

**Town of Montville Town Council
Regular Meeting Minutes for August 9, 2010
7:00 PM – Town Council Chambers
Town Hall**

1. Call to Order – Chairperson Jacobson called the meeting to order at 7:01 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 Lisa Gladke.
4. Special Recognitions – None.
5. Alternations to the Agenda
 - A. **Motion** by Councilor Caron, Second by Councilor Beetham to split Item M into the following: M) The Town of Montville Hereby Resolves that Mayor Joseph W. Jaskiewicz to be and hereby is authorized to execute a contract for 300 units of medical visit service for seniors totaling \$8,001.00 (Eight Thousand One Dollar and Zero Cents) between the Town of Montville and the Senior Resources Agency on Aging, Inc., and further, to approve the Mayor to execute any and all documents that may be necessary; and N) The Town of Montville Hereby Resolves that Mayor Joseph W. Jaskiewicz be and hereby is authorized to execute a contract for 1,620 units of medical transportation for seniors totaling Sixteen Thousand Three Hundred Ninety Four Dollars and Forty Cents) between the Town of Montville and the Senior Resources Agency on Aging, Inc., and further, to approve the Mayor to execute any and all documents that may be necessary. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0.**
6. **Motion** by Councilor Murphy, Second by Councilor Buebendorf to approve the special meeting minutes of July 6, 2010; the special meeting minutes of July 8, 2010; and the regular meeting minutes of July 12, 2010. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; None. Abstained; Councilor Jacobson. **Motion Carried 6-0 with 1 Abstention.**
7. Executive Session
 - A. **Motion** by Councilor Buebendorf, Second by Councilor Beetham to enter into Executive Session for the purpose of discussing strategy and negotiations with respect to pending claims and litigation - Rand Whitney v. Town of Montville/Montville WPCA. Included in the Executive Session will be the following: Town Council Members; Mayor Jaskiewicz; WPCA Administrator, Brian Lynch; and Attorney Ron Oschner. **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 7:06 PM; they returned at 7:47 PM and Chairperson Jacobson stated that no formal votes had been taken.
 - B. **Motion** by Councilor Hillman Second by Councilor Beetham to enter into Executive Session for the purpose of discussing strategy with respect to litigation against the State of Connecticut. Included in the Executive Session will be the following: Town Council Members and Mayor Jaskiewicz. **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 7:49 PM; they returned at 8:10 PM and Chairperson Jacobson stated that no formal votes had been taken.
 - C. **Motion** by Councilor Murphy, Second by Councilor Hillman to enter into Executive Session for the purpose of discussing employee contracts, per the provisions in the Teacher Negotiation Act. Included in the Executive Session will be the following: Town Council Members; Mayor Jaskiewicz; and Town Attorney, Lisa Gladke. **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 8:11 PM; they returned at 8:47 PM and Chairperson Jacobson stated that no formal votes had been taken.
8. Remarks from the Public – None.
9. Communications
 - A. Correspondence between Mayor Jaskiewicz and Mr. David Rowley, Chairman, Board of Education, regarding the Teacher Negotiation Act.
 - B. From John Geary, a copy of the April 15, 2010, meeting minutes of the Representative Advisory Board to the Southeastern Connecticut Water Authority.
 - C. Letter to Mayor Jaskiewicz from Mr. Michael Rainville, Plan B, LLC, dated August 3, 2010, regarding Plan B Personal Property Tax 2010.
10. Report from the Town Attorney on matters referred - Attorney Gladke stated that no matters have been referred to the Town Attorney at this time.
11. Remarks from the Mayor and/or Administrative Department Heads

Mayor Jaskiewicz reported on the following: 1) thank you to Kathy Doherty-Peck on receiving the grants for the Senior & Social Services Department; 2) the Oxoboxo Dam Road bridge project is underway, and is currently 2 weeks behind schedule due to complications in removing rocks from the area; 3) the demolition of the properties at 275 Maple Avenue and 275 Route 163 is complete, and they will go out to auction in the near future; 4) the Town

owned dock has sustained damage after the last rain storm, and will be need to be fixed before citizens can use it. It is being looked into by the Town Engineer and the DEP, and there may be more repairs necessary than originally anticipated; 5) the Town has had discussions with the property owner of the Montville Congregational Church, and there is a possibility that the Raymond Hill Library may be able to utilize the property. The Mayor will keep the Council updated; and 6) he asked the Council to approve the item regarding the Part-Time Dispatchers, and promised that they will keep track of the progress and report back to the Council. The position will expand the hours of the existing part-time dispatchers to 5:00 PM through 10:00 PM, Monday through Friday; no new employees will be hired. This matter was approved by Council in June, but inadvertently was not resolved; today's resolution will complete the process.

Kathy Doherty-Peck gave a report of the grants received; and noted that in addition to the item being on the agenda to allow the Mayor to execute the grants, she wanted to be sure that the Council knew that all three grants have been applied for and received by the Senior & Social Services Department.

12. Reports from Standing Committee

A. Town Administration / Rules of Procedure – Councilor Hillman stated that there was a great deal of discussion on the matter of the proposed Moment of Silence, which is on the agenda tonight. Ms. Angela Rola from the State Department of Asian/Pacific Affairs Commission attending the meeting, along with the Chairman, to discuss the possibility of appointing a liaison from the Town Council to Cultural Affairs.

B. Finance – No meeting; next scheduled meeting is on August 31st.

C. Public Works / Solid Waste Disposal – No meeting.

13. Reports from Special Committees and Liaison Councilors

Planning & Zoning Commission / Inland Wetlands Commission - Councilor Beetham stated that this Commission has been very busy; and that construction has started on the subdivision off of Gay Hill road.

Library Committee – No meeting.

Parks & Recreation Commission - Councilor Buebendorf reported on the following: 1) summer camp is over, and approximately 200 children utilized the camp this past session. She reported that there was one minor incident regarding bee stings, but that no one was allergic so the situation was handled well. A survey is being prepared and will be sent out to the parents for feedback; and 2) there have been 4 concerts so far this summer; 3 of which had attendance of approximately 100 people, and the fourth had 200 people in attendance. Movie nights have had less attendance.

Public Safety Commission - Councilor Buebendorf stated that the Commission re-assigned liaisons to various committees; and they are still considering updating their rules of procedure for Town-wide public safety.

Commission on the Aging – Congratulations to Kathy Doherty-Peck for receiving \$99,521.40 in grants for the Senior & Social Services Department and the Town.

Economic Development Commission – Nothing to report.

Social Services – Nothing to report.

Youth Services Bureau & Advisory Board – Nothing to report.

Volunteer Fire Fighters' Relief Fund – Nothing to report.

Community Center Building Committee – Nothing to report.

Board of Education - Councilor Murphy stated that the Board of Education and Superintendent Pam Aubin have been working very hard to reduce costs, and is currently focused on reducing transportation costs; i.e., working to regionalize school schedules to share yearly calendars in order to reduce the cost of bussing on days when Montville has no school, but other schools in other towns in which there are Montville students in session. Also, they are working on possible regionalization with area towns for supply ordering. Councilor Buebendorf noted that should the Board of Education move to regionalization of school calendars, this would most likely lead to cost savings in areas within the Board of Education, such as regionalizing Professional Development for teachers.

WPCA – Councilor Hillman stated that the WPCA voted to send Mr. Anthony Siragusa and Mr. Timothy May to meet with the Council's representatives to discuss the WPCA's authority. A discussion commenced regarding the Town acquiring the financial duties of the WPCA. Ms. Marcia Vlaun, Town Planner, spoke regarding the need for the WPCA's input into a new commercial development in Town.

Non-Profit Organizations – Councilor Hillman stated that she will be attending a meeting on August 19th at the Women's Center in New London called Safe Harbor. She encouraged anyone interested in attending with her to contact her.

Public Safety Building Committee – Councilor Jacobson stated that the Council met with the Committee on August 5th at a special joint meeting, and there is an item on the agenda to send this matter to Planning & Zoning for an 8-24 review, as per the discussion.

School Building Committee – Nothing to report.

14. Appointments and Resignations

A. **Nomination** for Mr. Chuck Longton by Councilor Buebendorf Second by Councilor Murphy to fill a vacancy for a full voting member of the Conservation Commission, with a term to expire on August 10, 2012. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0. Mr. Chuck Longton appointed to the Conservation Commission.**

B. **Nomination** for Ms. Amie Passmore by Councilor Buebendorf Second by Councilor Beetham to fill a vacancy for a full voting member of the Conservation Commission, with a term to expire on August 10, 2012. **Voice Vote:** In Favor; Councilors Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None.

Abstained; Councilor Beetham. **Motion Carried 6-0 with 1 abstention. Ms. Amie Passmore appointed to the Conservation Commission.**

15. Unfinished Business – None.

16. New Business

A. Motion by Councilor Beetham Second by Councilor Caron to postpone this matter as Mr. Glenn Matthieu is not in attendance. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0. Matter Postponed.**

B. Motion by Councilor Buebendorf Second by Councilor Hillman to authorize Planning and Zoning to perform a CGS §8-24 Review for the construction of a Public Safety Building, to be located at 909 Norwich-New London Tpke., Uncasville, Connecticut; per the discussion at the special joint meeting of the Town Council and Public Safety Committee on August 5, 2010. **Discussion:** Councilor Murphy noted that after further review of the Tower Project, it would be a very good choice for the Town of Montville to build such a tower and rent it out. **Voice Vote:** In Favor; Councilors Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. Abstained; Councilor Beetham. **Motion Carried 6-0 with 1 abstention.**

C. Motion by Councilor Murphy Second by Councilor Beetham to incorporate a Moment of Silence immediately following the Pledge of Allegiance. The aforementioned Moment of Silence shall be in honor and support of our troops in harm's way throughout the world. **Discussion:** **Motion** by Councilor Hillman, Second by Councilor Beetham to amend this Motion as follows: "The aforementioned Moment of Silence shall be in honor and support of our troops. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron and Hillman. Opposed; Councilors Jacobson, McFee and Murphy. **Motion Carried 4-3.** Chairwoman Jacobson called for a Roll Call Vote on the Motion as amended. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0 as amended.**

D. **Resolution #2010-077 – The Town of Montville Hereby Resolves** to refund taxes due to overpayments and corrections in the amount of \$2,402.43 (Two Thousand Four Hundred Two Dollars and Forty-Three Cents), as requested by the Tax Collector and attached hereto as Schedule B. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Resolution #2010-077 Adopted 7-0.**

E. **Resolution #2010-078 – The Town of Montville Hereby Resolves** to appoint a member of the Town Council per section 10-153d of the Connecticut General Statutes (a.k.a. The Teacher Negotiation Act). Said Councilor shall report to the Town Council on all negotiations with the Board of Education and Teachers Union in executive session as stated within the Rules of Procedure. **Motion** by Councilor Buebendorf, Second by Councilor Murphy to nominate Gary Murphy. **Motion** by Councilor Hillman, Second by Councilor Beetham to nominate Councilor Beetham. Chairwoman Jacobson stated that the Councilors should call out their choice during roll call vote. **Roll Call Vote:** Voting In Favor of Councilor Murphy; Councilors Buebendorf, Caron and Murphy. Voting In Favor of Councilor Beetham; Councilors Beetham, Hillman, Jacobson and McFee. **Resolution #2010-078 Adopted 4-3. Councilor Beetham appointed.**

F. **Resolution #2010-079 – The Town of Montville Hereby Resolves** to appoint two members of the Town Council to meet with delegates from the WPCA, Attorney Ron Oschner, the Town's Attorney, and Mayor Jaskiewicz for the purpose of discussing the duties of the Town and WPCA on employee contracts and other such items as deemed necessary. **Motion** by Councilor Murphy, Second by Councilor Hillman. **Discussion:** **Motion** by Councilor Caron, Second by Councilor Hillman to nominate Councilor Buebendorf. **Motion** by Councilor Beetham, Second by Councilor Caron to nominate Councilor McFee. **Motion** by Councilor Hillman, Second by Councilor McFee to nominate Councilor Beetham. **Motion** by Councilor Beetham to nominate Councilor Hillman. She stated that she declines the nomination because she is already the WPCA liaison for the Council, and there should be two additional representative appointed by the Council. Councilor Beetham also declined his nomination. Chairwoman Jacobson called for a roll call vote on appointing Councilors Buebendorf and McFee. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Resolution #2010-079 Adopted 7-0. Councilors Buebendorf and McFee appointed.**

G. **Resolution #2010-080 – The Town of Montville Hereby Resolves** to transfer funds, as requested by the Finance Director, and as per the attached Schedule A. **Motion** by Councilor Hillman, Second by Councilor Beetham. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Resolution #2010-080 Adopted 7-0.**

H. **Resolution #2010-081 – The Town of Montville Hereby Resolves** to transfer the balances in the following Capital Non Recurring accounts to the General Fund Balance: \$2,458 (20999-54007) Highway Equipment-Dump Bodies; \$649.83 (20999-54033) Murphy Kitchen Equipment; and \$76.00 (20999-54064) School Buses/Vans. **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 #2010-081 Adopted 7-0.**

I. **Resolution #2010-082 – The Town of Montville Hereby Resolves** to transfer \$26,000.00 (Twenty-Six Thousand Dollars) to Part Time Dispatchers (10870-51070) from General Fund Balance in the 2010-2011 budget. (This funding was recommended by the Finance Committee). **Motion** by Councilor Buebendorf, Second by

Councilor Caron. **Discussion:** **Motion** by Councilor Beetham, Second by Councilor Hillman to amend this resolution to transfer funds from Contingency (10480-52164). **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, McFee and Murphy. Opposed; Councilor Jacobson. **Motion Carried 6-1.** Chairwoman Jacobson called for a roll call vote on the resolution as amended. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Resolution #2010-082 Adopted 7-0 as amended.**

J. Motion by Councilor McFee, Second by Councilor Beetham to discuss the feasibility of conducting a study to analyze the impact of the Mohegan Sun Casino to the Town of Montville. **Discussion:** **Motion** by Councilor Beetham, Second by Councilor Caron to postpone this matter to the October meeting. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Motion Carried 7-0. Meeting postponed to the October Town Council meeting.**

K. Motion by Councilor Caron, Second by Councilor Hillman to approve the 2010-2011 Sewer Budget. **Discussion:** **Motion** by Councilor Beetham, Second by Councilor Murphy to postpone this vote until up-to-date numbers are received. **Roll Call Vote:** In Favor; Councilors Beetham and McFee. Opposed; Councilors Buebendorf, Caron, Hillman, Jacobson and Murphy. **Motion Fails 2-5.** **Motion** by Councilor Buebendorf, Second by Councilor Caron to amend the Motion to replace the word “approving” with “accepting”. Councilor Buebendorf withdrew her Motion; Councilor Caron withdrew his second. Chairwoman Jacobson called for a roll call vote on the original Motion. **Roll Call Vote:** In Favor; Councilors Caron, McFee and Murphy. Opposed; Councilors Beetham, Buebendorf, Hillman and Jacobson. **Motion Fails 3-4.**

L. Motion by Councilor Murphy, Second by Councilor Caron to approve the 2010-2011 Water Budget. **Roll Call Vote:** In Favor; Councilors Hillman and Murphy. Opposed; Councilors Beetham, Buebendorf, Caron, Jacobson and McFee. **Motion Fails 2-5.**

M. Resolution #2010-083 – The Town of Montville Hereby Resolves that Mayor Joseph W. Jaskiewicz to be and hereby is authorized to execute a contract for 300 units of medical visit service for seniors totaling \$8,001.00 (Eight Thousand One Dollar and Zero Cents) between the Town of Montville and the Senior Resources Agency on Aging, Inc., and further, to approve the Mayor to execute any and all documents that may be necessary. **Motion** by Councilor Buebendorf, Second by Councilor Caron. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Opposed; None. **Resolution #2010-083 Adopted 7-0.**

N. Resolution #2010-084 – The Town of Montville Hereby Resolves that Mayor Joseph W. Jaskiewicz be and hereby is authorized to execute a contract for 1,620 units of medical transportation for seniors totaling Sixteen Thousand Three Hundred Ninety Four Dollars and Forty Cents) between the Town of Montville and the Senior Resources Agency on Aging, Inc., and further, to approve the Mayor to execute any and all documents that may be necessary. **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 #2010-084 Adopted 7-0.**

17. Remarks from the Public

Mr. Brian Lynch, WPCA Administrator, expressed concern in that the Council did not approve the water budget, so how can he pay the one employee who works for the sewer department if there is no line item in the water budget. Ms. Terry Fafard reassured Mr. Lynch that he should continue to work as if from the 2009-2010 budgets until the current budgets are accepted by the Town Council.

Mr. Vince Young, 273 Route 163, thanked the Council for taking care of the demolition of the property located at 275 Route 163.

18. Remarks from Councilors

Councilor Buebendorf stated that the Council has not received a copy of the Attorney’s itemized fees in a couple of months, and requested copies of the past two months, as well as the current month.

Councilor McFee that as a private taxpayer, he had some trouble with the Assessor’s office in that they would not accept documentation that he thought was sufficient.

Councilors Caron and Hillman thanked Kathy Doherty-Peck for her hard work in applying for and receiving the 3 grants noted at tonight’s meeting.

Mayor Jaskiewicz thanked the Councilor for supporting the resolution regarding the part-time dispatcher position.

19. Adjournment – **Motion** made by Councilor Beetham, Second by Councilor Caron, 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 10:01 PM.**

Respectfully Submitted by:

Sandra Anderson CPS
Minutes Clerk
Montville Town Council

SCHEDULE A

<i>Transfer to:</i>	<i>Transfer from:</i>	<i>Amount</i>
10340-52045 Legal Fees-Land Use	10560-53022	4,000
10340-52044 Legal Fees-Tax/Assessment	10310-51051 Floating Secretary	4,200
10420-52025 Pension	10940-51131 PT Landfill Operator	15,000
10420-52025 Pension	10730-53038 P&R Programs	14,500

SCHEDULE B

REFUNDS FOR AUGUST 8, 2010, MEETING

BIRO, JOSEPH M.	VEHICLE SOLD	\$ 22.50
CARROLL, MICHAEL J.	VEHICLE SOLD	25.50
GREEN, JOHN H.	VEHICLE SOLD	18.28
HUMMEL, JOHN F. OR NANCY P.	ANTIQUE AFFIDAVIT	286.72
JAKUB, RYAN A.	SOLDIERS & SAILORS ACT	289.17
KYLE, ALBERT G. JR. & LINDA A.	OVERPAYMENT	884.00
KRISHNAMURTHY, CHANDRASE	VEHICLE SOLD	46.23
MANVILLE, SARAH M.	VEHICLE SOLD	71.12
MELVIN, EDWIN W. OR JANE E.	VEHICLE SOLD	24.89
PRICE, HOLLIJS G.	ANTIQUE AFFIDAVIT	21.06
SLACK, CYNTHIA L.	VEHICLE GIFTED	14.02
TODD, T. SCOTT & KELLY J.	VEHICLES SOLD (2)	30.56
TOWNSEND, KARL & RENEE A.	OVERPAYMENT	628.55
TRAYNOR, SUSAN M. OR DANIEL	VEHICLE SOLD	7.86
UKRAINE, LORRAINE	VEHICLE SOLD	24.89
VESCE, PRISCILLA EST	VEHICLE SOLD	7.08
	TOTAL	\$ 2,402.43