

**Town of Montville Town Council
Regular Meeting Minutes for Monday, July 12, 2010
7:00 p.m. – Town Council Chambers
Town Hall**

1. Call to Order.

Vice Chairperson Hillman called the regular meeting of the Montville Town Council to order at 7:00 p.m.

2. Pledge of Allegiance.

3. Roll Call.

Present were Councilors Buebendorf, Caron, Hillman, McFee and Murphy. Absent were Councilors Beetham and Jacobson. Also present was Mayor Jaskiewicz, Finance Director, Terry Fafard and Town Assessor, Lucy Beit.

4. Special Recognitions – none.

5. Alternations to the Agenda – none.

6. To consider and act on a Motion to approve the public hearing minutes of the special meeting minutes of May 26, 2010, the special meeting minutes of June 8, 2010, the regular meeting minutes of June 14, 2010 and the special meeting minutes of June 30, 2010. Motion made by Councilor Buebendorf, seconded by Councilor Caron. Discussion, none, voice vote, 5-0, all in favor, motion carried.

7. Executive Session.

A. Motion made by Councilor Buebendorf, seconded by Councilor Caron to enter into Executive Session for the purpose of interviewing the following people for appointment or re-appointment to boards and/or commissions: Mr. Richard Beauchene for re-appointment to the Inland Wetlands Commission; Mr. Michael Whittaker for re-appointment to the Inland Wetlands Commission; Mr. Chuck Longton for re-appointment to the Conservation Commission and Mrs. Amie Passmore for appointment to the Conservation Commission. Executive Session to include the members of the Town Council and Mayor Jaskiewicz. Discussion: none. Voice vote, 5-0, all in favor, motion carried and Councilors left Chambers for Executive Session at 7:05 p.m. and returned at 7:28 p.m. Chairperson Hillman indicated no votes were taken during Executive Session and resumed the meeting.

8. Remarks from the Public Relating to Matters on the Agenda

Mr. Chuck Longton inquired regarding the agenda item that discusses the sex offender facility.

Mr. James Andriote, Tremott Drive discussed agenda item 15(d), stating he does not feel the company did a good job last time around and would be cautious of hiring them again for the revaluation. He suggested the Council look into this company further to determine if this is the company that best suits the needs of the Town.

Ron Sydor, Route 163 spoke against hiring Vision Appraisal for the revaluation, he indicated he had issues with them last time, they did not answer questions he had and was very unhappy with the services they provided. He urged the Council to consider an alternative company for the revaluation.

Chairperson Hillman inquired three times if there was anyone who would like to come forward to address the Council.

9. Communications – none.

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

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

Mayor Jaskiewicz stated the Oxoboxo Bridge repairs have started and hopes to have it completed in September and everything is going well. He discussed the demolition for the two houses, stating the town is waiting on a document from CL&P to the Building Department stating there are no wires going to the structures and he hopes to get the letter this week. He discussed a visit from FEMA and stated he hopes the money remains available to help out with the costs of road repairs incurred during the heavy rainstorms in March. Councilor McFee inquired regarding the construction design of the Oxoboxo Bridge and Mayor Jaskiewicz stated there have been no changes to the design, it is moving forward as planned.

Terry Fafard, Finance Director updated the Council regarding the Fiscal Year 2009-2010, stating she is wrapping up the expenditures for the invoices that are coming in for June. The Town will have an approximate eight hundred thousand dollar shortfall, not as bad as originally expected.

12. Reports from Standing Committees.

A. Town Administration / Rules of Procedure

B. Finance

Councilor Murphy did not have anything to report.

C. Public Works / Solid Waste Disposal

Councilor McFee discussed the five dollar increase to the Transfer Station stickers; he discussed the policy to sell the surplus town owned vehicles.

13. Reports from Special Committees and Liaison Councilors.

Planning & Zoning Commission	Councilor Beetham
Library Committee	Councilor Beetham

Councilor Beetham was not present to give his report to the Council.

Parks & Recreation Commission	Councilor Buebendorf
Public Safety Commission	Councilor Buebendorf

Councilor Buebendorf indicated movie night has begun on Saturday nights at Camp Oakdale and the first of four concerts is scheduled for Tuesday evening under the pavilion at Camp Oakdale and hopes the event will be well attended. Summer camp is underway, there are one hundred and ninety campers this year and everything is going well with the program. Public Safety Commission met and discussed police staffing and the LInX system.

Commission on the Aging	Councilor Caron
Economic Development Commission	Councilor Caron
Social Services	Councilor Caron
Youth Services Bureau & Advisory Board	Councilor Caron

Councilor Caron stated Commission on Aging, Youth Services and Social Services did not meet last month and he does not have anything to report regarding Economic Development.

Volunteer Fire Fighters' Relief Fund	Councilor McFee
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Councilor McFee stated the Volunteer Fire Fighters Relief Fund will begin meeting in August.

Board of Education	Councilor Murphy
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Councilor Murphy stated the Board of Education meets on Tuesday evening, things are slow and there are several items on the agenda he will report on next month.

WPCA	Councilor Hillman
Non-Profit Organizations	Councilor Hillman

Councilor Hillman stated WPCA did not meet last month and there is nothing new to report regarding the Non-Profit Organizations.

Public Safety Building Committee	Councilor Jacobson
School Building Committee	Councilor Jacobson

Councilor Jacobson was not present to give her report to the Council.

14. Appointments and Resignations.

A. To consider and act on a Motion to waive Rule 13C of the Town Council Rules of Procedure in order to re-appoint Mr. Richard Beauchene to the Inland Wetlands Commission. Motion made by Councilor Murphy, seconded by Councilor Buebendorf. Discussion, none. Voice vote, 5-0, all in favor, motion carried.

B. To fill a vacancy for a full voting member of the Inland Wetlands Commission, with a term to expire on May 10, 2014. (Mr. Richard Beauchene has indicated that he would like to be re-appointed)

Councilor Buebendorf nominated Mr. Richard Beauchene. Councilor McFee seconded the nomination. Discussion, none. There were no other nominations and Chairman Hillman closed the nominations.

Motion made by Councilor Buebendorf, seconded by Councilor Murphy to appoint Mr. Richard Beauchene as a full voting member of the Inland Wetlands Commission with a term to expire on May 10, 2014. Discussion, none, roll call vote, 5-0, all in favor, motion carried, and appointment made.

15. Unfinished Business.

a. THE TOWN OF MONTVILLE HEREBY RESOLVES to transfer all available monies from inactive Capital Project accounts, excluding those for road improvements, to the Unreserved/Undesignated General Fund account

Motion made by Councilor Murphy, seconded by Councilor Caron. Discussion: Ms. Fafard reviewed the list of money left over in the Capital Projects account as requested by Councilor Beetham at the last regularly scheduled meeting. Motion made by Councilor Buebendorf, seconded by Councilor Caron to amend the motion as follows;

Resolution #2010-070. THE TOWN OF MONTVILLE HEREBY RESOLVES to transfer \$25,000 from line item 20999-54133, Police Boat, \$7,500 from 30999-54300, Kobyluck Concession/Press Box, \$20,000 from line item 30999-54322, Multi Purpose Path, \$3,173.12 from Police Car Replacement, and \$166 from Mohegan School roof repairs from the inactive Capital Project accounts to the Unreserved/Undesignated General Fund account. Discussion: none. Voice vote on the amendment, 5-0, all in favor. Roll call vote: 5-0, voting in favor were Councilors Buebendorf, Caron, Hillman, McFee and Murphy. Voting in opposition, none, resolution adopted.

b. **Resolution #2010-071.** THE TOWN OF MONTVILLE HEREBY RESOLVES to award the Fiscal Year 2011 Revaluation contract to Vision Appraisal in the amount of \$284,500 and authorizes the Mayor to enter into contract for this amount. Motion made by Councilor Buebendorf, seconded by Councilor Murphy. Discussion: Councilor McFee suggested the Council table this discussion until next month when there are more Councilor present and to allow the Council time to look into the negative publications regarding this company. He stated he does not feel Vision Appraisal did a good job last time around due in part to the high appraisals of homes and they should be looked into further. He gave examples of properties with outrageous house values and is not satisfied with the company and encouraged the Council to choose an alternative firm to conduct the revaluation. Ms. Fafard stated the bids are guaranteed for sixty days and the sixty days will expire on July 27th and if it is not approved the Town will have to go out for bid again for the revaluation services. Lucy Beit clarified statements made by Councilor McFee she considers incorrect and stated the peak time for value was October, 2006 into 2007 where property values plateaued. She indicated Vision Appraisal did a good job and met every statistical requirement asked of them last time around. Some of the residents who said they did a bad job own waterfront property owners because their property values went up. She discussed the number of informal hearings conducted during the last revaluation, stating there were eight hundred and sixty seven people, eighty eight of those did not show up for their hearing, three hundred and eighty three saw no change and three hundred and ninety six were changed by Vision Appraisal. Her personal opinion of Vision Appraisal is they were professional, they met every deadline, and they answered all questions and met all of her expectations. Mayor Jaskiewicz stated they met their contractual requirements and were not contracted to go out to visit properties. Ms. Beit stated five property owners out of five hundred seventy seven parcels were not completely satisfied with their results from Vision Appraisal... The company will visit sixty six hundred residential properties as well as commercial and industrial properties for an average of about seventy four hundred parcels all together. The upcoming revaluation to be completed by 2011 is a full inspection revaluation. Councilor McFee stated the town owes it to themselves to look into this matter further to determine if this company has been accused of any wrongdoing. Mayor Jaskiewicz stated the price of the revaluation is a good one and is happy with the savings. If this is not decided on prior to the 27th the bids must go out to the public again and could possibly come in higher. Councilor McFee made a motion to table this discussion until next month. There was not a second to the motion. Roll call vote on the original motion, 4-1, voting in favor were Councilors Buebendorf, Caron, Hillman and Murphy. Voting in opposition was Councilor McFee. Resolution adopted.

16. New Business.

a. To consider and act on a motion to discuss recent documentation regarding the Sex Offender Facility.

Motion made by Councilor Buebendorf, seconded by Councilor Caron. Discussion: Ms. Marcia Vlaun, Town Planner discussed the original map the Planning Department produced once it was determined this facility was going to be located in Montville. The Planning Department did its own study and made a map of Population at Risk, the very specific businesses and people within the community who would be in range of this facility and be at risk. She stated this planning study is correct and uses the correct criteria. She discussed the scoring criteria used by the State to determine that Montville was the best place for the Sex Offender Facility and the errors she discovered with the scoring system. She discussed the scoring system as she determined it to be, indicating the changes in the scoring from a score of 23 per the State of Connecticut to a score of 46 by her definition. Using this scoring system would make Newtown, Connecticut the site best suited for the proposed sex offender facility. She discussed a document dated April 19, 2010 regarding sex offender treatment beds by Soncia Coleman, Senior Legislative Attorney where there was only one bid received. She discussed all of the discrepancies found in the ranking for the siting of the facility. She believes the Governor should reconsider the entire process, on May 17, 2010 the Federal Supreme Court ruled that persistent sexual offenders do not have to be released from jail, and the Governor of any state is allowed to make the case to not release the persistent, consistent, violent offenders into the community. If the facility is going to be sited in Montville it should be done on a fair playing field with a consistent score and this was not done, it was steered toward Montville from the beginning. If this was statistical analysis there could have been some play with the numbers but this is a rating and ranking analysis and if this is the system the State chooses to use they need to do it correctly. Mayor Jaskiewicz thanked Ms. Vlaun and Councilor Jacobson for all the hard work and diligence and hard work in getting this information together. He indicated he is going on Wednesday to meet with legislators and discuss this issue. Ms. Vlaun stated the maps speak for themselves and will be helpful in making the case, she supplied the facts need to make the points that need to be expressed at the meeting on Wednesday.

b. To consider and act on a motion to discuss the option to waive additional assessment for Corporate Personal property. Motion made by Councilor Buebendorf, seconded by Councilor Murphy. Discussion: Ms. Beit, Town Assessor stated the proposal is a means for the Council to approve and ordinance to allow corporate personal property filers the right to have the twenty five percent penalty fee if they fail to sign and notarize documents

properly as required by law. Documents must be properly signed and notarized and if they are not submitted properly there is a twenty five percent penalty assessed on the value of everything they declare, it is a penalty assessment. By State Statute if documents are not submitted properly the Assessor's Office must charge a penalty. It would create better relations between corporate tax payers and the Town if this policy is implemented. A discussion was held regarding the number of corporate filers who do not sign properly on a yearly basis. The Town of Stonington has an ordinance that states the Assessor for the Town is authorized to waive the twenty five percent penalty for corporate personal property declarations that are filed on time but due to neglect or mistake were improperly signed or notarized. There are several towns in Connecticut that use this type of ordinance. Motion made by Councilor Buebendorf, seconded by Councilor Murphy to place this item on the next agenda in order to give Ms. Beit time to research and provide the Council with the ordinance that best suits Montville for these purposes and consider a vote next month. Discussion, none, voice vote, 5-0, all in favor, motion carried.

c. **Resolution #2010-072.** THE TOWN OF MONTVILLE HEREBY RESOLVES to discontinue monetary payment to Party Checkers for any election, primary or referendum. Motion made by Councilor Buebendorf, seconded by Councilor Caron. Discussion: Councilor Hillman stated this item was discussed during the budget process and this would make party checkers the requirement of the political party to compensate and provide for them. Roll call vote, 5-0, voting in favor of this resolution were Councilors Buebendorf, Caron, Hillman, McFee and Murphy. Voting in opposition, none. Resolution adopted.

d. **Resolution #2010-073.** THE TOWN OF MONTVILLE HEREBY RESOLVES that the Mayor of the Town of Montville is empowered to execute and deliver in the name and on behalf of this municipality a contract with the Connecticut State Library for a Historic Documents Preservation Grant. Motion made by Councilor Buebendorf, seconded by Councilor Caron. Discussion: Mayor Jaskiewicz indicated the grant was included in the packet and this is done yearly to microfilm records in the Town Clerk's office. Roll call vote, 5-0, voting in favor of this resolution were Councilors Buebendorf, Caron, Hillman, McFee and Murphy. Voting in opposition, none. Resolution adopted.

e. **Resolution #2010-074.** THE TOWN OF MONTVILLE HEREBY RESOLVES to implement the Memorandum of Understanding between the Town of Montville and NCIS for use of their LInX (Law Enforcement Information Exchange) system. Motion made by Councilor Murphy, seconded by Councilor Murphy. Discussion: Mayor Jaskiewicz indicated the Town Attorney has reviewed the MOU and has no issues with it. Councilor Buebendorf stated this system allows police departments to share information through a common data base so that everyone can do their job more effectively. It is a national database for use State to State and will be an invaluable tool for law enforcement. Roll call vote, 5-0, voting in favor of this resolution were Councilors Buebendorf, Caron, Hillman, McFee and Murphy. Voting in opposition, none. Resolution adopted.

f. **Resolution #2010-075.** THE TOWN OF MONTVILLE HEREBY RESOLVES to establish uniform paper copy fees for all Town departments per attached Schedule B. Motion made by Councilor Buebendorf, seconded by Councilor Caron. Discussion: Councilor Hillman indicated this has been an ongoing discussion in Administration for several months and Ms. Fafard had initially indicated she would like this implemented in order to make fees in all town departments the same and uniform across the board. A discussion was held regarding the reproduction of CD's and Councilor Hillman stated the wording was taken word for word from the Freedom of Information documents. Roll call vote, 5-0, voting in favor of this resolution were Councilors Buebendorf, Caron, Hillman, McFee and Murphy. Voting in opposition, none. Resolution adopted.

g. **Resolution #2010-076.** THE TOWN OF MONTVILLE HEREBY RESOLVES to transfer funds as requested by the Finance Director per Schedule A. Motion made by Councilor Buebendorf, seconded by Councilor McFee. Discussion: Councilor Hillman inquired if the transfers are to tie up loose ends in the 2009-2010 budget and inquired why this was not done at the end of June. Ms. Fafard indicated she needed to have a better handle on the exact numbers in order to avoid doing this twice. Roll call vote, 5-0, voting in favor of this resolution were Councilors Buebendorf, Caron, Hillman, McFee and Murphy. Voting in opposition, none. Resolution adopted.

17. Remarks from the Public

Chairperson Hillman asked three times if there was anyone from the public who would like to come forward to address the Council and there were none.

18. Remarks from Councilors

Councilor Hillman thanked everyone who was present at the Chesterfield Cemetery on July 3rd to help with the transformation and clean up of the lot. The project is ongoing and she thanked Public Works for picking up the trash and thanked P & H for dropping off a port-o-let. She stated it was a great community effort.

Councilor Murphy stated he heard from many people regarding the great job done to the cemetery.

19. Adjournment

Motion made by Councilor Murphy, seconded by Councilor Buebendorf to adjourn the meeting at 8:45 p.m. Discussion, none, voice vote, 5-0, all in favor, motion carried, meeting adjourned.

Respectfully Submitted by:

Audrey Ulmer, Recording Secretary for the Town of Montville

Schedule A

<i>Transfer to:</i>	<i>Transfer from:</i>	<i>Amount</i>
Town Council PT Clerical 10330-51075	Contingency 10480-52164	1,670
Town Council Advertising 10330-53008	Litigations/Settlement 10480-52047	1,391
Legal General 10340-52041	PW Equipment Rental 10910-53018	17,000
Legal General 10340-52041	Firemen Salary 10910-53018	30,000
Legal General 10340-52041	St Bernard Health Serv 10710-52091	11,000
Tax Collection Salaries 10410-51052	Postage 10370-53020	3,619
Assessor Dept Salaries 10410-51053	Postage 10370-53020	3,452
Accountants 10410-51054	Litigations/Settlement 10480-52047	4,532
Tax Refunds 10410-52026	Contingency 10480-52164	8,801
Engineering PW 10620-52184	Contingency 10480-52164	22,915
School Bldg Comm Secy 10690-51016	Contingency 10480-52164	214
P&R Commission Secy 10760-51016	Contingency 10480-52164	376
Fair Oaks Electricity 10770-52000	Contingency 10480-52164	2,400

Police Salaries 10820-51040	Tipping Fees SCRRRA 10940-5215	89,000
Police Salaries 10820-51040	Police Private Duty 10840-51041	88,000
Police Salaries 10820-51040	Diesel Fuel 10910-52004	23,000
Police Overtime 10820-51100	Tipping Fees Bulky Waste 10940-5245	27,000
Police Overtime 10820-51100	Diesel Fuel 10910-52004	25,000
Public Safety Com Secy 10860-51016	Contingency 10480-52164	256
Dispatch Overtime 10870-51100	Contingency 10480-52164	5,879
		365,505

Schedule B

The town of Montville hereby resolves to establish a uniform paper coping fees for all departments as follows:

\$0.50 per sheet of paper for all copies. (Both single and double sided including transcripts).

All Maps are a minimum of \$5.00 or the cost incurred for the actual coping of the map (which ever is lower).

All Certified copies will cost \$2.00 per copy

All copies made by digital hand held scanner will be \$20.00

All copies made by camera or Cell phone will cost \$0.50 per copy.

No copies of documents in the Vault are allowed by cameras or cell phones

All CD's or DVD's will be charged no more than the actual cost of the hourly wages and materials used.

Color copies are at the discretion of the Department head but fees above would still apply.