increases and the refund policy, and as outlined in Schedules B and C. He gave a brief summary of the changes, and also indicated that he would be revising the Refund Policy to fall in line with the Town Charter's existing policy.

WPCA Administrator, Brian Lynch, spoke regarding the water fees increase of 16% effective July 1<sup>st</sup>. He explained that it would be on the agenda for discussion at the next WPCA meeting, and he would report back at April's Town Council meeting.

11. Reports from Standing Committee

A. Town Administration / Rules of Procedure – Councilor Hillman reported that a special meeting was held on March 2<sup>nd</sup>, and that a presentation was given by Mr. Wong and Mr. Chen from the Chinese American Cultural and Assistance Association. A review of the Rules of Procedures took place, and Councilor Hillman indicated that they are close to a final draft to bring before the Council.

B. Finance – Councilor Murphy stated the Committee met on February 23<sup>rd</sup>, and that the items are on the agenda.

C. Public Works / Solid Waste Disposal – Councilor McFee reported that these sub-committees met on February 24<sup>th</sup> and discussed the following: 1) sales of tag sale items; 2) method of disposal of the Town's surplus vehicles. Suggestions included placing an ad on Craigslist.com, or putting an ad on Channel 20 or in the local newspapers; 3) spring cleanup will be limited to metals. A suggestion for this year's cleanup would be to get in contact with local companies that would be interested in collecting such metals, and then provide the taxpayers with the company's phone number to contact them directly for pickup; and 4) they have requested that Mr. Bourdeau create an RFP for town-wide trash pickup; the draft will be reviewed by the sub-committee when completed.

12. Reports from Special Committees and Liaison Councilors

Planning & Zoning Commission - Councilor Beetham reported that it was a quiet month for the Commission, and that Marcia Vlaun gave a great presentation on conversation.

Library Committee – Nothing to report.

Parks & Recreation Commission - Councilor Buebendorf reported that the sub-committee completed their numerous interviews and narrowed the field to four candidates, as reported earlier by the Mayor. She thanked everyone involved in this process for their hard work and commitment. A regional brochure outlining activities from Montville and surrounding towns will be going to print soon. It is the hope of the Commission that this collaborative effort will bring in more people from the surrounding area. There has been discussion of possibly constructing a gazebo at Camp Oakdale.

Public Safety Commission - Councilor Buebendorf reported that at the last meeting they discussed some potential safety issues on Route 32, and also that the State confirmed that the Town could not put up temporary stop signs on Route 32 in the event of a major power failure. The flashing light at the intersection of Fitch Hill Road and Route 32 will be removed. Discussion was held on a cooperative effort between area police departments and dispatchers. A sub-committee has been formed and a report will be brought to the Council in the near future.

Commission on the Aging – Councilor Caron reported that they are working on the guidelines for the Chicken Soup program. Looking at moving the GAP computer to the police department.

Economic Development Commission – Nothing to report.

Social Services - Councilor Caron reported that they received \$4,600.00 from Stop & Shop from the effort over the holidays.

Youth Services Bureau & Advisory Board - Councilor Caron stated they held the 1<sup>st</sup> Annual Wii Winter Olympics, and it went very well.

Montville Fair LLC – Nothing to report.

Volunteer Fire Fighters' Relief Fund – Nothing to report.

Board of Education - Councilor Murphy reported that the public hearing was held on budget, which is \$36,623,436, approximately \$712,000.00 more than last year, a 1.98% increase. They did a great job, and the next meeting will be on March 16<sup>th</sup>.

WPCA - Councilor Hillman reported that approximately 60 people attended the public information meeting on February 18<sup>th</sup> regarding the sewers around the Oxoboxo Lake area. For the fifth year in a row the WPCA plant has had no violations on the annual Life and Safety Inspection. Replacement of switches and fixtures, covered under the Small Business Energy Advantage grant, has begun. Discussion regarding the anticipated 16% rate increase by the town's water supplier, the town of Groton. A memorandum of understanding was agreed upon with the MTUA to provide assistance should the Town require it in the future.

Non-Profit Organizations – Councilor Hillman reported that responses are beginning to come in from the recently sent questionnaire.

Public Safety Building Committee – Nothing to report.

School Building Committee – Nothing to report.

### 13. Appointments and Resignations

A. **Motion** by Councilor Caron, Second by Councilor Murphy to accept, with regret, the resignation of Mr. Wayne Scott from the Public Safety Commission. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. **Motion Carried 6-0.**

B. **Nomination** for Ms. Laura Tanner by Councilor Buebendorf, Second by Councilor Murphy to fill a vacancy for a full voting member of the Parks and Recreation Commission, with a term to expire on October 10, 2011. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. **Carried 6-0; Ms. Laura Tanner** will fill a vacancy for a full voting member of the Parks and Recreation Commission, with a term to expire on October 10, 2011.

### 14. Unfinished Business

A. **Motion** by Councilor Beetham, Second by Councilor Caron to appoint Councilor Dana McFee as liaison to the Community Center Building Committee. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. **Motion Carried 6-0.**

B. **Motion** by Councilor Murphy, Second by Councilor Buebendorf to remove this item from the agenda. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. **Motion Carried 6-0.**

C. **Motion** by Councilor Buebendorf, Second by Councilor Caron to accept and incorporate into the Town roadway system the extension of Elberta Place to the cul-de-sac at its end; said road is located in the McCloy Subdivision. **Discussion:** Mayor Jaskiewicz stated that the Council has had time to review the package received from Attorney Gladke, and noted that all Town officials have signed off on this project, citing the cul-de-sac is not responsible for the flooding on the neighbor's property and specifically to the pool. The Mayor indicated that he has spoken with that neighbor. Councilor Beetham stated that he is not in favor of approving this resolution, and that it is the developer's responsibility to fix the drainage problems on this property before the Town assumes responsibility of this portion of the road. Councilor McFee agrees with Councilor Beetham, and feels that the developer should fix the problem before the town accepts this portion of the road. He stated that he walked the site, and that he also understands that some of the basements are flooding also. **Roll Call Vote:** In Favor; Councilors Buebendorf and Murphy. Opposed; Councilors Beetham, Caron, Hillman and McFee. **Motion Fails 2-4.**

### 15. New Business

A. **Resolution #2010-017.** The Town of Montville Hereby Resolves to refund taxes due to overpayments and corrections in the amount of \$15,557.38 (Fifteen Thousand Five Hundred Fifty-Seven and Thirty-Eight Cents), at the request of the Tax Collector and as outlined on Schedule A and made a part of the agenda. **Motion** by Councilor Buebendorf, Second by Councilor Beetham. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. **Resolution #2010-017 Adopted 6-0.**

B. **Resolution #2010-018.** 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 building code permit fees as requested by the Building Official, to be effective April 1, 2010. Said fee schedule is outlined on Schedule B and made a part of these minutes. **Motion** by Councilor Caron, Second by Councilor Buebendorf. **Discussion:** Councilor Buebendorf stated that she feels that the requested increase is reasonable, and she is in favor of this motion. Councilor Beetham stated that he is not in favor of this fee increase, especially during the current financial situation, and stated that a fee of this kind is in essence raising taxes. Councilor Murphy stated that the percentage of taxpayers affected by this increase is minimal and that the fees are shouldered primarily by the contractors. Fees have not been increased in quite a while and it is time. Councilor Buebendorf reported that at the sub-committee meeting it was discussed that maybe the rate increase was too modest and should be higher. She stated that Mr.

Vessey did a good job to be fair in what he felt was an appropriate increase at this time. Councilor Hillman stated that allowing for this increase will allow the department to become self-sufficient. **Roll Call Vote:** In Favor; Councilors Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; Councilor Beetham. **Resolution #2010-018 Adopted 5-1.**

C. **Resolution #2010-019.** The Town of Montville Hereby Resolves to approve the refund policy for the return of permit application fees collected, as outlined by the Building Official on Schedule C and made part of these minutes. **Motion** by Councilor Buebendorf, Second by Councilor Murphy. **Discussion:** **Motion** by Councilor Buebendorf, Second by Councilor Murphy to amend this resolution to change the wording from “refund policy” to “approve the schedule of refunds”. **Voice Vote:** Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. **Motion Carried 6-0.** Councilor Hillman called for a roll call vote on the resolution as amended. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. **Resolution #2010-019 Adopted 6-0, as amended.**

D. **Motion** by Councilor Buebendorf, Second by Councilor Caron to appoint Sandra Anderson as the Town Council Clerk for the legislative term ending November 2011. **Discussion:** Councilor Beetham stated that this item be removed from the agenda based on the fact that the Chairman was not present and according to the Rules of Procedure, the Chairman is the sole person responsible for hiring and firing the Clerk. Councilor Buebendorf stated that it has been past practice to appoint the clerk at the beginning of the legislative session, as they appoint the town attorney. Councilor Hillman stated that the Town Administration Committee is reviewing the Minutes Clerk job description and is discussing a raise in pay, and she feels that it would be prudent to postpone this matter until the process of review is complete. Councilor Buebendorf stated that they were two separate issues, and it would be appropriate to follow procedure and appoint the clerk, and visit the job description and salary as a separate matter. **Roll Call Vote:** In Favor; Councilors Buebendorf, Caron and Murphy. Opposed; Councilors Beetham, Hillman and McFee. **Motion Fails 3-3.**

E. **Motion** by Councilor Murphy, Second by Councilor Beetham to remove this item from the agenda. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. **Motion Carried 6-0.**

F. **Motion** by Councilor Murphy, Second by Councilor Buebendorf to change the name of the Human Resources Manager to Human Resources Specialist. **Roll Call Vote:** In Favor; Councilors Buebendorf, Caron and Murphy. Opposed; Councilors Beetham, Hillman and McFee. **Motion Fails 3-3.**

G. **Motion** by Councilor Buebendorf, Second by Councilor Caron to approve and authorize the Mayor to execute an Employment Agreement with Katherine Christopher, Human Resources Specialist, for the term of November 30, 2009 through June 30, 2011. **Discussion:** Councilor Beetham stated that he cannot approve this employment agreement because the voters voted against it in November. Councilor Murphy stated that the Human Resources question was one of 15 different items as part of Question #3, and Councilor Buebendorf confirmed this fact. Mayor Jaskiewicz stated that this position was approved by the Town Council 2 years ago and has funding in the budget. Councilor Beetham remained adamant that approving this position is going against what the voters wanted. **Roll Call Vote:** In Favor; Councilors Buebendorf, Caron and Murphy. Opposed; Councilors Beetham, Hillman and McFee. **Motion Fails 3-3.**

H. **Resolution #2010-020.** The Town of Montville Hereby Resolves to approve and authorize the Mayor to execute an Employment Agreement with Brian Lynch, WPCA Administrator, for a two-year renewable term effective with the date of execution of the Agreement. **Motion** by Councilor Buebendorf, Second by Councilor Caron. **Discussion:** Councilor Beetham stated that it is too high of an increase and does not want to approve this contract. Councilor Buebendorf reported that the salary of the WPCA Administrator falls directly under the WPCA budget, and the WPCA recommends this salary increase. Councilor Murphy stated that Mr. Lynch has been working without a contract since February 2008, and is not asking for retroactive pay. This works out to approximately a 4% raise, which is very reasonable. **Roll Call Vote:** In Favor; Councilors Buebendorf, Caron, McFee and Murphy. Opposed; Councilors Beetham and Hillman. **Resolution #2010-020 Adopted 4-2.**

I. **Resolution #2010-021.** The Town of Montville Hereby Resolves to authorize the Mayor to enter into a three year agreement with Prescient Worldwide for telecommunication services. **Motion** by Councilor Murphy, Second by Councilor Caron. **Roll Call Vote:** In Favor; Councilors Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; Councilor Beetham. **Resolution #2010-021 Adopted 5-1.**

J. **Resolution #2010-022.** The Town of Montville Hereby Resolves to make an additional appropriation of \$3,270.00 (Three Thousand Two Hundred Seventy Dollars) to the Millstone Drill expenses line (#10810-52120) from the General Fund. The town has received a check from the state for this grant. **Motion** by Councilor Beetham, Second by Councilor Caron. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. **Resolution #2010-022 Adopted 6-0.**

K. **Motion** by Councilor Caron, Second by Councilor Buebendorf to waive Section C708 of the Town Charter and authorize the Mayor to enter into an agreement with Tax Management Associates to perform personal property audits. **Discussion:** Attorney Chudwick stated that added to this resolution should be the language “, as it is hereby determined that it is against the best interests of the town to invite bids for this service”. Finance Director reported that she did research on some other companies that offer this service, and received unfavorable feedback, so she feels it is in the best interest of the Town to waive bids and enter into an agreement with Tax Management Associates. Councilor Hillman stated that some towns train their own assessors to perform the audits, and suggested postponing this matter for further review and discussion. Councilor McFee stated that now is not the right time to appropriate a large amount of money to audit the Town’s businesses, especially with no guarantee. Councilor Beetham stated that auditing the business taxpayers would lead to future law suits for the Town, and should not be done. **Motion** by Councilor Caron, Second by Councilor Buebendorf to send this matter to the Finance Committee for further review. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. **Motion Carried 6-0 to postpone this matter and send to Finance for review.**

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

**Motion Carried 6-0. Item Removed from the agenda.**

M. **Resolution #2010-023.** The Town of Montville Hereby Resolves that the Town Council will receive the monthly bills from the Town Attorney and all supporting documentation as necessary. **Motion** by Councilor Beetham, Second by Councilor McFee. **Discussion:** **Motion** by Councilor Hillman, Second by Councilor Beetham to amend this resolution by adding “. . . will receive copies of the invoices from the . . . “ **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. Motion Carried 6-0. **Motion** by Councilor Buebendorf, Second by Councilor Hillman to amend the resolution further to include receipt of invoices “from any attorney doing business with the Town”. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. Motion Carried 6-0. Councilor Hillman called for a roll call vote on the resolution as amended; The Town of Montville Hereby Resolves that the Town Council will receive copies of the monthly invoices from all attorneys doing business with the Town, and all supporting documentation as necessary. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. **Resolution #2010-023 Adopted 6-0, as amended.**

N. **Motion** by Councilor Beetham, Second by Councilor McFee that, in accordance with the provisions of Section 704(c) of the Town Charter, i.e. "and such other information as may be required by the Town Council", the annual proposed budget presented to the Town Council by the Mayor shall include five (5) columns as follows: Column 1 shall be the actual last completed fiscal year; Column 2 shall be the actual current fiscal year-to-date; Column 3 shall be the adopted current year budget; Column 4 shall be the departmental estimates received by the Director of Finance as required by Section 702 of the Town Charter; and Column 5 shall be the Mayor's recommendations. For the purpose of compliance of 705(a) of the Town Charter's provision for the Town Council to amend the budget, Column 4 will be used in the resolution to adopt the budget. **Roll Call Vote:** In Favor; Councilors Beetham, Hillman and McFee. Opposed; Councilors Buebendorf, Caron and Murphy. **Motion Fails 3-3.**

16. Remarks from the Public

*Mr. John Mann, M & R Construction*, expressed his disappointment that item 14C was not approved.

*Jim Andriote, 23 Tra-Mat Drive*, addressed the Council and stated that item 15K should have been referred to the Economic Development Commission for review, not the Finance Committee.

17. Remarks from Councilors

Councilor Murphy stated that having a personal property audit is a good idea to not only keep businesses honest but it also makes it safer for the community.

Mayor Jaskiewicz stated that he was disappointed with the Council's decision on the Human Resources position.

18. Adjournment – **Motion** made by Councilor Buebendorf, Second by Councilor Beetham, to adjourn the meeting. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. **Motion Carried 6-0. The meeting adjourned at 10:05 PM.**

Respectfully Submitted by:

Sandra Anderson CPS  
Minutes Clerk  
Montville Town Council

**SCHEDULE A**

REBATES FOR MARCH 8, 2010 MEETING

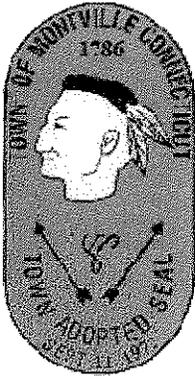
ALGER, KIMBERLY D.	OVERPAYMENT	\$ 129.80
ASHEY, COLLEEN M. OR RICHARD	OVERPAYMENT	116.01
BALDWIN, JOHN	OVERPAYMENT	1,436.78
CHEN, GUO DONG & JIA HUI	OVERPAYMENT	2,076.25
DAIGLE, EDWARD & CYNTHIA A.	DISABILITY EXEMPTION	22.40
DAIGLE, EDWARD & CYNTHIA A.	DISABILITY EXEMPTION	15.74
DAIGLE, EDWARD & CYNTHIA A.	DISABILITY EXEMPTION	15.74
DAIGLE, EDWARD & CYNTHIA A.	DISABILITY EXEMPTION	16.08
DIAMANTAKOS, PETER	OVERPAYMENT	1,571.68
DOWD, MICHAEL S. & PULLMAN, MELISSA J.	OVERPAYMENT	2,281.55
DUPLESSIS, ROBERT P. & LINDA E.	OVERPAYMENT	10.00
GWIZDAK, SHEILA M.	OVERPAYMENT	13.63
MCCORMICK, THOMAS J. EST & ROBERTA L.	OVERPAYMENT	2,496.70
ORTIZ, ANGEL A. OR MARTINEZ, IVELISE	VEHICLE REPOSSESSED	180.81
QUILLIAM, PAIGE S.	OVERPAYMENT	1,584.32
RILEY, LAWRENCE E. & SYLVIA	OVERPAYMENT	53.56
STOMBERG, JOHN R. & TERESA D.	OVERPAYMENT	1,450.06
TALAR, WILLIAM J. & BRENDA M.	OVERPAYMENT	59.08
THRAXTON, ROBERT W III	OVERPAYMENT	1,418.13
TOMES, BENJAMIN H.	VETERANS EXEMPTION	32.16
YEUNG, IRENE N.	OVERPAYMENT	<u>576.90</u>
	TOTAL	\$15,557.38



SCHEDULE B

		Comparison										Comments
Town	1st 1000	Fee/1000	1,000.00	5,000.00	10,000.00	50000.00	100,000.00					
Ledyard	10.00	8.00	10.00	42.00	82.00	402.00	802.00					These remain = or higher than Montville
Plainfield	15.00	8.00	15.00	47.00	87.00	407.00	807.00					These would become lower than Montville
Salem	20.00 1st 2000	8.00	20.00	44.00	84.00	404.00	804.00					Montville
N. Stonington	16.00 1st 3000	9.00	16.00	34.00	79.00	439.00	889.00					Currently lower than Montville
<b>Montville - Current</b>		<b>8.00</b>	<b>8.00</b>	<b>40.00</b>	<b>80.00</b>	<b>400.00</b>	<b>800.00</b>					
<b>Montville - Proposed</b>		<b>10.00</b>	<b>10.00</b>	<b>50.00</b>	<b>100.00</b>	<b>500.00</b>	<b>1,000.00</b>					
Bozrah	20.00	10.00	20.00	50.00	100.00	500.00	1,000.00					
Brooklyn		10.00	10.00	50.00	100.00	500.00	1,000.00					
Clinton		10.00	10.00	50.00	100.00	500.00	1,000.00					These towns make up the
Colchester		10.00	10.00	50.00	100.00	500.00	1,000.00					average fee rate and all
East Haddam	15.00	10.00	15.00	45.00	95.00	495.00	995.00					are currently higher than
East Lyme	50.00 Min	10.00	50.00	50.00	100.00	500.00	1,000.00					Montville
Groton	20.00	10.00	20.00	50.00	100.00	500.00	1,000.00					
Haddam		10.00	10.00	50.00	100.00	500.00	1,000.00					The proposed rate increase
Lebanon		10.00	10.00	50.00	100.00	500.00	1,000.00					would put Montville in line
Old Saybrook	15.00	10.00	15.00	45.00	95.00	495.00	995.00					with these rates.
Waterford		10.00	10.00	50.00	100.00	500.00	1,000.00					
Sprague		10.00	10.00	50.00	100.00	500.00	1,000.00					
Stonington		10.00	10.00	50.00	100.00	500.00	1,000.00					
Portland		11.00	11.00	55.00	110.00	550.00	1,100.00					
Hebron	20.00 Min	12.00	20.00	56.00	116.00	596.00	1,196.00					These towns are currently higher, and
Coventry		13.00	13.00	65.00	130.00	650.00	1,300.00					would remain higher than Montville
Norwich	30.00	13.00	30.00	69.00	134.00	654.00	1,304.00					even after the proposed increase.
Middletown	15.00	14.00	15.00	57.00	127.00	687.00	1,387.00					
Griswold		16.00	16.00	80.00	160.00	800.00	1,600.00					
New London		18.00	18.00	90.00	180.00	900.00	1,800.00					





Town of Montville  
310 Norwich-New London Tpke.  
Uncasville, Ct. 06382

2/2/10

To: Mayor Jaskiewicz  
From: Vern Vesey, Building Official

Dear Mayor Jaskiewicz,

Recently the Building Department received a request for refund of permit application fees. It is not unusual for persons to withdraw their applications and request a return of their fees, however, while determining what portion of the fees paid for this application it is appropriate to return I realized that we do not have a formal return policy. Per section R108.5 of the 2003 IRC and section 108.6 of the 2003 IBC portions of the 2005 Connecticut Building Code "The Building Official is authorized to establish a refund policy."

I am submitting the following for your review and approval:

**Building Fees – Refund Policy**

Permit Application fees will be refunded in accordance with the following:

1. All requests for return of permit application fees must be in writing and signed by the applicant.
2. Refund of fees must be approved by the Building Official.
3. Refund of fees paid by check will not be made sooner than 15 days from receipt of the check.

Fees eligible for refund will be based on the following:

**Status of Application**

**Fees to be Refunded**

No action taken on application	Total fees <i>less</i> \$10.00 administrative fee
Plan review completed – Permit not issued	Total fees <i>less</i> \$10.00 administrative fee and the plan review fee
Plan review completed – Permit issued	60% of Total fees
Plan Review completed –Permit Issued & Inspection(s) done	No Refund

Respectfully submitted,

Vernon D. Vesey II  
Building Official