

**\*\*\*Amended June 15, 2011\*\*\***  
**Town of Montville Town Council**  
**Special Meeting Minutes for Wednesday, May 25, 2011**  
**6:00 p.m. – Town Council Chambers – Town Hall**

1. Call to Order

Chairperson Jacobson called the meeting to order at 6:02 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 Mayor Jaskiewicz.

Mayor Jaskiewicz stated on April 13, 2011 the budget was presented to the Town Council with a point eight four mill increase, the next day the Finance Office found a mistake in the tax relief for the elderly as a debit for revenue in the amount of seventy one thousand nine hundred and thirty three dollars instead of a credit. This affected the budget by one hundred and forty three thousand, nine hundred and eighty six dollars making the mill rate a point seven five increase. Two or three weeks later he received a notification from the State of a potential two hundred and fourteen thousand dollars for local property tax relief. If this money is not received it could have a major impact to the Town. Even if this money is passed on to the Town, there is still a four hundred million dollar deficit that the Governor is going to have to make up. He stated the Governor has to come up to the Legislature and explain to them how he plans to make up the four hundred million dollar deficit by May 31, 2011. The Legislative Body will then have until June 8, 2011 to make a decision one way or another. If the Unions do not give their concessions there could be an impact to the Towns. If the Town does receive the two hundred and fourteen thousand dollars from the State the mill rate for the Town of Montville will be dropped to a point six zero over last year.

4. Remarks from the Public Regarding Items on the Agenda with a three minute limit.

Mr. Wills Pike, 71 Pheasant Run, stated he is concerned about the Town. He discussed a budgetary adjustment posted at five forty two in the morning and he is disturbed that four of the Councilors took it upon themselves to hold a meeting to present the budgetary adjustment. He stated this would constitute a quorum and as a tax payer and someone who votes in the Town, this is unacceptable. He suggested the special meeting be cancelled and postponed until another time when this issue can be resolved and the Council can share with the public why this happened. He stated this act is political grandstanding and he is upset that the Council has done this. He stated if the Council should cancel the meeting in order to allow all the Councilors to see the information. He discussed the WPCA re-payment and asked if it is considered a revenue or a debt, a proposed increase for miscellaneous supplies for the Town Council; the Human Resource position and supporting the structure and safety of the Town; road striping and drainage as Capital Improvements; and a proposed reduction in the roof repair budget. He stated business needs to be done above board and urged the Council to cancel the meeting to allow the entire Council to review the budgetary adjustments.

Mr. Bryce Wilkins, 21 Sparrow Court, Deputy Chief of the Oakdale Fire Department, spoke regarding item # 7 (a) regarding the five year Capital Improvement Plan and urged the Council to vote to approve the replacement of a fire engine at the Oakdale Fire Department. The engine is twenty one years old and is starting to show signs of wear. He stated he is working on an ISO

rating for the Town, (insurance service organization) that gives rating for fire insurance for homeowners. The Town is currently at a nine five on the ISO rating and the fire engines are factored into the rating and if they are deleted it would effect the rating. It may cost the Town now to purchase a truck but if it is not purchased the residents could see an increase in insurance rates depending on the ISO rating.

Mr. Leonard Bunnell, 5 Little John Drive, Lieutenant of the Montville Police Department spoke regarding the General Government budget, stating the part time clerk at the Police Department was cut for budgetary reasons years ago although there was a need for this position then and even more so now. The demand for services at the Police Department is up and so are the administrative needs, the part time clerk would assist the department with the administrative needs, data entry, answering telephones, and answering the door. The request is for eleven thousand dollars and it would mean a lot to the department if the Council would approve this position. He stated the clerk must have police background and training in order to make police related data entries and fingerprinting. The part time clerk will work after the regular secretary goes home for the day and during the regular secretary's vacation and sick time. He discussed overtime, stating the department uses over two hundred and fifty thousand dollars per year in overtime and can not afford a cut to this line item. He discussed the Public Safety Plan, stating this is mandated by the Charter and the Town has not done one, putting the Town in violation of the Charter for many years. This must be done in order to determine what the future will require in the fire departments and police department. The study has to be done and should be done. He discussed cutting back on the Planning Department staff and stating this is not a good idea with the Public Safety building construction going on, the Town relies on their services now more than ever and can not afford to cut back on anyone in the Planning Department.

Mr. Jon Chase, 1011 Route 163 spoke on behalf of the Raymond Library. He discussed the proposed reduction in the budget appropriations to the Library from thirty six thousand dollars by six thousand. The proposed cut will have an impact on the services provided to the residents. He stated the library had not returned its budget request to the Town as requested and he met with the library officials who passed the request along to the Treasurer. He spoke with the Finance Director and obtained a copy of the materials sent to the library and discovered last year's request form was sent to the library in error. There has been a miscommunication and hopes the Council will see there were only the best intentions on behalf of everyone involved and urged the Council to reverse the decision to reduce the funding for the library as it will make a great difference to the library.

Mr. Steven Loiler, 300 Black Ash Road, spoke in favor of approving the Public Safety Plan, stating it is much needed and long overdue.

Mr. Gary Allyn, 1181 Route 163, Oakdale, a member of the Public Safety Commission, spoke regarding the public safety plan that has been so long in the offing. He stated when people are looking for a home, they look for two things, schools and public safety, those are the two things out there no matter where you go in the United States where people make their choices. The Board of Education has a plan about how the schools will be, if you look at the website it is touted on the website about Montville Schools. In public safety we don't have a plan, and it is something that has been in the Charter for some time, he began his tenure on the Public Safety Commission in 2004, and since that time he has been trying actively with other members of the Commission to get this plan developed and implemented. There is one statement in the Charter under the Public Safety section 1.408 and the one lines states "the Commission shall prepare and maintain a public safety coordination plan". The Commission has attempted on several occasions to try to do that. In 2005 he contacted resources from the University of Connecticut and asked Dr. Amy Donahue a professor of public policy and administration at the school to come in and do a workshop and take a look at what the town does and the need for the plan and

some of the highlights of the things that the town is still faced with today and really don't have good answers for. Montville Commons is there and the traffic flow issues that are created with that, there are a variety of demographic issues and cultures of the residents since the casino was built. The further development of the tribal land and the casino, the correctional facilities which now the town is faced with a sex treatment facility, training implementation and issues for all the public safety members, volunteer retention programs for the folks in public safety so the town can maintain them and what they do and a capacity analysis of the public safety departments that the town has to see if they are operating effectively. The anticipated budget for public safety is roughly about three point eight million dollars give or take that has been presented to the Mayor and fifty thousand dollars for the proposed plan is about one point three percent of that total, and that is not being spent over a year that is amortized over five years because this is anticipated to be a five year plus plan. In that planning process its going to give the people that have to make decisions the data to make those decisions and not a number on the bottom of a page on a decision that you don't have the data to make good decisions with. That planning process really works around a principal set of guidelines which are strengths, weaknesses, opportunities and threats and we don't know what those are to this day, there is not a person in this room that can qualify what he said about strengths, weaknesses and opportunities and threats for what the public safety assets are out there. He has a plan that he presented at a Finance Committee meeting and the plan is a demonstration of exactly what the town is trying to do and it is an assessment of a current fire rescue and emergency services delivery system for Orange County, North Carolina. They have many similar issues that Montville has, it is a little bigger, it is a county but it's a great document for not only the Public Safety Commission to guide what they do for the future but for the decision makers to use to make decisions because the Council is not always going to be here, the Plan is for continuity and operations and the delivery services of public safety, so in November if some of the Council members do not get re-elected, the Plan is still here and the town can still go on down the same track and not be constantly veering off in other directions. Without the Plan the town continues to spend money which is in the millions without being able to quantify the service delivery dollars that they are spending. The town has been very luck in the Town of Montville over the years, he stated he has been in Montville for over thirty five years and been involved with public safety here during that period of time and luck is not a plan, it is going to run out sooner or later, residents have an expectation of the leaders and that expectation comes from the guidelines the Council is given in following the Town Charter which is the doctrine of the Town. Councilor Jacobson came to a Public Safety Commission meeting and we had an issue as to the flow of information whether it went to the Council or whether it went through the Mayor and she was very clear that night and the statement was "follow the Charter", so the Public Safety Commission is requesting the Council, the leadership of the community to follow the Charter so the Public Safety Commission can serve the public safety needs of the residents of the Town of Montville.

Ms. Katherine Christopher, the current Human Resource Professional discussed the position and the Council's proposal to eliminate the Human Resource position. She stated the position creates cost savings to the Town. Without training and guidance in employment matters the town falls back on the way they have always done things and that is not good enough. There are employment statutes and laws in place and the person responsible for ensuring the Town is compliant is the Human Resource professional. By employing a person with knowledge and experience ensures both the employer and the employees are steering in the right direction and she has worked over the past year and a half to bring the Town into compliance with processing and reporting and good recording methods and there is still more work to be done, this is not a new company, the town has been in existence for a long time and there are a lot of records. Healthcare reform needs to be handled by a professional with experience in this field. In the coming year nearly all of the Union contracts will need to be renegotiated. Continued compliance will save the Town money and keep in out of danger, lawsuits and grievances and claims on unfair labor practices. Human resources is necessary and the town is too large to be

without it. The Mayor and his Administrative Assistant can not perform the task of Human Resources, it is a professional full time need and the town needs it. She discussed her experience in her field and stated she is dedicated and willing to continue to do the job.

Mr. Don Bourdeau, Public Works Director, discussed the proposed budget cuts to the Public Works budget. He discussed the sand and salt budget, stating he added what was cut last year into this year's budget. One hundred and ninety thousand dollars is an accurate five year average for sand and salt. If the budget is cut or frozen it puts plans for work that needs to be done on hold and it doesn't get done. At some point this will catch up to the Town and it will have to resort to bonding millions of dollars to repair roads and infrastructure. He discussed the road striping and drainage, stating it is a regular maintenance item and he does not consider them a Capital item as they are a maintenance item. He stated the roofs are considered infrastructure and are in need of repair. The budget presented included the costs of roof repairs.

Councilor Beetham stated he has been in contact with Mr. Bourdeau regarding the roof repairs.

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

5. Executive Session – none.

6. Unfinished Business – none.

7. New Business

a. THE TOWN OF MONTVILLE HEREBY RESOLVES to adopt the Five Year Capital Improvement Plan in the amount of \$10,596,395.

Motion made by Councilor Beetham, seconded by Councilor Hillman. Discussion; Councilor Hillman made a motion to amend the five year Capital Improvement Plan. Councilor Beetham seconded the motion for discussion purposes. Councilor Hillman made a motion to change the amount of road construction maintenance in the Capital Improvement Plan in the Mayor's proposed budget to five hundred thousand dollars in the fiscal years 2013, 2014, 2015 and 2016. She indicated the original budget contained a typographical error.

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

Discussion regarding the amended resolution; Councilor Buebendorf stated she is concerned regarding proceeding with any discussion regarding the budget given the uncertainty of the State budget. At the last meeting Councilor Beetham suggested the Town hold off on passing a budget until the State passes a budget. Best case scenario if all of the Unions agree to the negotiated agreements the Governor proposed the State is still left with a four hundred million dollar deficit that needs to be made up. If any of the Unions decide they do not want to agree to the proposal for concessions there will be more than four hundred million dollars that needs to be made up and the town does not yet know how it will be impacted. She does not think the Council should adopt the budget because it would be imprudent and irresponsible to do so at this time.

Councilor Beetham stated the State must have a plan B and so should the Town and it may be the town freezes all wages or cut back on employee hours. He discussed setting the mill rate and stated he does not feel the Town should pass a budget until they find out exactly where the town stands with funding from the State.

Councilor Buebendorf made the motion the Town Council does not proceed with the budget discussions until the State finalizes its budget. Councilor Murphy seconded the motion. Discussion, Councilor Hillman agreed the Town should not be passing a budget at this time until they have the numbers from the State, but does not see harm in working on the existing budget in the meantime correcting the typographical errors and addition errors. Councilor Buebendorf stated if the Council winds up in the position where more cuts are required due to the State budget then they will have expended a great deal of energy for no reason, it would have been a waste of time. She stated she is very nervous regarding State funding to the schools and towns. Mayor Jaskiewicz stated Representative Reynolds stated the Governor has until May 31, 2011 to approve a budget and the Legislative Body then has until June 8, 2011 to make a decision. If the Unions do not come up with the concessions there will be a special session to discuss further options.

Councilors Beetham and Hillman withdrew their motion and second to the original motion as amended.

Vote on the motion made by Councilor Buebendorf and seconded by Councilor Murphy to not proceed with the Town's budget process until the State has passed its budget. 7-0, voting in favor of the motion were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. Voting in opposition, none.

Councilor Jacobson stated in lieu of the vote items 7 (b) and 7 (c) were withdrawn from the agenda.

b. THE TOWN OF MONTVILLE HEREBY RESOLVES To adopt the fiscal year 2011-2012 Budget.

Whereas the Mayor has presented the budget to the Town Council; and

Whereas the Board of Education has presented a budget to the Town Council; and

Whereas the Town Council has caused to be published in a newspaper having circulation in the Town, a Notice of Public Hearings and a summary of the proposed budget estimates; and

Whereas the Town Council held Public Hearings on April 27, 2011, and April 28, 2011, in accordance with the provisions set forth in the Charter of the Town of Montville.

Now Therefore, Be it Resolved that the following budget on the estimated cost of current expenses for the fiscal year beginning July 1, 2011, and ending on June 30, 2012, to be adopted as follows:

General Government \$ 18,599,969

Board of Education \$ 36,632,735

Capital Improvement \$ 551,200

Total \$ 55,783,904

c. THE TOWN OF MONTVILLE HEREBY RESOLVES to set the Mill Rate for the 2011-2012 fiscal year at 23.24 mills.

#### 8. Remarks from the Public

Ms. Marcia Vlaun, Montville Town Planner questioned the last motion and stated the Legislature has passed a budget and the motion was made not to approve the Town's budget until the State approves their budget and the State's Legislature has approved a budget. Councilor Murphy state there is criteria in the budget that it must meet in order to take effect and no one is sure if

the criteria has been met. Ms. Vlaun expressed concern regarding the motion having no meaning because the State Legislature passed a budget. Mayor Jaskiewicz stated everyone knows the issues with the Unions and a Plan B could come into effect, and technically a budget was passed but everyone understands what the intent is. Councilor Buebendorf does not see the need to amend the motion, it is a provisional budget because it hinges on the idea that the Union negotiations will go forth as the Governor proposed and this was discussed in the context of discussion and it is pretty clear the intent of the Council.

Mr. John Geary, 11 Depot Road, stated the Council did the right thing in postponing the budget discussions and discussed options for wording the motion if they choose to do so.

Mr. Peter Bushway, 6 Virginia Road, Parks & Recreation Director, asked for direction from the Council in lieu of the delay in the vote on the budget, stating many of the Parks & Recreation program registration begins June 1, 2011 and there is a difference between a five week and a seven week program and how to proceed with registration for the programs. Mayor Jaskiewicz stated he must comply with the Charter, stating he must use whatever the budget was, making it a five week plan. Councilor Beetham stated if Mr. Bushway can run a program on a month to month basis he should do it that way.

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

#### 9. Remarks from the Councilors

Councilor Buebendorf, McFee, and Beetham did not have any remarks.

Councilor Hillman stated the statistics from the Police Department handed out at the Public Safety Commission meetings are not passed on to the Town Council and stated she would like to review them if Lt. Bunnell would like to make them available. She discussed the Raymond Hill Library and apologized for the typographical error regarding the date on the request form. Mayor Jaskiewicz stated the correct date is on the cover letter sent to the Raymond Hill Library.

Councilor Murphy, Caron and Jacobson did not have comments. Councilor Caron suggested the Council answer the concerns expressed by Mr. Pike at the start of the meeting.

Councilor Hillman stated the four Councilors in question were all elected on the same line item and they have the right to caucus, they did not sit down to formally caucus, but did make suggestions and ideas and gave them to Councilor Jacobson who typed them up and sent them out to the four Councilors, they agreed or disagreed on them and they were a conglomeration of all of the Councilors ideas and she stated she thought it was fair to submit them to the Finance Director and sit down and talk about them. She met with Councilor Jacobson, Mayor Jaskiewicz and Terry Hart.

Mayor Jaskiewicz stated if you go to the Secretary of State's office and went on the Republican line and had more votes, that is the line you are elected on. All Councilors in question were elected on the Republican line with the exception of Councilor Beetham who was elected on the Independent line.

Councilor Jacobson stated there was no caucus, there was no meeting, there was no illegality, there was no ethical violation. As far as the discussion regarding the WPCA and paying a debt, this was addressed with the Finance Director and it was amended or revised to show the WPCA is paying the debt but is not a part of the revenue. Everyone received an email as to the time line of how this occurred, the Finance Committee sent their recommendations, we received them at

four o'clock on Thursday afternoon, she then contacted the Mayor and the Finance Director on Friday morning only to discover the Finance Director was ill and unavailable. She then waiting until Monday and she called the Mayor at eight thirty in the morning and again the Finance Director was still out of the office and unavailable. She did meet with the Finance Director on Tuesday when she returned to work and she explained what had transpired and presented what it was, did not play any games as far as saying to bring it to the Council without any foreknowledge and once it was looked at by the Finance Director and the Mayor it was then submitted to all of the Councilors at the same time along with the cover letter explaining the time period as well as when the agenda was sent out. The agenda was not posted until Tuesday because there were errors and typographical errors within the Capital Improvement Plan and she did not feel it would be proper to vote on erroneous information. This addresses the accusations made by Mr. Pike.

Councilor Murphy stated if Councilors Hillman, McFee and Jacobson were elected on the Republican line and Councilor Beetham was elected on the Independent line that is an illegal meeting and that is an illegal meeting and this is not allowed, via email, voice mail or snail mail, he stated if this is the case there was a meeting held and this can not be done. He stated if you call the Secretary of State's office they will tell you that as he did call.

Councilor Jacobson stated there was no meeting and Councilor Murphy stated this information regarding the illegal meeting of the Councilors was in the Norwich Bulletin and on Patch.com stating the four Councilors discussed the budget.

Councilor Jacobson stated it is of equal importance that there have been ideas and financial reductions found, there have been errors that have been corrected, and in the end if anything does pass that has been suggested there will be savings to the taxpayers and this should not be lessened by the argument. Councilor Murphy stated it is not ok to do things illegally if it saves the taxpayers money. Councilor Jacobson stated there was no illegal meeting.

#### 10. Remarks from the Mayor

Mayor Jaskiewicz stated he will keep everyone informed regarding how the State is progressing with their budget. He stated postponing the budget discussion was the right thing to do at this time.

#### 11. Adjournment

Motion made by Councilor Murphy, seconded by Councilor Buebendorf to adjourn the meeting at 7:09 p.m. Discussion, none, voice vote, 7-0, all in favor, motion carried. Meeting adjourned.

Respectfully Submitted by:

Audrey Ulmer, Recording Secretary for the Town of Montville.