

Town of Montville Town Council
Regular Meeting Minutes for Monday, February 13, 2012
7:00 p.m. – Town Council Chambers – Town Hall

1. Call to Order

Chairperson Buebendorf called the regular meeting of the Town Council to order at 7:13 p.m. after establishing a quorum.

2. Pledge of Allegiance followed by a moment of silence in honor of our military.

3. Roll Call

Present were Councilors Caron, Jones, Longton, McFee, Murphy, Tanner and Buebendorf. Also present was Mayor McDaniel.

4. Special Recognitions/Presentations with a ten minute limit for each presentation.

- a. A presentation from Jill Danyliw and Mr. Robert Howard from CCR regarding the Town Audit.

Ms. Danyliw and Mr. Howard distributed documents and a copy of the full audit regarding the town audit for the Councilors to review. Mr. Howard reviewed the scope of work, recommendations for the Town, the audit of the financial statements, the State audit and the Federal single audit, standards that were followed to conduct the audit, a review of the auditors' reports, and procedures for conducting an audit. Ms. Danyliw gave the financial findings and accounting and stated the town's assets exceeded the liabilities. She discussed long term debt, net assets, governmental funds, short term inflow and outflow, general fund expenditures, GFOA standards, fund balance, and her documented recommendations as a result of the audit. She recommends a new fund balance policy for the Town and a new policy to specify who is authorized to designate a special revenue fund. She recommends a policy to reconcile the fund balance on a budgetary basis in the future. She discussed the internal service fund, stating the budgeting for the fund needs to be corrected so there is not a fund balance in this fund going forward. Mr. Howard discussed the auditors' responsibility regarding the audit.

5. Alterations to the Agenda – none.

6. To consider and act on a motion to approve;

- a. The regular meeting minutes of Monday, January 9, 2012;
- b. The special meeting minutes of Wednesday, January 25, 2012.
- c. The public hearing meeting minutes of Tuesday, January 31, 2012;

Motion made by Councilor Longton, seconded by Councilor Jones to approve the meeting minutes of the January 9, 2012 as filed. Discussion, none, voice vote, 7-0, all in favor, motion carried.

Motion made by Councilor Caron, seconded by Councilor McFee to approve the meeting minutes of January 25, 2012 as filed, discussion, none, voice vote, 5-0-2 (Councilors Jones and Tanner abstained, they were not present at the meeting). Motion carried.

Motion made by Councilor Tanner, seconded by Councilor McFee, discussion, none, voice vote, 5-0-2 (Councilors Caron and Longton abstained, they were not present at the meeting).

7. Executive Session – none.
8. Remarks from the public relating to matters on the agenda with a three minute limit.

Lynda Jean Rt. 163 discussed the public hearing regarding the WPCA, stating the amendments to the ordinance for the WPCA has become political and personal and she finds this sad.

Mr. James Andriote, 23 Tremart Drive, stated the WPCA ordinance is not political, there is genuine concern regarding what is going on at the WPCA. He discussed the events to date regarding the Town Charter wording and the amendments to the ordinance for the WPCA. He stated it is not in the best interest of the town to relinquish this much authority to the WPCA and the town should retain its authority over the WPCA for this reason. He urged the Council to do what is right and to protect the citizens of the Town of Montville by voting the ordinance down.

Chairperson Buebendorf asked three times if there is anyone present who would like to come forward to address the Council.

9. Communications
 - a. The statistic reports from the Police Department, Fire Marshal, Building Official, Chesterfield, Montville, Oakdale and Mohegan Fire Companies and Animal Control for the month of December;
 - b. A copy of the legal bills from Shipman & Goodwin, LLP for December, 2011;
 - c. A letter from Mr. Homer Waters recommending the appointment of Mr. Timothy Sullivan to the Housing Authority.
 - d. A letter from Mr. Robert Manfredi dated February 6, 2012;
 - e. A memo from Raymond Occhialini, Fire Marshal regarding CPR/AED Class.
10. Report from the Town Attorney on Matters Referred – none.
11. Remarks from the Mayor and/or Administrative Department Heads to include Matters Referred.

Mr. Donald Bourdeau, Public Works Director, stated so far 2012 has had a mild winter and the town has not had to spend extra money on sand and salt. He discussed the CL&P tree trimming program, stating they have completed the week of service they offered and they did a great job.

Councilor Tanner thanked Mr. Bourdeau for the tree trimming in her neighborhood, stating they did a great job and it was greatly appreciated.

Mayor McDaniel discussed a breakfast he attended at Electric Boat regarding the economy of Southeastern Connecticut. On January 10th a group of second graders visited the Town Hall as part of a class assignment, on January 17th he and Senator Blumenthal attended a meeting regarding job growth, on January 20th he went on a tour of the Connections site (sex offender facility), he attended a Council of Government meeting, on February 2nd he attended a breast cancer awareness meeting at the Middle School, on February 16th he is scheduled to meet with the Town of Salem and Bill O'Neil to discuss publicizing the town meetings on a website, he discussed the upcoming budget preparations and contract negotiations, stating both are moving forward, and he discussed a meeting he attended with Councilor Jones to celebrate Black History month. He discussed the repairs to the Rt. 32 Bridge, stating road closures may be required to repair portions of the bridge.

12. Reports from Standing Committees

a. Town Administration/Rules of Procedure

Councilor Tanner stated agenda item 15 (a) is on the agenda for a vote from the Committee and stated they are also looking into the Mayor payouts and sick pay issues and they will be on the agenda next month.

b. Finance

Councilor Murphy stated there was a meeting this month, there was a discussion with the IT Director who is looking at the hiring of a part time employee to help out with the Public Safety Building and to keep up with the needs at the Town Hall and a job description has been drafted and will be passed on to the Administration Committee for review. The budget process is moving forward and he discussed the FEMA reimbursements from the hurricane last year.

c. Public Works/Solid Waste Disposal

Councilor Longton stated the committee met and discussions were held regarding town wide trash pickup, repairs to the old Town Hall roof and the Adopt a Road Program where it was determined the program qualifies for the community service program to those who wish to utilize it. A discussion was held regarding organizations utilizing the Transfer Station for collection of cans for non-profit organizations. A discussion was held regarding the repairs to the Montville Road Bridge and discussions are ongoing and moving forward. The Committee discussed moving materials stored at Camp Oakdale in order to utilize the space for the firefighters in the spring. The Committee discussed the Pay as you Throw Program and Councilor McFee is preparing a cost analysis of the program for the Committee to review.

13. Reports from Special Committees and Liaison Councilors

a. Councilor Caron: Commission on Aging; Social Services; Montville Youth Services; Senior Center; School Building Committee

Councilor Caron stated Social Services has a new employee and she is working out well, the Senior Center is in the process of working on five grants, including the grant for a new senior bus. He stated the Senior Center received an anonymous donation of ten thousand dollars to be used toward the purchase of the senior bus. He stated Youth Services is very busy with programs and events. He discussed the senior safety zone proposal, stating anyone who wishes to attend a meeting at the State level is encouraged to do so.

b. Councilor Jones: Library; Planning & Zoning Commission

Councilor Jones stated the Library Committee did not meet this month. Planning & Zoning met and discussed adopting Fawn Run Road which is on the agenda.

c. Councilor Longton: Economic Development Commission

Councilor Lonton stated there was not a quorum for the Economic Development Commission but the members who attended held an informational meeting. There was a speaker that discussed the Chambers of Commerce and how they interact with various towns.

d. Councilor McFee: Volunteer Firefighters Relief Fund; Inland Wetlands Commission

Councilor McFee stated both meetings were cancelled last month.

e. Councilor Murphy: Board of Education; WPCA; Public Safety Building Committee

Councilor Murphy stated the workshop meeting on Saturday was cancelled due to the weather, the Assistant Superintendent of Schools is looking into providing the school with wireless service. A seminar is scheduled for anti bullying at the school. There were three budget forums and some of the Councilors attended the forums. He reviewed the discussions held at the WPCA meeting this month and stated the commission provided iPads and training for the Commissioners this month in an effort to go paperless. It is the goal of the Commission to go completely paperless in the near future and he discussed the cost savings this will have once implemented. The concrete slab for the tower at the Public Safety Building has been poured and the project is on time and on budget and on April 15th there is a ceremony planned on the site.

f. Councilor Tanner: Parks & Recreation Commission; Non-Profit Organizations

Councilor Tanner reviewed the discussions held at the Parks & Recreation Commission meeting and stated there are new members who have fit right in and are interacting with the discussions. The Commission is discussing starting a new lacrosse program. Overall the Commission has been very busy. She stated the Non-Profit Organization did not meet this month.

g. Councilor Buebendorf: Public Safety Commission; Regional Dispatch Committee

Chairperson Buebendorf stated the Public Safety Commission met and discussed replacing the police uniforms. Almont Associates has been hired to work on the Public Safety Plan and meetings have been held to gather information. The Regional Dispatch Committee is discussing the merging of towns and meetings have been held regarding regionalization.

14. Appointments and Resignations

- a. To consider and act on a motion to appoint Mr. Elmer Wittkofske to the Zoning Board of Appeals to fill a vacancy to expire on January 11, 2014.

Motion made by Councilor Longton, seconded by Councilor Jones, discussion, none, voice vote, 7-0, all in favor, motion carried and the appointment was made.

15. Unfinished Business

- a. To consider and act on a motion to enter introduce an ordinance titled "'Ordinance Regarding Political Endorsements" and to set the date of Monday, March 12, 2012 at 6:45 p.m. for a public hearing regarding the ordinance.

THE TOWN OF MONTVILLE HEREBY ORDAINS that individuals and groups of individuals serving on any Town Board or Commission shall not submit any letters to the editor or make other public political statements endorsing any political candidate on behalf of the Board or Commission. Individuals may express such political endorsements as private citizens. Violations shall be subject to the provisions in the Town Charter, Section C410.

Motion made by Councilor McFee, seconded by Councilor Jones, discussion, Councilor Jones stated there have been many hours of discussion invested in reviewing this topic and it has been properly vetted and is a good item for the town to pursue. Roll call vote, 7-0, voting in favor were Councilors Caron, Jones, Longton, McFee, Murphy, Tanner and Buebendorf. Motion carried.

16. New Business

a. Resolution #2012-010. THE TOWN OF MONTVILLE HEREBY RESOLVES to refund taxes due to overpayments and corrections in the amount of \$29,131.27 (twenty nine thousand one hundred thirty one dollars and twenty seven cents) as requested by the Tax Collector and attached hereto as Schedule A. (Councilor Buebendorf)

Motion made by Councilor Caron, seconded by Councilor Longton, discussion, none, Roll call vote, 7-0, voting in favor were Councilors Caron, Jones, Longton, McFee, Murphy, Tanner and Buebendorf. Resolution adopted.

b. Resolution #2012-011. THE TOWN OF MONTVILLE HEREBY RESOLVES To consider and act on a resolution to adopt the revisions to the ordinance titled "Ordinance Amending Chapter 21 – Compensation" and to "Ordinance Amending Chapter 313 Sewers and Sewage Disposal" and "Ordinance Amending Chapter 386 Water" as heard at the public hearing held on Monday, February 13, 2012 at 6:00 p.m. in the Town Council Chambers at the Town of Montville Town Hall. (Councilor Buebendorf)

Motion made by Councilor Caron, seconded by Councilor Longton, discussion, Councilor McFee stated there are only five members of the WPCA and he would be more comfortable if the WPCA considered adding at least two additional members by way of Charter Revision and to put the decision to change the wording of the Charter in the hands of the people of Montville. Councilor Longton stated the Town Council does not have the authority over the WPCA per Charter and is currently in violation. He stated a positive vote from the Council would put the Authority back in compliance and clarify the wording of the Charter. Councilor Jones spoke in opposition of the ordinance, and inquired why the WPCA is looking for clarification thirteen years later, she stated the WPCA authority is made up of volunteers from the community who have no formal training and are not qualified in WPCA matters. She suggested forming a legislative oversight committee and urged the Council not to vote on this matter at this time. Attorney Ochsner answered questions from Councilor Jones regarding the bonding issue and stated State Statutes dictate the WPCA must go through the Town Council to bond and establish water rates. Councilor Caron stated both the WPCA attorney and the Town Attorney have reviewed the revisions to the ordinance at a substantial cost to the town and they both have recommended the approval of the amendments to the ordinance in order to clarify issues. Mayor McDaniel stated approving the ordinance will clear up any confusion as to the autonomy of the WPCA and stated this issue is not a political issue and it is in need of clarity and closure to put questions to rest.

Motion made by Councilor McFee, seconded by Councilor Jones to table the vote on this issue until further notice. Voice vote, 2-5, voting in favor were Councilors Jones and McFee, voting in opposition were Councilors Caron, Longton, Tanner, Murphy and Buebendorf, motion failed to pass.

Councilor Murphy stated the taxpayers of the town voted in the past during the 1995 charter revision with a two to one vote to allow the WPCA autonomy. He takes offense to people accusing the Council of making this issue a political one, stating there are hard working people at the WPCA and on the Commission who have always been straightforward and honest about issues. He stated he will vote in favor of approving the amendments to the ordinance.

Councilor Jones stated there is currently a WPCA employee out on paid leave pending an investigation. She inquired how the decision of the Council tonight on this matter will affect the employment of this individual.

Mayor McDaniel stated the Mayor has full authority over salaried municipal employees who work for the Town of Montville and he will retain this authority regardless of the vote.

Roll call vote on the original motion, 5-2, voting in favor were Councilors Caron, Longton, Tanner, Murphy and Buebendorf, voting in opposition were Councilors Jones and McFee, resolution adopted.

c. Resolution #2012-012. THE TOWN OF MONTVILLE HEREBY RESOLVES to adopt the ordinance titled "Ordinance Amending Chapter 130 Ordinance 2002-02 Voting Districts" as

heard at the public hearing held on Monday, February 13, 2012 at 6:45 p.m. in the Town Council Chambers at the Town of Montville Town Hall. (Mayor McDaniel)

Motion made by Councilor Longton, seconded by Councilor Tanner, discussion, Councilor Caron commended those who worked on the redistricting maps and ordinance, stating they did a great job. Roll call vote, 7-0, voting in favor were Councilors Caron, Jones, Longton, McFee, Murphy, Tanner and Buebendorf. Resolution adopted.

d. Resolution #2012-013. THE TOWN OF MONTVILLE HEREBY RESOLVES under the provisions of Section C304 (4) of the Town Charter to accept Fawn's Meadow Road into the town roadway system. (Mayor McDaniel).

Motion made by Councilor Jones, seconded by Councilor Caron, discussion, Mayor McDaniel stated if the Council votes in favor of this resolution it will take effect in thirty days. Roll call vote, 7-0, voting in favor were Councilors Caron, Jones, Longton, McFee, Murphy, Tanner and Buebendorf. Resolution adopted.

17. Remarks from the Public with a three minute limit.

Mr. James Andriote, 23 TreMart Drive inquired if it is legal for the Council to record the meetings with a video camera and Chairperson Buebendorf stated it is under provisions of the Freedom of Information Act. Mr. Andriote stated he is disappointed with the decision of the Council to approve the autonomy of the WPCA and he stated he will be taking out a petition tomorrow and schedule a public meeting for discussion.

Mr. Russ Beetham suggested the town sell the old Town Hall to the WPCA for office space and he discussed organizing an annual students and government day.

18. Remarks from the Councilors

Councilor Jones reported she met recently with Cub Scouts to discuss local government.

Councilor Longton stated the Council was elected to make the right decisions for the Town of Montville and he stated the decisions must be made to enforce the law, not the personal feelings of individuals.

Councilor Caron encouraged anyone who is available to attend a meeting at the State level to testify for the need of the safety zones for seniors.

Councilor Murphy stated he hopes Mr. Andriote gets the required amount of signatures for his petition to allow the taxpayers of the Town of Montville to decide what is in the best interest of the town.

Mayor McDaniel distributed pictures of the off ramp proposal for signage and requested this item be added to the Public Works/Solid Waste sub-committee meeting agenda this month.

19. Adjournment

Motion made by Councilor Longton, seconded by Councilor Jones to adjourn the meeting at 8:45 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.