

**Town of Montville Town Council
Regular Meeting Minutes for July 15, 2009
7:00 PM – Town Council Chambers
Town Hall**

1. Call to Order – Chairwoman Buebendorf called the meeting to order at 7:20 PM.
2. Pledge of Allegiance
3. Roll Call – Present were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Also present were Mayor Jaskiewicz and Town Attorney Bruce Chudwick.

Chairwoman Buebendorf called for the following changes to the agenda: 1) add presentations by the American Legion and the Commission on the Aging; 2) add Mr. Jack Platt to the Executive Session for appointment to the Public Safety Building Committee, and remove Mr. Christopher Ida; 3) add agenda item 5B to enter into executive session for the purpose of discussing a proposed settlement agreement with Mark and Paula Suprenant concerning their use of Walker Road . (Mayor Jaskiewicz); 4) add agenda item 7B Communications regarding a letter from Mr. Gary Pike regarding a cease and desist order; 5) add agenda item 12F to appoint Mr. Jack Platt to the Public Safety Building Committee as a full member or as an alternate member; 6) change agenda item 14D to approve the department guidelines and procedures for the Crisis Intervention Team (CIT) training program; 7) move agenda item 14I to immediately follow the executive session regarding such; and 8) move agenda items 14G and 14H to the first items under New Business. **Motion** by Councilor Beetham, second by Councilor Murphy to approve the amendments. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0.**

Mr. Mike Lathrop, representative for the American Legion, addressed the Council and thanked both them and the Mayor for the support the group received during the construction of their new building. Mr. Lathrop read the plaque out loud, and then presented the plaque to Mayor Jaskiewicz.

Ms. Kathy Doherty-Peck, Commission on the Aging, addressed the Council and presented a plaque to Ms. Carol Lathrop for her many years of hard work and dedication to the Commission on the Aging and to the seniors of Montville.

4. **Motion** by Councilor Geary, Second by Councilor Murphy to approve the regular meeting minutes of June 8, 2009; the public hearing meeting minutes of June 8, 2009 for 275 Maple Avenue, 314 Route 163, and 1455 Route 32; and the special meeting minutes of June 22, 2009. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0.**

5. Executive Session

A. Motion by Councilor Caron, Second by Councilor Radgowski to enter into Executive Session for the purpose of interviewing Mr. Anthony Siragusa for re-appointment as SCWA Representative, Mr. John Geary for re-appointment as SCWA Representative; Mr. Robert Grout for appointment to the Public Safety Commission; Mr. Jonathan Leonard for appointment to the Public Safety Building Committee, Mr. Ray Coggeshall for appointment to the Public Safety Building Committee; and Mr. Jack Platt for appointment to the Public Safety Building Committee. Executive Session will include Town Council members and Mayor Jaskiewicz. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0.** Council members entered into executive session at 7:30 PM; they returned at 7:55 PM and Chairwoman Buebendorf stated that no formal votes were taken.

B. Motion by Councilor Jones, Second by Councilor Geary to enter into Executive Session for the purpose of discussing a proposed settlement agreement with Mark and Paula Suprenant concerning their use of Walker Road. Executive Session will include Town Council Members, Mayor Jaskiewicz and Attorney Michael Carey from Suisman, Shapiro, et al. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0.** Council members entered into executive session at 7:56 PM; they returned at 8:19 PM and Chairwoman Buebendorf stated that no formal votes were taken.

6. Remarks from the Public – None.

7. Communications

A. Letter from David Erwin, Superintendent of Schools, dated July 17, 2009, regarding leaving the gate open for townspeople to utilize the track.

B. Memorandum from Mayor Jaskiewicz to the Town Council dated July 13, 2009, regarding the union contract for transfer station employees. Mayor Jaskiewicz stated that this matter would be addressed at the August meeting.

C. Letter from Mr. Gary Pike to Zoning Enforcement Officer, Thomas Sanders, dated July 14, 2009, regarding a cease and desist order for the property located at 36 Bergman Drive.

D. Councilor Jones stated that she had received numerous letters regarding the Blighted Properties ordinance, and she will submit such for the record.

8. Remarks from the Town Attorney on matters referred

Attorney Bruce Chudwick stated that all items are on the agenda for discussion.

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

Mayor Jaskiewicz reported on the following: 1) there is a census scheduled for 2010, and email notifications will be sent to all area business owners stressing the importance of participating; 2) discussions continue with the State regarding repairs to the Old Colchester Road Bridge, and the project work should begin early spring 2010; 3) work on the Montville Road Bridge is on hold; discussions with Norwich confirm that they are also not in a position to begin work on this project; 4) property located at 275 Route 163 was not sold at a recent auction; demolition of the structure will be considered; 5) the State has begun the process of re-aligning Probate Courts by district, and Montville's court will be eliminated. As a proactive move, the Mayor and Probate Judge have worked with surrounding districts and the preliminary plan is for Montville, East Lyme, Salem and Old Lyme to combine into one district, with East Lyme as the location of the Court. Through discussions, the East Lyme Probate Judge has agreed to work in Montville once a week to meet with residents, but the actual records would be kept in East Lyme. Montville Probate Judge Ron McDaniel addressed the Council and remarked that the State is cutting the number of Probate Courts from 117 to 36, and being proactive in negotiating district regionalization is in the best interest of the taxpayers; 6) the Mayor thanked Carol Lathrop for her many years of service and dedication to the people of Montville; and 7) congratulations to the American Legion for succeeding in their new location, and thank you for recognizing the Mayor's office and Town Council with a plaque for their support.

Finance Director, Terry Fafard, reported on the following: 1) 2009/2010 Town budget is final and was distributed to Council members; and 2) communications with Webster Bank continue with respect to bonding relating to the Rand Whitney matter. Recent bonding in other towns showed an interest rate of 3.59%, and Ms. Fafard will continue to work with Webster Bank to secure a good rate.

Public Works Director, Don Bourdeau, reported on the following: 1) recent rain has caused significant damage to the roads, and he stated that many of the drainage pipes are beginning to rot which is adding to the trouble. These pipes will need to be replaced in order to maintain the roadways affected by rainfall; 2) paving of Old Colchester Road to Moxley Road will begin soon; this project was previously approved and is in the budget; and 3) single stream recycling is being seriously considered, and will be a benefit to the Town and the taxpayers by allowing all recyclables to be picked up in bulk instead of having to be separated, as well as allowing for more recyclables than are currently allowed.

10. Reports from Standing Committees

- A. Town Administration – No meeting.
- B. Finance – On the agenda.
- C. Rules and Procedures – Councilor Geary reported that they have not officially met yet this year, but that he, the Town Clerk and the Town Attorney have been working on the Rules and Procedures and will be ready to present at the August meeting.
- D. Public Works – As reported by the Public Works Director above.
- E. Solid Waste Disposal – As reported by the Public Works Director above.

11. Reports from Special Committees and Liaison Councilors

Councilor Geary requested that the Water and Sewer budgets be approved separately in agenda item 14C.

Councilor Beetham reported that the Planning & Zoning will be meeting only once a month during the summer months.

Councilor Caron remarked that the Commission on the Aging is saddened to see Ms. Carol Lathrop step down. A recent blood drive sponsored by Montville Youth Services was a success.

Chairperson Buebendorf reported that the Parks & Recreation summer camp is underway and going smooth. The Town held its first Concert on the Green, with a huge turnout; she hopes that more residents will attend this coming Tuesday, and every Tuesday throughout the summer. The trail on Chesterfield Road is open and ready for residents to utilize. Communications between the Commission and the Director continued to be strained.

12. Appointments and Resignations

A. Motion by Councilor Jones, Second by Councilor Caron to waive the waiting period in order to appoint two (2) full members and one (1) alternate to the Public Safety Building Committee. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0.**

B. Motion by Councilor Jones, Second by Councilor Caron to appoint Mr. Jonathan Leonard to the Public Safety Building Committee as a full member. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0.**

C. Motion by Councilor Caron, Second by Councilor Beetham to appoint Mr. Ray Coggeshall to the Public Safety Building Committee as an alternate member. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones and Radgowski. Opposed; Councilor Murphy. **Motion Carried 6-1.**

D. Mr. Ida was not in attendance.

E. Motion by Councilor Caron, Second by Councilor Radgowski to re-appoint Mr. William Wrobel to the Gardner Lake Authority, with a term to expire on April 9, 2011. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0.**

F. Motion by Councilor Beetham, Second by Councilor Caron to appoint Mr. Jack Platt to the Public Safety Building Committee as a full member. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0.**

13. Old Business

A. Resolution #2009-069. The Town of Montville Hereby Resolves that the following resolutions attached hereto are hereby approved: Resolution to approve the charter revision referendum questions; Resolution to approve the preparation of an explanatory text for the charter revision referendum questions; and Resolution to approve the detailed list of charter sections to be modified by the charter revision referendum questions. **Motion** by Councilor Jones, Second by Councilor Caron. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-069 Adopted 7-0**

B. Resolution #2009-070. The Town of Montville Hereby Resolves that Jonathan Leonard and Jack Platt be appointed as full members and Ray Coggeshall be appointed as an alternate member to the Public Safety Building Committee; that the Town of Montville Public Safety Building Ad Hoc Committee 2008 Final Report (the "Report") be approved and adopted, including the Space Needs Assessment included therein; that, subject to the approval of funding, the Town proceed to construct a new public safety building of approximately 16,000 square feet on Town-owned property located at 909 Norwich-New London Turnpike (the Haughton Cove site), and that the Building Committee charge as attached hereto is hereby approved. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-070 Adopted 7-0.**

14. New Business

A. Resolution #2009-071. The Town of Montville Hereby Resolves to refund taxes due to overpayments and corrections in the amount of \$537.82 (Five Hundred Thirty-Seven Dollars and Eighty-Two Cents), at the request of the Tax Collector and as outlined on Schedule A and made a part of the agenda. **Motion** by Councilor Murphy, Second by Councilor Beetham. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-071 Adopted 7-0.**

B. Resolution #2009-072. The Town of Montville Hereby Resolves that the Town of Montville join a new Probate District consisting of East Lyme, Montville, Old Lyme, and possibly Salem; East Lyme would serve as the location of the Probate Court. **Motion** by Councilor Murphy, Second by Councilor Radgowski. **Roll Call Vote:** In Favor; Councilors Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; Councilor Beetham. **Resolution #2009-072 Adopted 6-1.**

C. Resolution #2009-073. The Town of Montville Hereby Resolves to approve and adopt the 2010 Water Budget. **Motion** by Councilor Radgowski, Second by Councilor Geary. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. The Town of Montville Hereby Resolves to approve and adopt the 2010 Sewer Budget. **Motion** by Councilor Geary, Second by Councilor Murphy. **Roll Call Vote:** In Favor; Councilors Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; Councilor Beetham. **Resolution #2009-073 Adopted.**

D. Resolution #2009-074. The Town of Montville Hereby Resolves to approve the department guidelines and procedures for the Crisis Intervention Team (CIT) training program. **Motion** by Councilor Caron, Second by Councilor Radgowski. **Discussion:** Lt. Bunnell distributed an updated copy of the CIT training document. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-074 Adopted 7-0.**

E. Motion by Councilor Beetham, Second by Councilor Geary to postpone this matter in order to refer the revised version to the Rules and Procedures Committee for review and discussion. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0. Matter to be referred to the Rules and Procedures Committee.**

F. Resolution #2009-075. The Town of Montville Hereby Resolves to approve the interdepartmental transfers attached hereto. **Motion** by Councilor Caron, Second by Councilor Jones. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Resolution #2009-075 Adopted 7-0.**

G. Motion by Councilor Jones, Second by Councilor Beetham to adopt the ordinance as read at a public hearing on July 15, 2009, concerning blighted properties.. **Discussion:** **Motion** by Councilor Geary to amend the ordinance to including Connecticut General Statutes regarding inspection. There was no Second to this Motion. **Motion** by Councilor Geary to amend the language regarding leniency. There was no Second to this Motion. Councilor Geary asked the Mayor if the Town was prepared to enforce this ordinance at this time, and the Mayor stated that he agreed this is not a good time for the Town with its limited resources to uphold this ordinance. **Motion** by Councilor Jones, Second by Councilor Beetham to postpone this matter. **Roll Call Vote:** In Favor; Councilors Jones and Beetham. Opposed; Councilors Buebendorf, Caron, Geary, Murphy and Radgowski. **Motion Fails 2-4.** With there being no further discussion on this matter, Chairperson Buebendorf called for a roll call vote on the original Motion. **Roll Call Vote:** In Favor; Councilors Beetham and Jones. Opposed; Councilors Buebendorf, Caron, Geary, Murphy and Radgowski. **Motion Fails 2-5.**

H. Motion by Councilor Geary, Second by Councilor Radgowski to introduce an ordinance entitled "Sewer Use", and to set the date of August 10, 2009, for a public hearing on same to begin at 6:30 PM and to be conducted in Council Chambers at Town Hall. **Discussion:** Attorney Ron Oschner addressed the Council and explained the ordinance, rules and regulations, materials, and construction standards. Attorney Oschner stated that this ordinance was prepared in conjunction with Mr. Brian Lynch, members of the Town Council and members of the WPCA; and he explained that these regulations are set to take affect on September 1, 2009. **Roll Call Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0. Public Hearing set for August 10, 2009 at 6:30 PM.**

15. Executive Session – Removed from agenda.

16. Remarks from the Public

Mr. Gary Pike, 38 Bergman Drive, stated that he is disappointed that the Blighted Ordinance was not passed this evening, and he is hopeful that the Council will continue to work on getting this ordinance passed.

Lt. Leonard Bunnell, thanked the Council for acting on the Public Safety Building Committee appointments, and for adopting the Committee and its charge. He also stated that regarding the blighted properties ordinance, he hopes that the Council will consider the original version regarding vacant properties.

Mr. Brian Lynch thanked everyone who worked hard at finalizing the water and sewer budgets, and thanked the Council for adopting them.

17. Remarks from Councilors

Councilor Murphy remarked that he hopes that the Council can find a way to communicate information, maybe electronically, so as not to use so much paper.

Councilor Caron remarked that he appreciates all of the hard work that has been put into the blighted properties ordinance, but that he could not vote in favor of it as it stands presently.

Mayor Jaskiewicz thanked the members of the public who came to tonight's meetings to discuss the blighted properties ordinance, and those who provided pictures of potential blighted properties.

18. Adjournment – **Motion** made by Councilor Radgowski, Second by Councilor Jones, to adjourn the meeting. **Voice Vote:** In Favor; Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Opposed; None. **Motion Carried 7-0. The meeting adjourned at 10:23 PM.**

Respectfully Submitted by:

Sandra Anderson CPS
Minutes Clerk
Montville Town Council