

**Town of Montville Town Council
Regular Meeting Minutes for Monday, May 9, 2011
7:00 p.m. – Town Council Chambers – Town Hall**

1. Call to Order

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

2. Pledge of Allegiance followed by a moment of silence in honor and support of our troops.

3. Roll Call

Present were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. Also present was Town Attorney Bruce Chudwick and Mayor Jaskiewicz.

4. Special Recognitions/Presentations – none.

5. Alterations to the Agenda

Councilor Murphy requested the removal of item 15 (c), stating the item is not ready for discussion; Councilor Hillman requested item 16 (j) should read “interim sewer budget”; Councilor Buebendorf requested item 16 (g) be removed from the agenda; Chairperson Jacobson requested removing her name from item 16 (b) and to replace it with Mayor Jaskiewicz because he should receive the credit for doing a great job with the item; and she requested the addition of item 16 (m) To consider and act on a motion to read the stipulated settlement of the Ethics Complaint received by the Town Council on April 11, 2011.

Motion made by Councilor Buebendorf, seconded by Councilor Murphy to alter the agenda as requested by Councilors, discussion, none, voice vote, 7-0, all in favor, motion carried.

6. To consider and act on a motion to approve the regular meeting minutes of;

- a. the March 29, 2011 special meeting;
- b. the April 11, 2011 regular meeting;
- c. the April 11, 2011 public hearing (Bridge St);
- d. the April 11, 2011 public hearing (tobacco ordinance)
- e. the April 25, 2011 special meeting;
- f. the April 27, 2011 public hearing;
- g. the April 28, 2011 special meeting;
- h. the April 28, 2011 public hearing.

Motion made by Councilor Caron, seconded by Councilor Beetham to approve all of the above mentioned meeting minutes as submitted, discussion, none, voice vote, 7-0, all in favor, motion carried.

7. Executive Session

- a. To consider and act on a motion to enter into Executive Session for the purpose of discussions regarding litigation with the State of Connecticut. Discussions to include members of the Town Council and Mayor Jaskiewicz.

Motion made by Councilor Beetham, seconded by Councilor Caron, discussion, Councilor Murphy stated he will not be participating in the executive session discussions because he works for the State Department of Corrections, voice vote, 6-0. all in favor, motion carried and invited parties left Chambers for executive session at 7:07 p.m., returning at 7:17 p.m. Chairperson Jacobson resumed the meeting and indicated no formal votes were taken during the executive session.

8. Remarks from the public relating to matters on the agenda with a three minute limit.

Mr. Jon Chase, 1011 Route 163, speaking as the Town Historian for the Town of Montville, urged the Council for a favorable vote on item 16 (b) concerning the Montville Center Congregational Church. He stated it has been over three years since the day the “for sale” sign went up on the church and he began researching the property. He stated this is an opportunity to work toward preserving the important land mark and to see that its use for the public continues. This site has been recognized as a centerpiece for the heritage and park overlay zone by the Town Planner in the Plan of Conservation and Development that was enacted by the Town Council last year. He thanked everyone for their consideration in this matter and thanked Mayor Jaskiewicz for working hard to secure the favorable architectural and structural analysis of the building.

Mr. John Geary, 11 Depot Road, President of the Montville Historical Society, thanked the town officials and members of the church congregation for making the preservation of the building possible. He stated it is clearly a historical building and the Historical Society is happy the building will be preserved. The Historical Society voted to hire a historian to research and submit an application that will place the building on the National Historic Register. He thanked the Council and Mayor for all their help in getting to this point.

Mr. Ray Coggeshall, 844 Raymond Hill Road, a member of the Board of Directors for the Raymond Hill Library, thanked Chairperson Jacobson and Mayor Jaskiewicz and the Town Council for working to try to protect the valuable and historic building in the Town of Montville. The library is looking forward to utilizing the space for programming areas, children’s movies, family movie night, a speaker, poetry readings, and a space for book signings. This space will be very valuable to the library. He thanked Councilor Beetham as the liaison to the library and encouraged support from the Council to pass agenda item 16 (b).

Ms. Marcia Vlaun, Town Planner spoke in support of item 16 (b), stating the Planning & Zoning Commission and the Town Council adopted the 2010 Plan of Conservation and Development and a key element in the Plan was the Park and Heritage Corridor, this envisions tying together historic properties in the area of Meetinghouse Lane with this property being the cornerstone along with the Raymond Library linked by trails through Camp Oakdale and other historical structures that lead to the Town’s conservation area, south of Fair Oaks. Until the Town owns the property and takes responsibility for the building it will continue to deteriorate. If the building gets named to a register the town can apply for grants and solicit donations to fix up the building and she supports the acquisition and hopes the Town Council will as well.

Mr. Dick Wilson, 6 Richard Lane, spoke regarding item 15 (l), stating the Town Council has never requested this type of survey from the Economic Development Commission. He was at the meeting when Chairperson Jacobson made a suggestion to Mr. Toner after he gave his report and the Town Council did not vote to authorize this survey. He inquired as to why a suggestion would be placed on the agenda and he hopes the Town Council clarifies this when it comes up on the agenda.

Ms. Ellen Desjardins, 513 Raymond Hill Road, spoke in favor of item 16 (b), stating the town is making a positive decision by accepting the church. She stated she would like to be involved in raising funds to restore the church.

Mr. Gary Pike, 38 Bergman Drive, spoke in favor of item 16 (b), stating it is worthwhile for the town and hopes the Council approves it so the town can move forward with restoring the property. He spoke regarding the executive session litigation discussion and stated he is in favor of continuing the fight until there is something legally binding from the State that guarantees the safety of the families in Montville and in the region and a financial impact study has been conducted in order to determine the consequences of the facility will have on the town.

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

9. Communications

Chairperson Jacobson discussed a correspondence from Mayor Jaskiewicz regarding Bill #1167 and Act concerning the Mid Connecticut Trash to Energy Facility. She stated there is concern regarding the closing of the Southeastern Connecticut Regional Resources Recovery Authority. Mayor Jaskiewicz stated this bill could have a significant impact.

10. Report from the Town Attorney on Matters Referred.

Attorney Chudwick distributed a copy of the opinion regarding the question Councilor Beetham discussed at the previous meeting concerning the ability of Town employees or Town Council members to bid at the Town auction of surplus property. The memo strongly recommends employees and Council members do not bid on the property because of the potential of these individuals knowing something about the property and it could violate the Ethics Code. He stated he has been working on the ethics complaint and this item is on the agenda for discussion as well as the Montville Congregational Church acquisition. He has been working on various land use matters and tax appeals.

11. Remarks from the Mayor and/or Administrative Department Heads to include Matters Referred.

Mayor Jaskiewicz discussed a settlement agreement that does not have to be addressed until the June meeting. He urged support of agenda item 16 (b) and thanked Attorney Chase for all his help. He submitted the environmental and structural report for the church to the Council and stated the acquisition of the church property would be an asset to the town. He urged the Council to support the agenda item regarding 14 Bridge Street. He would like to get the property cleaned up with the assistance of a grant and get it back on the tax rolls. He discussed the in kind services request for the Montville Rally and urged support from the Council, stating the town has done this for the Montville Fair in the past. He stated the Memorial Day Parade will be held on Sunday, May 22, 2011.

Ms. Marcia Vlaun distributed documents to the Council regarding the Public Safety Building project. She gave the monthly report for the Public Safety Building project, stating the bid documents were completed by the Building Committee, including the specs and plans. She stated the Department of Economic and Community Development approved the package in three days and the committee is currently crafting the legal ad and is currently three weeks ahead of schedule. The bids should be out in the near future. She discussed activities over the past month, stating the contract was signed and forwarded to DECD, there was a discussion with the Finance Director regarding the builders risk insurance for the Town and she stated the town will

see a savings in the contract if the builders risk insurance is included in the General Contractor's contract and overhead and profit is added, the town will cover the additional insurance through CIRMA at no increased cost to the town. Sub-committee meetings were held regarding furniture, fixture and equipment and door schedules, a dispatch and communications meeting on the technology and review of the entire low voltage floor plan. Issues that are being addressed include replacing the flashing light at the intersection including the signal heads control cabinet and cabling and she stated she is fighting this request as she believes it should not be in the project cost of the town as they are not the major traffic generator in this area, the prison is. She does not want to absorb the additional costs for the installation of the blinking red light, she discussed the Yankee Gas proposal, easement plans, deed description and information system items. She stated the athletic equipment for the gym at the facility has been donated. The project is still in the soft cost phase. She discussed the project sign and submitted a profile of the exterior elevations of the project. She discussed the construction schedule for the upgrades to the Fair Oaks building. She stated the project is still in the process of obtaining the building permit because the Building Officials were on vacation and this project has been pushed back about a week. The final completion date will be prior to the start of summer camp and she is confident the work will be completed by this time. She discussed the unemployment rates for the Town of Montville, the State of Connecticut and the country.

12. Reports from Standing Committees.

a. Town Administration/Rules of Procedure

Councilor Hillman stated everything from Town Administration is on the agenda for discussion.

b. Finance

Councilor Murphy stated the items from Finance are on the agenda and the Finance Committee has held two budget meetings to date and they have gone very well. There are meetings scheduled to meet with Department Heads on Tuesday and Thursday. He asked if any of the Councilors can attend the meeting to do so and if not to get the questions and comments regarding Department Head budgets to the proper people prior to the vote on the budget. He stated the finances are looking better and the Finance Director will report on insurance items she and the Mayor have been working on that will save the Town money next year. A discussion was held regarding the water and sewer budgets and the Finance Director spoke regarding the budget approval, stating the budget must be in by May 30th and the Town Council has to act on the budget and she tentatively booked May 25th for the budget discussions with the Town Council.

c. Public Works/Solid Waste Disposal

Councilor McFee stated there was no meeting last month.

13. Reports from Special Committees and Liaison Councilors

a. Planning & Zoning Commission & Library Committee

Councilor Beetham stated Ms. Vlaun gave a nice presentation regarding the Public Safety Building. He discussed the revisions to the Town of Montville Zoning Regulations regarding flood hazard areas that are required by FEMA. He discussed a site plan for construction of a building on Sachatello Industrial Drive. The Library Committee has not had a meeting and things are going well.

b. Parks & Recreation Commission & Public Safety Commission

Councilor Buebendorf stated Parks & Recreation will have its bi-annual walk through of the parks and they will be looking closely at the organic treatments on the grounds to stay consistent with the schools, they are planning for summer camp, signs are being made for the parks to let people know the parks are tobacco free zones, and they approved the area across from the pavilions to be used by the fire department for training purposes. They are working on an MOU with the owners of the property and the town. The Public Safety approval of the Rules and Procedures was removed from the Town Council agenda because it was discovered the Town Council does not have to approve them. The Animal Control Officer is working on standardizing the rates, some are fixed by statute and others will be evaluated by looking at other towns in Connecticut. A discussion was held regarding regionalizing Animal Control and Mayor Jaskiewicz stated it is a burden on one person who services more than one town and does not work that well. A discussion was held regarding the completion date for the volleyball courts.

c. Commission on the Aging, Economic Development Commission, Social Services & Youth Services Bureau & Advisory Board

Councilor Caron stated Youth Services held their annual spaghetti dinner fund raiser and he thanked the Councilors who attended, over one thousand dollars was raised at the event. The summer camp is full and currently has a waiting list, Social Services did not meet last month, the Commission on the Aging held their art show and it was a great success. May is older Americans month and he stated he did not attend the Economic Development Commission meeting because he was out of the country, but Councilor Buebendorf attended the meeting in his absence.

d. Volunteer Fire Fighters Relief Fund & Community Center Building Committee & Regional Dispatch Committee

Councilor McFee stated he did not have a report.

e. Board of Education

Councilor Murphy stated he is meeting with the Board of Education on Tuesday at the Finance meeting. He stated it has been a quiet month for the Board of Education.

f. Water and Sewer Commission & Non-Profit Organizations

Councilor Hillman stated the WPCA Commissioner received the final copy of the Facilities Plan and they are waiting on DEP approval. Attorney Ochsner reported the interconnection hydrant at the Mohegan Fire Department between the Montville system and the SCCWA system for fire protection purposes was discussed by the Department of Health and they have concerns that need to be addressed. The WPCA is asking that the town help to pay for this as it is not a sewer and water issue but a fire protection issue. The eighty thousand dollars that the WPCA pays the Town of Montville was paid in March for the 2010-2011 fiscal year and the Commission voted to pay the Town of Montville the balance due them on the Financial side of the budget in the amount of ten thousand five hundred dollars for financial services. The WPCA was unable to take over the finances in January but will be able to do so by July 1, 2011 and this will end the payments the WPCA pays the Town of Montville for financial services. She discussed Non Profits, stating she will bring the report to Finance and stated the same organizations that did not submit last year did not submit again this year.

g. Public Safety Building Committee & School Building Committee

Councilor Jacobson stated Ms. Vlaun gave a great report regarding the Public Safety Building Committee. A discussion was held regarding the letter from Mayor Jaskiewicz to Edith Prague, Connecticut State Senator, 19th District regarding the proposed Bill No. 1167. Mayor Jaskiewicz stated if this happens the tipping fees could go up, and SCRRRA has hired a lobbyist to help work with Bridgeport, CT in opposition of passing the bill. This could impact the town by as much as five hundred thousand dollars and there is no positive value for the member towns of SCRRRA.

14. Appointments and Resignations

a. To consider and act on a motion to appoint a full voting member to the Parks & Recreation Commission with a term to expire May 9, 2015. (Mr. Gilbert Maffeo has indicated he would like to be appointed and was interviewed by the Council on April 11, 2011).

Councilor Buebendorf nominated Mr. Gilbert Maffeo, Councilor Beetham seconded the nomination. Chairperson Jacobson asked three times if there were any additional nominations for the position.

Voice vote, 7-0, all in favor, motion carried and the appointment was made.

15. Unfinished Business

a. Resolution #2011-038. THE TOWN OF MONTVILLE HEREBY RESOLVES to approve and adopt the ordinance titled “ An Ordinance Regarding The Lease, Sale and Conveyance Of Real Property Located at 14 Bridge Street”; as read at a public hearing on Monday April 11, 2011. (Councilor Jacobson)

Motion made by Councilor Caron, seconded by Councilor Murphy. Discussion; Mayor Jaskiewicz stated this has been ongoing for approximately two years. This property is Impulse Design and is in a tax foreclosure and if the Town cleans up the property with a grant and sells it back it will be back on the town’s tax rolls and the property around the building cleaned up with the grant from DECD. Attorney Ray Bariboult was present to speak regarding the proposal. He stated the property is located at 14 Bridge Street and the foreclosure has been pending for several years in light of the environmental issues that are on the property and the town has not yet taken title to the property for this reason. Two years ago the town was able to secure a grant from the State and an interest free loan to allow the cleanup to occur. The property appraised in 2005 at one hundred and seventy five thousand dollars without the benefit of any environmental review on the property. The current occupant of the property commissioned an environmental study to be done at the cost of twenty two thousand dollars with certain recommendations and the recommendations were presented to the DECD and they concluded the report was accurate and they could provide Federal and State funding to the Town in order to allow the cleanup to occur. The State and the Federal Governments are prepared to close on this transaction. The only risk to the Town is that once the ground is broken there could be further environmental issue that may come out, but that is the only unknown in this process. In March the taxes alone were over two hundred and seventy thousand dollars and this includes one hundred and seventy thousand dollars in interest and ninety nine thousand dollars in actual taxes. The process would allow the property to be put back onto the tax roll and start generating taxes for the Town.

Roll call vote; 7-0, voting in favor of adopting the resolution were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. Voting in opposition, none, resolution adopted.

b. Resolution #2011-039. THE TOWN OF MONTVILLE HEREBY RESOLVES to authorize Mayor Joseph Jaskiewicz to execute a one year extension of the engineering services agreement with Nathan L. and Associates; said extension is from July 1, 2011 through June 30, 2012. (Mayor Jaskiewicz)

Motion made by Councilor Caron, seconded by Councilor Buebendorf, discussion, Mayor Jaskiewicz stated he emailed everyone a copy of the numbers Nathan Jacobson submitted to the Town as suggested by Councilor Hillman. Councilor Beetham stated the Charter states if costs exceed ten thousand dollars the Town should go out to bid. Chairperson Jacobson asked if the Council will have to waive Section 708 and Mayor Jaskiewicz stated the contract states the Town has the right to extend the contract for an additional year. The contract was a two year contract with the option for a one year extension and therefore the Council would not have to waive Section 708.

Roll call vote; 4-3 voting in favor were Councilors Buebendorf, Caron, Hillman, and Murphy, voting in opposition were Councilors Beetham, McFee and Jacobson, resolution adopted.

c. THE TOWN OF MONTVILLE HEREBY RESOLVES to perform personal property audits on randomly selected town accounts that currently reflect true cash values of \$50,000 and greater every five (5) years beginning in the 2016-2017 Fiscal Year. (Councilor Murphy)

This item was removed from the agenda.

16. New Business

a. Resolution #2011-040. THE TOWN OF MONTVILLE HEREBY RESOLVES to refund taxes due to overpayments and corrections in the amount of \$5,622.17 as requested by the Tax Collector and attached hereto as Schedule A. (Councilor Jacobson)

Motion made by Councilor Beetham, seconded by Councilor Hillman, discussion, none, Roll call vote; 7-0, voting in favor of adopting the resolution were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. Voting in opposition, none, resolution adopted.

b. Resolution #2011-041. THE TOWN OF MONTVILLE HEREBY RESOLVES to approve and authorize the Mayor to execute an agreement and any documents to effect said agreement between the Town of Montville and the former Montville Center Congregational Church property located at 812 Raymond Hill Road. (Mayor Jaskiewicz)

Motion made by Councilor Murphy, seconded by Councilor Caron, discussion, Councilor Buebendorf stated she supports the idea of incorporating the building into the town and the benefits of the potential use for the library, but expressed concerns, stating there is not enough information to make an informed vote on this issue at this time, she would like to see an estimate of the costs to correct the defects that are described in the documentation for the structural report and she would like to have an estimate of annual expenses for preservation and upkeep of the structure. She does not want to see the town incur a black hole of expenses and can not in good conscience vote for this unless there is some idea of the expenses to the Town. She would like to hold a public hearing so the taxpayers have the opportunity to weigh in on this prior to any decisions as it is a big decision for the Town. Councilor Beetham stated it is a historical building and if the Town doesn't take it over it will decay and in the end it will be the Town of Montville that will have to pay to take it down, clean it up and sell the property. He thinks it is a good thing to preserve a part of history, stating it was the first church in the Town of Montville. He stated he is in favor of adopting the resolution.

Roll call vote; 6-1, voting in favor of adopting the resolution were Councilors Beetham, Caron, Hillman, McFee, Murphy and Jacobson, Voting in opposition was Councilor Buebendorf, resolution adopted.

c Resolution #2011-042. THE TOWN OF MONTVILLE HEREBY RESOLVES to authorize Mayor Joseph Jaskiewicz to negotiate and execute all necessary agreements and contract documents between the State of Connecticut Department of Transportation on behalf of the Town of Montville for the State fiscal year ending 2012 Matching Grant Program for Elderly and Disabled Demand Responsible Transportation; said grant amount is thirty three thousand, three hundred eighty three dollars (\$33,383.00). (Councilor McFee)

Motion made by Councilor Beetham, seconded by Councilor Murphy, discussion, Mayor Jaskiewicz stated this is a regional bus grant between Montville and Norwich and it is a grant that has to be matched by the Town. The Town has been receiving this grant for years and this resolution is a renewal to an existing grant.

Roll call vote, 7-0, voting in favor of adopting the resolution were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson, voting in opposition, none, resolution adopted.

d. Resolution #2011-043. THE TOWN OF MONTVILLE HEREBY RESOLVES to contribute to the Montville Community Rally sponsored by the AAA Lions Club to benefit American Diabetes Association, scheduled for Saturday, June 5, 2011, in-kind services not to exceed an amount of \$1,968.00, (one thousand nine hundred and sixty eight dollars) per Schedule B attached. (Councilor Jacobson)

Motion made by Councilor Caron, seconded by Councilor Hillman, discussion, Councilor Buebendorf stated she will abstain from this vote because she is a member of the AAA Lions Club. Councilor McFee stated he will support this resolution. Mr. Glen Matthiew, 96 Richard Brown Drive, the director of the event, was present to discuss the request with the Council. A discussion was held regarding the bus transportation and Mayor Jaskiewicz stated he will work out the payment to the Board of Education for the bus transportation services if the Council adopts the resolution to provide the in kind services. Mayor Jaskiewicz stated the Town used to provide these services for the fair.

Roll call vote; 6-0-1, voting in favor of adopting the resolution were Councilors Beetham, Caron, Hillman, McFee, Murphy and Jacobson. Abstaining from the vote was Councilor Buebendorf, resolution adopted.

e. THE TOWN OF MONTVILLE HEREBY RESOLVES to set aside the fourth Wednesday of each month for a second regularly scheduled meeting of the Montville Town Council at 7:00 p.m. and follow the Rules and Procedures as set out by the Town Council with the following dates; May 25, 2011 (special meeting), June 22, 2011, July 27, 2011, August 24, 2011, September 28, 2011 and October 26, 2011. (Councilor Hillman)

Motion made by Councilor Hillman, seconded by Councilor Jacobson, discussion, Councilor Hillman stated this item was discussed in Administration, it has been a big concern the executive sessions have become long and agendas run late and there was public comment regarding Councilors getting tense toward the end of the night and this may be a way to resolve these issues by setting a second agenda to split the agenda items between the two. Councilor Buebendorf stated she attended the Town Administration meeting and this is an idea she has brought up in the past. The Town Council can call a special meeting at any time and if there is a

need this can be done. It was agreed informally to pencil in those dates and to keep the dates open but the dates were never used. She stated she has plans on one of the dates that she does not want to change and at this point of the session it does not make sense to set dates up as regular meetings, but she is in favor of setting up special meetings for the purpose of the executive sessions when it is necessary. Councilor Beetham agreed with Councilor Buebendorf and Councilor Murphy is in favor of scheduling special meetings as needed but not for scheduling additional regular meetings.

Roll call vote; 5-2, voting in favor were Councilors Hillman and Jacobson, voting in opposition were Councilors Beetham, Buebendorf, Caron, McFee and Murphy. Resolution failed to pass.

f. Resolution #2011-044. THE TOWN OF MONTVILLE HEREBY RESOLVES to set the date of Monday, June 13, 2011 at 6:30 p.m. for a public hearing regarding "An ordinance regarding a land exchange of real property located at 75 Pink Row". (Councilor Hillman)

Motion made by Councilor Beetham, seconded by Councilor Hillman, discussion, Councilor Hillman stated the request is from the WPCA and Attorney Ochsner is present to answer questions, the proposal is an even exchange of two parcels of land between GL&C Construction and the Town of Montville. Attorney Ochsner stated two years ago the WPCA began a facilities study to look at the facilities and infrastructure facilities for both the collection system and the plant and it was determined in the report submitted by the consultant last week that the town over the next twenty years is going to need to expand its sewer wastewater facilities by way of installation of additional SBR in addition to the ones already in place. At present time there is insufficient land area available at the treatment plant and the WPCA began to search for parcels of land. The abutting property owners (GL&C) expressed interest in land owned by the Town for development purposes and an even land swap of land is in the process of being finalized. In the Charter if there is going to be an conveyance there must be an ordinance and a public hearing and he recommends the Council set the date and proceed with due diligence. The matter was subject of an 8-24 review by the Planning & Zoning Commission and they submitted a favorable recommendation relative to the exchange. Public Works will be utilizing the property for a storage area until the time the WPCA will use the property. An appraisal was done on both properties and it was determined the values were of equal value. Administrator Lynch stated the appraisals done on the property are available for review in the WPCA office.

Roll call vote, 7-0, voting in favor of adopting the resolution were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson, voting in opposition, none, resolution adopted.

g. THE TOWN OF MONTVILLE HEREBY RESOLVES to adopt the Town of Montville Public Safety Commission Policies and Procedures revised April, 2011 and adopted by the Public Safety Commission at its April, 2011 meeting. (Councilor Buebendorf)

This item was removed from the agenda.

h. Resolution #2011-045. THE TOWN OF MONTVILLE HEREBY RESOLVES to waive Section C708 of the Town Charter and authorize the Mayor to enter into an agreement with H.D. Segur Insurance to act as the town's Broker of Record for Liability, Auto and Property Pool Insurance and Workers Compensation Insurance. (Councilor Murphy)

Motion made by Councilor Murphy, seconded by Councilor Caron, discussion, Mayor Jaskiewicz stated there were two presentations made to the Town Council regarding this proposal. Finance Director Hart stated Scott Sundberg spoke with the Council, she stated this proposal is in the best interest of the Town because it is close to time to wrap up the budget for

the next fiscal year and there could be considerable savings to the Town by using a Broker of Record. She stated Mr. Sundberg has indicated the Town does not have to pay any fees unless the results are budget positive and the Town saves at least the forty thousand dollars it costs to cover the yearly fee of H.D. Segur Insurance. She urged the Council to move this item in order to save the town money in the next fiscal year. A discussion was held regarding splitting the costs of the fee with the Board of Education based on a formula of use. Councilor Hillman reviewed the contract and expressed concern it does not specify the Town can opt out of the contract if they are not satisfied with the services. Ms. Hart stated the contract can be terminated with written notice but Mr. Sundberg is very confident there will be significant savings for the Town. Councilor Beetham read a newspaper article to the Council that states the Town of Thompson is very satisfied with the savings H.D. Segur has found for the Town.

Roll call vote 5-2, voting in favor of adopting the resolution were Councilors Buebendorf, Caron, Hillman, Murphy and Jacobson. Voting in opposition were Councilors Beetham and McFee, resolution adopted.

i. Resolution 2011-046. THE TOWN OF MONTVILLE HEREBY RESOLVES to authorize the Mayor to enter into an agreement with Yankee Gas to supply natural gas service to the facility known as the Montville Public Safety Building located at 911 Norwich New London Turnpike, Uncasville, CT.

Whereas at its expense (the "Project Cost"), the Company must construct and install distribution mains, service pipes, meters, regulators and/or other required equipment (collectively the "service lines") to connect the property to the distribution facilities of the Company.

Whereas the company will commence services within sixty days after the company has installed the service lines. This agreement shall be in effect for fifteen years. (Councilor Jacobson)

Motion made by Councilor Murphy, seconded by Councilor Hillman, discussion, Councilor Beetham inquired if the fifteen year contract means the Town must buy gas from Yankee Gas for fifteen years regardless of the price of gas and Ms. Vlaun explained this is a rate 20 gas service agreement based on the amount of gas projected to be used by the facility. The price is controlled by DPUC and the Public Safety Building is fueled by gas. The Board of Education is using the same agreement in the schools. Yankee Gas will tap the pipe on Route 32 through the State right of way to the building to include the road cut, the pipe, the backfill and the actual tying in of the building up to the meter point at no cost to the Town. It is a fifteen year contract with an option to renew. Oil will only be used in the backup generators in the "belly tanks". Yankee Gas is recruiting long term customers at this point with no construction costs with considerable savings to the Town. A discussion was held regarding the pros and cons of a solar system for the building.

Roll call vote, 7-0, voting in favor of adopting this resolution were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson, voting in opposition, none, resolution adopted.

j. Resolution #2011-047. THE TOWN OF MONTVILLE HEREBY RESOLVES to adopt the fiscal year 2011-2012 Montville Water Pollution Control Authority proposed interim sewer budget in the amount of \$5,720,139 (five million seven hundred twenty thousand, one hundred and thirty nine dollars). (Councilor Hillman)

Motion made by Councilor Hillman, seconded by Councilor Buebendorf, discussion, Councilor Hillman stated this is an interim budget until the new rate study is completed. Administrator Lynch stated the WPCA is sending information to the rate consultant every day and hope to have real numbers regarding how much Rand Whitney will pay in June. He will report back as quickly as possible with real numbers but because of obligations to the Charter as to when the budget must be accepted he presented the budget to the Council at this time. He stated he will look at the Charter and present the budget next fiscal year with more detail if the Council would

like it that way. Councilor Beetham inquired if Rand Whitney is putting money in escrow and Administrator Lynch stated there is no escrow because the arbitration ruling states the Town has to go back to the old rate and there was no adjustments to be made until after the new rate study is done. Once the rate study is completed the new rate will kick in with no retroactive payments, the new rates go into effect thirty days after the study is accepted by either party.

Roll call vote, 6-1, voting in favor of adopting the resolution were Councilors Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson, voting in opposition was Councilor Beetham, resolution adopted.

k. Resolution #2011-048. THE TOWN OF MONTVILLE HEREBY RESOLVES to adopt the fiscal year 2011-2012 Town of Montville Water Pollution Control Authority proposed water budget in the amount of \$1,068,000 (one million sixty eight thousand dollars). (Councilor Hillman)

Motion made by Councilor Hillman, seconded by Councilor Murphy, discussion, Councilor Hillman stated the budget presented is different than the one presented in the budget book, it more accurately reflects the actual water side of the budget and depicts what the actual water needs are. Chairperson Jacobson asked if there will be an increase in the water rates this year and Administrator Lynch stated there will not be an increase, he has checked with Groton and they have stated they have no intention of increasing the water rates through this fiscal year. He stated the budget presented is a true and accurate budget. Councilor Beetham inquired if the employees will receive a wage increase this year and Administrator Lynch stated the Union contract gave a zero percent increase this year with a two and one half percent increase next year and those numbers are reflected in the budget.

Roll call vote; 7-0, voting in favor of adopting this resolution were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson, voting in opposition, none, resolution adopted.

l. To consider and act on a motion to discuss and clarify the purpose of the Town Council's request that the Economic Development Commission conduct surveys of the long time Montville businesses. (Councilor Caron)

Motion made by Councilor Murphy, seconded by Councilor Beetham, discussion, Councilor Buebendorf stated she attended the Economic Development Commission meeting for Councilor Caron this month and Mr. Toner interpreted Chairperson Jacobson's request to survey long term businesses in the Town of Montville as an action item. The Commission had difficulty determining exactly what the Town Council was requesting and asked that this item come back to the Town Council for clarification. Chairperson Jacobson stated it was merely a suggestion that morphed into a mandate and that was not the intention. She stated the Town can learn a lot from businesses that have been in Town for a long period of time, stating they stay in town for a reason. It was the consensus of the Council that information obtained from long term business would be an asset to the Town for business to business information.

m. To consider and act on a motion to read the stipulated settlement of the ethics complaint received by the Town Council on April 11, 2011.

Councilor McFee stated he does not want to be any part of this discussion and excused himself from the meeting.

Motion made by Councilor Hillman, seconded by Councilor Beetham, discussion, none, Chairperson Jacobson read the stipulated agreement into the record (see attached Schedule C).

17. Remarks from the Public

Mr. Dick Wilson, 6 Richard Lane, discussed item 16 (d) for the in kind services and stated the Lions Club is planning a battle of the bands during the summer and inquired if the town will consider a resolution every time there is an event. He does not remember a resolution for the in

kind services for the fair. Chairperson Jacobson stated there was a resolution passed for the Montville Fair in kind services.

Ms. Ellen Desjardins, 513 Raymond Hill Road, discussed traffic lights on Route 32 and Route 163, stating she has difficulty turning and often gets stuck in the middle of the road. She discussed a light near the Adams Supermarket and suggested adding another lane to get better access to the shopping center. She discussed blighted properties on Raymond Hill Road and Mayor Jaskiewicz stated the Blight Officer is working with the property owners to clean up the properties. She stated she has had her business in Montville for forty five years.

Chairperson Jacobson asked three times if there was anyone from the public who would like to come forward to address the Council.

18. Remarks from the Councilors

Councilor Hillman thanked the Council for passing the resolution for the acquisition of the church property, it is an intricate part of the town and is pleased it will be a part of town property.

Councilor Murphy discussed the mock crash on May 17th in front of Fair Oaks and Montville High School at 8:00 a.m.

19. Adjournment

Motion made by Councilor Murphy, seconded by Councilor Beetham to adjourn the meeting at 9:32 p.m. Discussion, none, voice vote, 7-0, all in favor, motion carried.

Respectfully submitted by:

Audrey Ulmer, Recording Secretary for the Town of Montville