

Draft Final Copy Approved _____

**Town of Montville Town Council
Regular Meeting Minutes for Monday, December 13, 2010
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

3. Roll Call

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

Mayor Jaskiewicz requested the Council allow the Judge of Probate, Mr. Ron McDaniel to speak regarding the transition of his office to East Lyme, Ct.

Mr. Ron McDaniel, thanked the Mayor and the Council and stated there has been a long and rich history of three hundred years with Montville having their own Probate Judge is coming to an end in three weeks. He indicated the consolidation will be complete. He gave an update, stating the computers have been moved, all the files have been moved, and he is going to try to keep some of the old records at the town hall for title searching purposes and genealogical research purposes. Many of the records will be scattered in various places and there may be issues trying to find these records, some will go to the State Library, some to Iron Mountain, some are going to East Lyme and some will remain in Montville. Some of the records will be available in laser feish and he is sorry that a better job was not done when the consolidation was put together. He thanked the Mayor and Mr. Bourdeau for their help in moving the equipment and furniture to the new offices in East Lyme. He discussed fees the town will be paying into the new court to cover postage, equipment expenses, laser feisching, mailings and consumables. A portion of any new equipment purchased will be the responsibility of the town. He has submitted a list to the Mayor and Director of Finance regarding the capital equipment that went to East Lyme. January 5th is the official last day and on December 31st the doors will be officially closed in Montville. He is keeping an office available in Montville for twenty four hours per week to help people requesting services. Judge McNamara has indicated he will continue to hold hearings in Montville for the convenience of residents. The Mayor has offered to leave the office available until alternative arrangements are made.

Mayor Jaskiewicz indicated the existing telephone number will remain the same and it will roll over to East Lyme. The new judge will come to Montville to conduct the hearings, so the people will not have to travel to East Lyme.

Mr. McDaniel stated there will be six people working in the office with only one telephone line. They may need to upgrade the telephone system to keep up with the call volume.

Mayor Jaskiewicz stated when the town agreed to the transition and supported the change it was not because the town wanted to do this, the State mandated the change and Montville was given the opportunity to pick what town they wanted to join. This was not a decision made by the Town, it is a State law that states the town has to do this.

Chairperson Jacobson stated East Lyme will now be the home base for probate and inquired how the town was selected. Mayor Jaskiewicz stated the location was based on location and the ability to handle four towns. The decision was facility based and East Lyme had the most available space.

Mr. McDaniel stated the four towns are East Lyme, Old Lyme, Salem and Montville. The office is centrally located in the four regions. The combined population serviced went from seventeen thousand to fifty thousand people. A discussion was held regarding budgets, statutorily the town is mandated to pay these costs. Montville will pay a proportional share of the budget.

Councilor Beetham stated he did not vote in favor of supporting the change, he wanted to send the State a message and he anticipates the transition will be a mess.

Mr. McDaniel indicated it is already a mess and he has pledged to stay on to answer as many questions as he can and to help the people as much as he can.

Chairperson Jacobson thanked Mr. McDaniel for his service and for speaking with the Council.

4. **Special Recognitions/Presentations**

A presentation from Mr. Joe Ciaudelli regarding a Police/Dispatch radio tower for the new Public Safety Complex.

Mr. Ciaudelli, 47 Orchard Drive, Uncasville, CT distributed a copy of a report on the Communications Tower submitted to the Public Safety Building Committee. He started by saying he is a Montville resident for twenty two years and an engineer who often consults in wireless technology. He is questioning the wisdom of plans to construct a large communications tower. His report lists reasons for why the tower height should not exceed one hundred and twenty feet and should be camouflaged to blend in with the environment and the footprint should be limited to the same size as the antenna tower at the existing police station. He stated a tower higher than one hundred and twenty feet is not required for public safety and a taller tower will have a detrimental effect on property values and the prospect that leasing tower space will bring in significant revenue is speculative. He discussed the detrimental effect on property values around a very large tower. The planned site for the tower is across from a residential community. The tower will deteriorate the esthetic appeal and the value of the homes. He is suggesting a one hundred and twenty foot tower would be a better option. He stated there is no demand for tower space in this area and this will minimize the lease money for the town from cell providers. He urged the town to reconsider a taller tower and discussed technology policy changes that utilize locally vacant television channels called television band devices or tvbds. The new technology is likely to hit the market next year. The Federal Communications Commission initiated this ruling to promote advanced wireless services in rural and suburban towns like Montville. The antenna height for this new technology is limited by the FCC of no more than one hundred feet above ground. He stated a taller tower will have no advantage in attracting the cutting edge technology. Preservation of the environment and its natural beauty should be enough, but cumulative with the adverse affect on property values, the questionable economic model and the imminent technology shifts show a massive tower makes little sense. He discussed repeater systems that use existing structures as an alternative to a tower and urged the town to explore this option. He volunteered his expertise to help the town to find an acceptable balance between functional requirements and conservation.

Councilor Murphy stated several years ago the FCC took away the frequency the fire departments used. The fire departments do not have adequate coverage because of this. There are areas in Montville that the fire department can not communicate with and they are on a repeater system. He discussed the need for intercommunication for everyone in town, stating there is a need for towers in some areas to improve services. Currently the town does not have one hundred percent coverage as needed. He discussed the communication needs of the police and fire and alternatives for service.

Mr. Ciaudelli volunteered to do pattern studies for any frequency required, he indicated he liaisons with the FCC and has consulted for the Federal Government on these issues.

5. **Alterations to the Agenda**

Mayor Jaskiewicz requested the removal of agenda item 14 (a), stating it is a mayor's appointment and New Business 16 (b) and (c) should be removed because AT&T has withdrawn its proposal with no time frame for when they are going to do it.

Councilor Murphy requested tabling agenda items 15 (a) and (b) so they do not come back up next month for discussion.

Motion made by Councilor Beetham, seconded by Councilor Caron to remove agenda items 14(a), 15 (a) and (b) and 16 (b) and (c) from the agenda. Discussion, none, voice vote, 7-0, all in favor, motion carried.

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

- a. the October 13, 2010 regular meeting;
- b. the November 8, 2010 special meeting;
- c. the November 8, 2010 regular meeting;
- d. the December 2, 2010 special meeting.

Motion made by Councilor Hillman, seconded by Councilor Beetham to approve the meeting minutes of October 13, November 8 regular and special meeting and December 2, 2010. Discussion, none, voice vote, 7-0, all in favor, motion carried.

7. **Executive Session**

Motion made by Councilor Caron, seconded by Councilor Beetham to enter into executive session for the purpose of discussions regarding litigation between the Town of Montville and the State of Connecticut, discussions to include members of the Town Council, Mayor Jaskiewicz. Discussion, Councilor Murphy indicated he works for the State of Connecticut Department of Corrections and will excuse himself from the executive session for this reason. Voice vote, 7-0, all in favor, motion carried and executive session began at 7:33 p.m., returning at 8:07 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. Ray Occhialini, Fire Marshal, 7 Anderson Lane, Oakdale spoke regarding agenda item 16(h) regarding the regional dispatch committee for the Town of Montville. He stated this is a very important item to consider, stating a committee of three people for this committee would include one person from the Fire Marshal's office, one person from the Dispatch center and one person from the Building Committee and a non voting liaison from the Town Council. This committee could move forward with recruiting towns to come to the Town of Montville for a regional dispatch center. It is important and time consuming and he would like to move forward at this time and asked the Council for their support.

Attorney Ron Ochsner, Counsel for the WPCA spoke regarding agenda item 16 (i) and amendment to an ordinance for the town. A joint committee was formed to work on the amendments to the ordinance to conform the ordinance to State Statues and the Town Charter and all legal requirements. He encouraged the Council to submit the ordinance to public hearing to get public comment and to take favorable action.

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

9. **Communications** – none.

10. **Report from the Town Attorney on Matters Referred.**

Attorney Chudwick stated he has been working on the WPCA ordinance revisions and the Human Resources ordinance.

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

Mayor Jaskiewicz indicated the Oxoboxo Bridge repairs are completed. The State contributed \$750,000 toward the Public Safety Building and the local bridge program was funded by the Governor and the Town of Montville \$345,000 is slated for the Town of Montville. He stated the town may not get the entire \$345,000 because this number is based on the project being originally priced at 1.8 million and the bid came in lower so the town will get some money but it may only be around 300,000. The money will go into the General Fund to help repair Montville Road. He received a letter from the law firm of Branse and Willis indicating they are raising their hourly rate from \$135 to \$145 per hour. He discussed the Blight Ordinance, stating to date 14 violations have been sent out, six of the fourteen have been abated, five of the fourteen requested a sixty day extension, and three of the fourteen have chosen to ignore the violation and it will be necessary to send out citations to those three. He discussed a letter from CL&P requesting the Town turn off the street lights in the middle of the night to save money. This is not an option for the Town because communities that host casinos do not have the option to turn off street lights and there would be considerable liability to the town if this was done.

Ms. Marcia Vlaun, Town Planner, distributed two handouts for the Council to review. As the director of Economic Development she has been making an effort to keep the Council and the Mayor apprised of how the local economy is doing. She has been tracking the unemployment rate in town, the highest rate recorded in town since the recession was in July, 2010 when it hit nine percent. It is now 8.8 percent. She noticed the number of people entering the labor force has surged in different months. She discussed ongoing development in town and stated there are signs the economy is improving. She discussed foreclosures between mid 2007 to present, stating there were 218 foreclosures that have been filed and the pattern continues to be the same. The value in the older subdivisions has not held up but the newer subdivision market values have held up. Councilor Buebendorf inquired regarding the rate of homes that are in foreclosure. There are 218 foreclosure properties in Montville and there are a total of over six thousand homes in the town. She discussed the projected construction schedule for the Public Safety Complex. She will update the Council on a monthly basis.

12. **Reports from Standing Committees.**

a. **Town Administration/Rules of Procedure** – Councilor Hillman indicated the Administration sub-committee met last month and those items are on the agenda. They will meet again on Tuesday night, the meeting with the APAAC, the Asian Pacific American Cultural Affairs Commission has been scheduled for January.

b. **Finance** – Councilor Murphy indicated he was out of state and did not attend the Finance meeting. Councilor Beetham stated there was nothing to report.

c. **Public Works/Solid Waste Disposal** – Councilor McFee stated the committee met last month and discussed trash removal and hopes to have a representative from the Town of Stonington attend a meeting to discuss trash removal and the committee discussed the upcoming town surplus auction.

13. Reports from Special Committees and Liaison Councilors

Councilor Beetham stated the teacher contracts are being printed and are going to the Teachers Union for ratification, from there it will go to the Board of Education for ratification and then it will come to the Town Council and if the people decide they do not agree with the contract they have the right to go to referendum.

a. **Planning & Zoning Commission** – Councilor Beetham indicated Ms. Vlaun discussed the report from Planning & Zoning and stated he did not attend their meeting because he was attending the Board of Education meeting.

b. **Library Committee** – Councilor Beetham stated the library held its annual meeting and they did much better this year than last year and the Norwich Bulletin did a nice story on the library. They received the one hundred thousand dollars for their computers.

c. **Parks & Recreation Commission** – Councilor Buebendorf discussed Parks & Recreation, stating the Christmas Parade went very well, the group that worked on the parade will be evaluating the parade and they may be changing the parade route for next year. The basketball program is ongoing and the coaches have been trained and the program is going well. The Commission is considering a tobacco free ordinance for all parks and recreation facilities and the Commission has not yet met with the committee that is organizing their proposed Montville Rally weekend and they are concerned regarding not having the opportunity to meet with the committee since the vision is to include the Parks & Recreation department as well as the director in many of those activities.

d. **Public Safety Commission** – Councilor Buebendorf stated the dispatch issues have seemed to resolve themselves but they are keeping it on the agenda so the issues can be evaluated in a couple of months to make sure everything is going as planned. They are still working on the Rules and Procedures for the Commission.

e. **Commission on the Aging** – Councilor Caron stated this commission is working on many things right now, they are still working on the rules for the Chicken Noodle Soup program. The Guardian Angel program is ongoing and they are working on baskets for Christmas. They worked on over three hundred baskets for Thanksgiving and delivered over forty seven home meals.

f. **Economic Development Commission** – Councilor Caron stated Ms. Vlaun gave a great presentation regarding economic development and they are moving ahead with their Rules and Procedures. They are working great as a team.

g. **Social Services** – Councilor Caron stated social services are looking for canned goods, there are many in need and he urged the Council and the public to stop by to drop off canned goods and toys for children for Christmas.

h. **Youth Services Bureau & Advisory Board** – Councilor Caron stated he attended Rachel's Challenge and put documentation regarding the program in each of the Councilor's mailboxes for review. He would like to bring the challenge to the Council if they will accept it next month regarding being kind to one another and working together as a team to put aside party politics for the good of all.

i. **Volunteer Fire Fighters Relief Fund** – Councilor McFee indicated he has nothing to report.

j. **Community Center Building Committee** – Councilor McFee indicated he has nothing to report.

k. **Board of Education** – Councilor Murphy stated the Board of Education will not hold a meeting this month due to the holidays. Last month they made their moves on principals and vice principals and they have filled many of their vacancies. The boy's football team lost to Ansonia in very cold weather. The boy's soccer team were co-state champions and the awards banquet was held for the boy's baseball team and they received their championship rings. All of the sports teams have done really well and are being recognized in the sporting world. There have been many coaches from impressive colleges watching students play this year. The robotics team finished sixteenth overall. They gave a demonstration at the school and he thought it was very impressive.

m. **Water and Sewer Commission** – Councilor Hillman stated the WPCA met last week and discussed the amended ordinance. There was a discussion on the need for businesses to become FOG compliant before July, 2011. There are currently approximately twenty six businesses that are not compliant and notices have been sent out.

n. **Non-Profit Organizations** – Councilor Hillman indicated she did not meet with any of the non-profits over the past month. Budgets are coming up and requests are going out to them and she will be working on these requests with the Finance Director in the upcoming months.

o. **Public Safety Building Committee** – Councilor Jacobson stated Mr. Ciaudelli gave his presentation to the Public Safety Building Committee at their meeting this month and they did receive the report as well as the information relayed to the Council this evening. Attorney Ochsner discussed the termination of the lease for the old facility which was signed in 2002 and extended until 2012 but can be terminated with a thirty day notice. They are going into the cell tower RFP's and there is a sub-committee working on that. The charge for the committee is on the agenda tonight. The amended charge has been supported by the committee and recommended to the Council for approval.

p. **School Building Committee** – Councilor Jacobson indicated there is no report for the School Building Committee.

14. **Appointments and Resignations**

a. To consider and act on a motion to fill a vacancy for a full voting member of the Metro Cast Advisory Council with a term to expire December 13, 2012. (Mr. Thomas McNally has indicated that he would like to be re-appointed and was interviewed by the Council on November 8, 2010). This item was removed from the agenda.

b. To consider and act on a motion to fill a vacancy for a full voting member of the Youth Advisory Board for the Town of Montville with a term to expire December 13, 2012. (Ms. Laura Tanner has indicated that she would like to be appointed and was interviewed by the Council on November 8, 2010). Councilor Buebendorf nominated Ms. Laura Tanner, Councilor Caron seconded the nomination. There being no more nominations, Chairperson Jacobson closed the nominations. Motion made by Councilor Buebendorf, seconded by Councilor Caron to appoint Ms. Laura Tanner to the Youth Advisory Board for the Town of Montville with a term to expire December 13, 2012. Discussion, none, roll call vote, 7-0, voting in favor of the appointment were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. Voting in opposition, none, **appointment made.**

c. To consider and act on a motion to fill a vacancy for a full voting member of Youth Advisory Board with a term to expire December 13, 2012. (Ms. Lori Comforti has indicated that she would like to be re-appointed and was interviewed on November 8, 2010). Councilor Buebendorf nominated Ms. Lori Comforti, Councilor Caron seconded the nomination. There being no more nominations, Chairperson Jacobson closed the nominations. Motion made by Councilor Buebendorf, seconded by Councilor Caron to appoint Ms. Lori Comforti to the Youth Advisory Board with a term to expire December 13, 2012. Discussion, none, roll call vote, 7-0, voting in favor of the appointment were Councilors Beetham,

Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. Voting in opposition, none, **appointment made.**

d. To consider and act on a motion to fill a vacancy for a full voting member of the Youth Advisory Board with a term to expire December 13, 2012. (Mr. David Jetmore has indicated that he would like to be re-appointed and was interviewed on November 8, 2010). Councilor Buebendorf nominated Mr. David Jetmore, Councilor McFee seconded the nomination. There being no more nominations, Chairperson Jacobson closed the nominations. Motion made by Councilor Buebendorf, seconded by Councilor McFee to appoint Mr. David Jetmore to the Youth Advisory Board with a term to expire December 13, 2012. Discussion, none, roll call vote, 7-0, voting in favor of the appointment were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. Voting in opposition, none, **appointment made.**

15. Unfinished Business

a. The Town of Montville Hereby resolves to rescind Resolution 1996-137 establishing an account called Due from WPCA O&M and allowing the WPCA to borrow funds up to a ceiling of \$375,000 from General Fund Surplus adopted at a special meeting on December 19, 1996 to rescind Resolution 2002-78 authorizing the WPCA to increase ceiling level of the Due to/Due from internal loan of \$500,000 adopted at a special meeting dated August 28, 2002; to rescind 2002-91 authorizing the WPCA to extend the ceiling on the Due to/Due from account to \$1,000,000 with the resolution paying back inter fund by September 2003 adopted at a regular meeting dated September 9, 2002; to rescind Resolution 2005-86 authorizing the increase in the WPCA line of credit from \$1,000,000 to \$1,600,000 at a special meeting on July 25, 2005. (Councilor Murphy) **This item was removed from the agenda.**

b. The Town of Montville Hereby resolves to establish a monetary amount of money to be determined by the Town Council for the WPCA's line of credit. (Councilor Murphy) **This item was removed from the agenda.**

16. New Business

a. **Resolution #2010-110.** The Town of Montville Town Council Hereby Resolves to refund taxes due to overpayments and corrections in the amount of \$880.30 as requested by the Tax Collector and attached hereto as Schedule A. Motion made by Councilor Beetham, seconded by Councilor Caron. 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. To consider and act on a resolution to accept the favorable 8-24 review prepared by the Planning and Zoning Commission regarding the acceptance of an easement for an AT&T substation to be located on the property at 225 Maple Avenue as shown on Assessor's Map 77, lot 41. (Councilor Jacobson) **This item was removed from the agenda.**

c. To consider and act on a resolution to introduce an ordinance titled "An Ordinance Regarding the Conveyance of an Easement over a Portion of Real Property known as 225 Maple Avenue" and to set a date of Monday, January 10, 2011 at 6:30 p.m. for a public hearing on the matter. (Councilor Jacobson) **This item was removed from the agenda.**

d. **Resolution #2010-111.** The Town of Montville Hereby Resolves to accept the favorable 8-24 review prepared by the Planning & Zoning Commission regarding the purchase/acceptance of the Montville Congregational Center Church. Motion made by Councilor Hillman, seconded by Councilor Caron, discussion; Mayor Jaskiewicz indicated he sent the 8-24 review to Planning & Zoning and they indicated they do not have a problem with the Council approving the review. He indicated the Town is still in the process of obtaining the church. 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.

e. **Resolution #2010-112.** The Town of Montville Hereby Resolves to authorize the Finance Director to seek proposals for auditing services for the Town of Montville. Motion made by Councilor Caron, seconded by Councilor Beetham. Discussion, Chairperson Jacobson inquired regarding a specific time period for the proposal. Councilor Beetham indicated the contract is generally for a two year period from July 1st through June 30th. Finance Director, Terry Hart stated the town has been using McGladry and Pullin and they began their first audit in 2007, and they audited in 2008 and 2009. The town extended the contract to 2010. A three year minimum contract is in the best interest of the Town. She recommends a three year minimum contract using the previous specifications. She stated she will use the same document for the RFP's as used in the past by 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.

f. **Resolution #2010-113.** To consider and act on a resolution to rescind resolution #2003-089 that reads as follows: The Town of Montville hereby resolves to establish a Capital Improvement Committee that will be responsible for establishing criteria for plan inclusion, reviewing department requests, categorizing, ranking and recommending to the Mayor and Council a proposed budget. The Committee will be comprised of a representative from the following boards and commissions; Parks and Recreation Commission, Planning and Zoning Commission, Board of Education, Commission on the Aging, Public Safety Commission, Public Works Subcommittee of the Town Council and Water Pollution Control Authority. Motion made by Councilor Hillman, seconded by Councilor Caron. Discussion, Councilor Hillman stated this was a group that was formulated at the request of the Mayor several years ago that looked at the Capital Improvement portion of the budget. The Committee was never officially dissolved and this resolution will officially dissolve the committee and the next resolution will re-establish them with a broader criteria. There is a need for the department heads to come before this committee and have their proposals ranked prior to moving forward to the Mayor. Mayor Jaskiewicz stated the previous committee became frustrated because they were under the impression the recommendations that were made would be implemented. The new committee if formed would clearly be an advisory committee where the original committee was not clear. The Committee will look at the Capital Plan as a whole and will meet all year long. Finance Director Terry Hart discussed the budget process and suggested appointing a group of people who are non-bias, such as residents of the town to the Committee. She discussed the meeting schedule and suggested the committee meet year round with the exception of August and September. 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. To consider and act on a resolution to establish a 5 year Capital Improvement Advisory Committee for the Town of Montville. Said committee will be comprised of one representative from the Parks & Recreation Commission, the Planning and Zoning Commission, the Board of Education, Commission on the Aging, Public Safety Commission, Public Works Sub-Committee and the Water and Sewer Commission. The representative from the Public Works/Solid Waste sub-committee will also act as the Town Council liaison. The advisory committee will commence in September to review, categorize and rank all current items in the 5 year Capital Plan; the advisory committee will meet monthly with the exception of the month of July to review new capital requests. The Finance Director will provide all budgetary information needed to formulate a new 5 year Capital Plan. Motion made by Councilor Hillman, seconded by Councilor Caron. Discussion, Mayor Jaskiewicz inquired why the Water Pollution Control Authority would be included as they do their own Capital Improvement budget. Councilor Hillman stated they were on the original committee. Administrator Lynch stated the WPCA would not come to the town for any capital equipment, they would fund it themselves. He suggested they withdraw the WPCA from the Committee. Finance Director Hart stated the WPCA should be included in the Committee in case there are grants available, such as the LOSEP grant that has to be included in a Capital Plan in order to be eligible. Ms. Vlaun indicated she had advised the Finance Director regarding

the grant issue. She indicated in the past grants normally have to be present in two places, in the Plan of Conservation and Development and the Capital Plan to qualify for a grant. There is no intent of directing what would be normal capital expenditures or interfering in any way with the WPCA, it is simply listing it in the plan to be grant qualified. Councilor Buebendorf inquired if the committee incorporated people who are not affiliated with these commissions if that would negate the possibility of securing grants. Ms. Vlaun suggested the committee members include herself, the Public Works Director, the Finance Director, the Mayor and a representative of the Town Council. She believes the reason the last committee failed is that the Planning & Zoning Commission deals with site plans and the last committee was asking a group of civilians to know the priorities and needs of the town and those are generated from the Public Works Department and what is laid out in the 2010 Plan of Conservation and Development. This would be a much more functional committee rather than just another committee that works at night, her proposed committee could meet during the day and come up with a real comprehensive list of roads, improvements, etc. with the Council representative and forward that to the Finance Committee. Councilor Buebendorf stated this makes more sense than forming another committee that is in the same configuration as the original committee. The committee itself disbanded itself because it was not working properly due in part to a misunderstanding that they were simply an advisory body and not a policy body and she can not support another committee with the same composition of the one that disbanded. Mayor Jaskiewicz is in favor of the committee Ms. Vlaun suggested. Finance Director Hart spoke in favor of the committee formation as requested by Ms. Vlaun. Commissioner Hillman suggested a representative from the Fire Marshals office and the Public Safety Commission. Chairperson Jacobson stated an advisory committee of this capacity could be beneficial and is a multi faceted benefit. Councilor Buebendorf suggested sending this back to Committee to determine the composition of the committee and also the timing of when the Committee should report to the Council. Motion made by Councilor Buebendorf, seconded by Councilor Murphy to send this back to Committee. Discussion on the motion to send it back to committee, roll call vote, 5-2, voting in favor were Councilors Buebendorf, Caron, McFee, Murphy and Jacobson, voting in opposition were Councilors Beetham and Hillman. **This item will be sent back to the Town Administration committee.**

h. **Resolution #2010-114.** The Town of Montville Hereby Resolves to establish a Regional Dispatch Committee for the Town of Montville. Whereas, this committee will be comprised of three (3) members consisting of the following; one person from the Fire Marshal's office, one person from Dispatch, and one person from the Public Safety Building Committee and a non-voting liaison from the Town Council responsible for reporting to the Town Council. This committee will be responsible for seeking options on running and oversight of a regional dispatch center, including but not limited to seeking out State and Federal funding for such a project as well as overseeing the equipment needed for the new dispatch center in the Public Safety Complex. Such report will be submitted in writing and as often as every three months to the Town Council and Public Safety Building Committee, but no period longer than six (6) month intervals. This is a temporary committee and will dissolve immediately upon a final report or one year after the new dispatch service becomes operational. Motion made by Councilor Beetham, seconded by Councilor Caron. Discussion, none, Roll call vote, 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. Voting in opposition, none, resolution adopted.

Motion made by Councilor Buebendorf, seconded by Councilor Caron to add agenda item h (1) to discuss and appoint a member of the Town Council representative as the liaison to the Regional Dispatch Committee for the Town of Montville. Discussion, none, roll call vote, 7-0, all in favor, motion carried.

h. (1) To consider and act on a motion to discuss and appoint a member of the Town Council representative as the liaison to the Regional Dispatch Committee for the Town of Montville. Councilor Hillman nominated Councilor McFee as the liaison to the Regional Dispatch Committee for the Town of Montville. Councilor Buebendorf seconded the nomination. There being no more nominations, Chairperson Jacobson closed the nominations. Motion made by Councilor Buebendorf, seconded by Councilor Hillman to appoint Councilor McFee as the Town Council liaison to the Regional Dispatch

Committee for the Town of Montville. Discussion, none, Roll call vote, 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. Voting in opposition, none, **appointment made.**

i. The Town of Montville Hereby Resolves to introduce the revisions to the following ordinances titled "Ordinance Amending Chapter 21 Compensation"; "Ordinance Amending Chapter 313 Sewers and Sewage Disposal"; and "Ordinance Amending Chapter 386 Water" drafted and presented by the joint sub-committee of the Town Council and the Water and Sewer Commission and to set the date of Monday, January 10, 2011 at 6:00 p.m. in the Town Council Chambers at the Montville Town Hall for a public hearing regarding this matter. Motion made by Councilor Buebendorf, seconded by Councilor Beetham. Discussion; Mayor Jaskiewicz stated the committee did a great job with the two attorneys. Councilor Buebendorf agreed, stating the two attorneys approached this with two very different perspectives and representatives from the Town Council and the Water and Sewer Commission. It represents a lot of hard work taking into account the intention of the last Charter Revision and urged the Council to support the ordinance. Attorney Chudwick stated this was a good working subcommittee and they got a lot accomplished in four meetings. Procedurally the way it was put together was there are three existing ordinances that are proposed to be amended and they are all put together into one ordinance to amend the three portions of the ordinance. He discussed the three amended sections combined for consideration at the public hearing. He requested a technical correction in the title of the ordinance to make it clear that the one ordinance is amending three existing ordinances. Councilor Buebendorf stated the Council and the Mayor reserve the right to demand an audit at any time and report back to the Mayor and Council as part of the checks and balances. Attorney Chudwick stated there was very old language in the old ordinance that was cleaned up and fees were taken out because they are part of the fee schedule that is adopted on an annual basis. He recommended the change to the title that this ordinance relates to the authority and duties of the Water and Sewer Commission so that when it is published it will be clear to the public this is amending three existing ordinances. Motion made by Councilor Buebendorf, seconded by Councilor Caron to accept the revision of the title of the ordinance per the recommendation of Attorney Chudwick. Discussion, none, roll call vote, 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. Ordinance wording amended.

Motion made by Councilor Buebendorf, seconded by Councilor Caron to amend the ordinance. Discussion, none, roll call vote, 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. Amendment authorized.

Resolution #2010-115. To consider and act on a resolution to introduce the ordinance regarding the authority and duties of the Water and Sewer Commission ordinances titled "Ordinances amending Chapter 21 Compensation" Ordinance amending Chapter 313 Sewer and Sewer Disposal and Ordinance Amending Chapter 386 Water drafted and presented by the joint sub-committee of the Town Council and the Water and Sewer Commission and to set the date of Monday, January 10, 2011 at 6:00 p.m. in the Town Council Chambers at the Montville Town Hall for a Public Hearing regarding this matter. Roll call vote, 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson, voting in opposition, none, amended resolution adopted.

j. The Town of Montville hereby resolves pursuant to C705A, to appropriate \$30,000 for salary for the current Human Resource position through the end of the fiscal year 2010-2011 and to transfer from 10480-52043 Capital non-recurring to 10310-51141, Mayor, Human Resources. Motion made by Councilor Caron, seconded by Councilor Murphy. Discussion, Councilor Beetham asked if Capital non recurring could be used for what would be every day administration business. It is meant for emergency use only. Ms. Hart stated she spoke with the auditor regarding this issue and she spoke with OPM and they did not have an issue. Attorney Chudwick indicated there is a State Statute that is specific to a reserve fund. This fund is not a reserve fund it is the operating budget, or general fund. If the Council feels uncomfortable the money has not been transferred yet and she can suggest several other places to take the money from if the Council wishes. Councilor Hillman stated this discussion is irrelevant because

discussions have taken place that state an ordinance would be in place prior to funding this position and this is not the case. Ms. Hart suggested taking the money out of litigations and settlements and out of contingency or the money could come out of the fund balance. Discussions were held regarding funding this position before the ordinance is passed. Councilor Buebendorf stated she would feel more comfortable taking the money to fund the position from Fund Balance. The Council worked very hard at budget time to try to line up the dollars, the revenues, the expenditures with specific line items that they were intended for. Ms. Hart stated the fund balance or surplus does not have a number, it is sufficient to designate it to "fund balance". Motion made by Councilor Buebendorf, seconded by Councilor Caron, to transfer \$30,000 from the fund balance. Discussion, Ms. Hart explained fund balance and general surplus are all the same. Councilor Hillman stated there was an agreement made that there would be an ordinance in place prior to funding this position. Mayor Jaskiewicz stated if the position isn't funded there will not be a position. Councilor Hillman stated the Council is requesting the funding for position prior to adopting the resolution to create the position. Councilor Murphy stated the Council agreed not to fund the position unless there was an ordinance in place for the position. A discussion was held regarding tabling the vote until after a vote is taken on the next agenda item. Roll call vote on the amendment, 6-1, voting in favor of the amendment to the resolution were Councilors Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson, voting in opposition was Councilor Beetham.

Motion made by Councilor Murphy, seconded by Councilor Hillman to postpone item 16 (j) until after a vote is taken on item 16 (k.) Discussion, none, roll call vote, 6-1, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, Murphy and Jacobson, voting in opposition was Councilor McFee. Motion carried.

k. The Town of Montville Hereby Resolves to adopt the ordinance titled "An Ordinance Establishing a Department of Human Resources". A public hearing regarding the matter was held at 5:30 p.m. on December 13, 2010. Motion made by Councilor Murphy, seconded by Councilor Caron. Discussion, Councilor Hillman asked for the Council's input regarding 114-6, a section that was suggested by Attorney Duggan and she inquired regarding how Attorney Chudwick feels about this section. Attorney Chudwick stated Section 114-6 was discussed with Attorney Duggan and this effective date effectively grandfathered the existing human resources person into this position by making different parts of the ordinance effective at different times. This is allowable if the Council chooses to do it this way and that is the way the ordinance was drafted. If that section were not in there, then the Council would go back to the beginning sections of 114-3 whereby the office of the Mayor would recommend three candidates for the position to be selected by the Town Council. Based on public comment and further review of this, 114-3 (b) should clarify that the Mayor does not make the appointment or remove the Human Resources Director, this is a technical correction and does not mean the Council has to go back through this process over again if that is an amendment to be made. This would make it clear that the Town Council selects the person after getting the three names from the Mayor's office. In item 114-3(b), the words "Mayor shall then appoint and may remove a" should come out and the next line the word "who" should come out. Then it would read "the Director of Human Resources shall be responsible for the efficiency, discipline, and conduct of the Department of Human Resources. If the Council votes to take out Section 114-6 they would have to re-set the public hearing because it would be a substantive change to take out that entire section and it would change the nature of the ordinance. The Council can make this amendment and set a date for a new public hearing in January, 2011. This would delay the process for one month. Councilor Buebendorf indicated she has given this a great deal of thought and while she thinks this is a good thing to do to protect the person that is currently in this position, it is conflicting with the intent of 114-3 where it is the Council that would appoint the Human Resources Director and in that regard she supports removing Section 114-6 and advertising the position and encouraging the current Human Resources Director to apply for the position again, as business often do when they are reorganizing. If she is still the appropriate person for the job she will keep it. It is consistent with the intention of having the Council appoint the Human Resources Director. Councilor McFee does not think it is fair to make her re-apply for a job that she already has. Motion made by Councilor Buebendorf, seconded by Councilor Caron to change the wording in Section 114-3 to remove the words "Mayor shall then appoint and may remove". Roll call vote, 4-3, voting in favor were

Councilors Buebendorf, Caron, Hillman, and Jacobson. Voting in opposition were Councilors Beetham, McFee and Murphy. Amended section passes 4-3. Motion made by Councilor Buebendorf, seconded by Councilor Caron to remove Section 114-6 of the ordinance. Discussion, Chairperson Jacobson inquired if it would be simpler to send this to committee as part and parcel, have it looked at and then have it go to public hearing. Attorney Chudwick stated if it goes to Committee it will not come back until January and then you have to set the public hearing for February. The most expedient way to do this would be to have the Council amend the ordinance and send the revised document to public hearing in January. Amend the overall motion after this portion is amended to reschedule the public hearing in January, 2011. Roll call vote to remove section 114-6 from the proposed ordinance, 6-1, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, Murphy and Jacobson. Voting in opposition was Councilor McFee, amendment passes. Attorney Chudwick explained the Council has two amendments to the ordinance, one was non-substantive in section 114-3 and one was substantive by taking out Section 114-6, so now the Council can not approve this ordinance because of the changes the Council must start the process over again, so as part of the resolution to approve this amended ordinance, the Council will instead amend the motion to send this revised ordinance to a public hearing on January 10, 2011 as amended. It is required this be re-published as changed, the public hearing will be held and then the Council can make a decision to adopt it or not to adopt it following the public hearing. There needs to be seven days for publication of the public hearing. Motion made by Councilor Buebendorf to hold the public hearing for this matter on January 10, 2011 at 6:30 p.m. in Town Council Chambers. Motion was seconded by Councilor Caron. Discussion, Attorney Chudwick stated there needs to be seven days for publication of the public hearing and the ordinance will become effective after thirty days after it is adopted by the Town Council. If this is adopted in January it will not become effective until February. The seven days is the only requirement that needs to be fulfilled prior to the public hearing.

Motion made by Councilor Buebendorf, seconded by Councilor Beetham to take a five minute recess. Discussion, none, voice vote, 7-0, all in favor, motion carried. Council returned from the five minute break at 10:10 p.m. and Chairperson Jacobson resumed the meeting.

Chairperson Jacobson stated there is new wording for the resolution, however it will require Councilor Buebendorf and Councilor Caron to withdraw their motions regarding the public hearing time. Councilors Buebendorf and Caron rescinded their motions.

Resolution #2010-116. The Town of Montville Hereby Resolves to introduce an ordinance establishing a Department of Human Resources as revised and to set the date of Monday, January 10, 2011 at 6:30 p.m. in the Town Council Chambers at the Montville Town Hall for a public hearing regarding this matter. Motion made by Councilor Buebendorf, seconded by Councilor Caron. Discussion, none, roll call vote, 5-2, voting in favor were Councilors Beetham, Buebendorf, Caron, Murphy and Jacobson, voting in opposition were Councilors Hillman and McFee. Resolution adopted.

j. **Resolution #2010-117.** The Town of Montville Hereby Resolves pursuant to C7059(a) to appropriate \$30,000 for salary for the current human resource position to the end of the fiscal year, 2010-2011 and to transfer \$30,000 into line item 210310-51141 Mayor/Human Resources from the fund balance/general surplus. Motion made by Councilor Buebendorf, seconded by Councilor Caron, discussion, Councilor Beetham inquired why the Council would appropriate \$30,000 when the ordinance has not been passed. Mayor Jaskiewicz stated there is a need to appropriate money at least until the end of the month. If the ordinance does not pass it does not necessarily mean the human resources position remains in effect, it is the funding that determines this. A discussion was held regarding when the new position will take effect if the ordinance passes. Mayor Jaskiewicz stated there will be a person in the job and you are looking for a person to take that job. Councilor McFee spoke in favor of funding the position until the end of the fiscal year and making the new position effective July 1, 2011. Councilor Beetham stated the people voted against a Human Resources position in the Charter Revision. Roll call vote, 4-3, voting in favor of adopting the resolution were Councilors Buebendorf, Caron, McFee and Murphy. Voting in opposition were Councilors Beetham, Hillman and Jacobson. Resolution adopted.

l. **Resolution #2010-118.** The Town of Montville Hereby Resolves to establish Fund 026 titled “Public Safety Building Complex” at the request of the Finance Director. Motion made by Councilor Hillman, seconded by Councilor Beetham. Discussion, Councilor Buebendorf inquired if this is solely for the purpose of establishing a line item. Ms. Hart stated this is to establish a whole separate fund for the public safety building similar to the construction of the schools and the Oxoboxo Bridge, the money will be in a separate fund. The referendum established that this fund would have the six and one half million dollars in it to expend. A discussion was held regarding establishing the fund and the best policies to utilize. Roll call vote, 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. Voting in opposition, none, resolution adopted.

m. **Resolution #2010-119.** The Town of Montville Hereby Resolves to authorize holiday bonuses in the amount of \$100 (one hundred dollars) for full time permanent staff, \$25 (twenty five dollars) for part time permanent staff that works an average of at least fifteen hours per week and \$50 (fifty dollars) for the Registrar of Voters who work at least twenty hours per week as per schedule B attached. Motion made by Councilor Beetham, seconded by Councilor McFee. Discussion, Mayor Jaskiewicz spoke in favor of putting a stop to the holiday bonuses for personnel not contractually obligated to get bonuses. Councilor Buebendorf agreed with Mayor Jaskiewicz and spoke in favor of revoking the holiday bonuses. She stated she can not in good conscience spend the taxpayer’s money on holiday bonuses. Mayor Jaskiewicz stated it causes a controversy regarding who get them, who doesn’t get them and they are not contractual, they are optional and it causes a big problem. Chairperson Jacobson stated those who are not part of a union will be stigmatized because of that fact and will lose the bonus. Councilor Buebendorf stated it is a bonus and not part of the salary. Councilor Beetham stated those that are not in a union and are working class making much less per hour with the exception of the Mayor, would not get the bonus and he does not think it is fair. He stated if the town is not going to do it next year they should let everyone know in advance. Roll call vote 4-3, voting in favor of adopting the resolution were Councilors Beetham, Caron, McFee and Jacobson. Voting in opposition were Councilors Buebendorf, Hillman and Murphy. Resolution adopted.

n. **Resolution #2010-120.** The Town of Montville Hereby Resolves to approve the list of items to be auctioned at the surplus equipment auction as depicted on Schedule C attached. Motion made by Councilor Caron, seconded by Councilor Beetham, discussion, none, roll call vote, 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. Resolution adopted.

o. **Resolution #2010-121.** The Town of Montville Hereby Resolves to approve the amendments to resolution #2009-137 regarding the Charge of the Public Safety Building Committee per Schedule D attached. Motion made by Councilor Hillman, seconded by Councilor Buebendorf. Discussion, Mayor Jaskiewicz requested a change in 2.10 “to put the project out to bid in accordance with the Town of Montville’s bid procedures through the Finance Director”. Ms. Hart stated in the past things have been put out to bid and she was not notified and she want to make sure it is established she will be notified. Ms. Vlaun stated this will enhance the accountability in the transparency of the process, it is very tightly controlled and it ensures the bid tabulation and the awarding of the bids comes to the Council and it keeps the Council and the Mayor informed every step of the way. She indicated the town’s bidding procedure could use some work in the future, it is really old and could use an update. 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.

17. Remarks from the Public

Mr. Dick Wilson spoke regarding item 16(e) auditing services, stating article 4 of the Town Charter concerning the town auditors, you will see that the town auditor has to be appointed annually and should not be given a three year contract.

Mr. Gary Pike, 38 Bergman Drive spoke in regard to an ongoing problem he is having because of a construction project next to his house under town permit. He wrote a letter in August and it took six to eight weeks for him to get a response, he wrote another letter and hand delivered it on October 13th and he is still waiting for a response as to whether or not the town is going to do something to rectify the problem. He is asking for someone to respond to him and stated he has been looking for answers for a year and a half. He understands that everyone is busy, but he would appreciate a response from someone. He does not feel that the taxpayers don't get the service they deserve. He can not find a department in the town hall that will help him, he has been to the Zoning Commission three times and was not allowed to speak and he is willing to use the judgment of any commission and just wants someone to hear him and to help him with his problem. He sees the town helping others and not helping the taxpayer with a legitimate problem. He wants a place to go to present his case and to get resolve for his **ongoing problem**.

18. Remarks from the Councilors

Councilor Murphy asked for answers regarding the Council secretary, stating he has not received any correspondence from the town as to whether or not she is still officially employed by the Council and he get emails from her telling him that she still works here and he would like an answer. He feels that she is entitled to the Christmas bonus regardless of whether or not she still employed for her time and effort over the past year. He stated he has been to Mr. Pikes residence on Bergman Drive and he has a legitimate issue caused by his neighbor who is harassing Mr. Pike and he deserves an outlet to be heard. If he is getting the run around from Zoning something should be done. He has a legitimate issue with his neighbor and it should be addressed.

Councilor Buebendorf thanked all the citizens of Montville who volunteer their time and energy to serving on the Town's Boards and Commissions because each individual brings a unique perspective, skills set and experience to their respective board or commission enriching the work of the town. The town can not function without this cooperative effort and she feels that the Council should honor the commitment of these individuals as much as possible. It takes some time for individuals to get their feet wet after a new appointment and the Council interviewed one individual this evening who exhibited that and to understand the process and the nuances of the work of the commission in which they serve it takes energy and commitment to attend meetings after your regular work hours, participate in civil discussion and decision making for the benefit of the town and sometimes conduct research in addition to the meeting itself. It shows extraordinary commitment to want to continue beyond the initial commitment of the first appointment. It has been the practice in Montville to re-appoint members to boards and commissions when those members indicate a desire for reappointment. It is a good practice that helps ensure continuity and expertise. The only exceptions to this practice have been for very specific reasons. She can only think of three times in the five years she has been on the Council that a re-appointment was denied, one for poor attendance when the individual lived out of state for part of the winter, another for unresolved legal issues that the majority of the Council thought may conflict with the Commission's work and the last where the individual's personal opinions contradicted the work of the commission. No one has been replaced for political purposes and this is the most difficult part of this, she stated she would like to address a rumor that some individuals on the Council desire an appointment to the Water and Sewer Commission for political purposes to remove the two commissioners that are up for re-appointment next month. One of these candidates spoke despairingly about the WPCA administrator in a public meeting, stating that the administrator didn't have enough to do and just created "busy work" to make himself look busy. She is suspicious of the motivation of this individual in seeking appointment to the Commission. She is troubled by this and wants to remind the Councilors that it is the duty of each one of them to act in the best interest of the Town of Montville not in the best interest of themselves and not in the best interest of their political parties but in the best interest of the Town. Mr. May and Dr. Thorn explained their qualifications and their work on the Water And Sewer Commission over the past several years and each offers a great deal of experience and dedication in serving the people of Montville, and she hopes that each Councilor before deciding whom to appoint to the Water and Sewer Commission or any commission considers carefully their duty and

the message they send to all other citizens thinking about volunteering on town boards and commissions.

Councilor McFee commended Parks & Recreation for a terrific holiday parade. He stated Montville can be proud of the parade and he stated it gets better and better each year. He wished all his fellow Councilors and the Mayor a happy Christmas and a terrific New Year.

Councilor Beetham wished everyone a happy holiday and complimented the interim secretary for a job well done, stating this month's agenda and packet took a lot of time and effort and she did a great job. He feels if someone quits or files for unemployment they are no longer employed and that is just the way it is.

Councilor Hillman inquired if there is a place for public comment on the Planning & Zoning agenda. Councilor Beetham stated he did not think so and they should look into placing that item on the agenda as the public has the right to speak. He went out to Mr. Pike's house and he deserves an outlet and should be heard. The next door neighbor has made Mr. Pike's life miserable and he deserves resolution. He agrees with Mr. Caron regarding signing Rachel's challenge next month, it is a good thing. She is disappointed with the decision regarding agenda item 16(j) because this ordinance has been through administration for four months, a decision was made at budget time but it was not validated.

Councilor Caron agrees with Councilor Buebendorf's comments and also would like to discuss and sign the petition for Rachel's challenge next month. He wished everyone a very happy holiday, be safe and enjoy.

Mayor Jaskiewicz wished everyone a Merry Christmas and happy holiday.

Councilor Jacobson stated Ms. Anderson's bonus was left off the list at the request of the human resource department and as to any other discussion regarding the status of her employment, she suggested Mr. Murphy look at section C410 of the Charter for clarification and if he feels he needs more information to contact Attorney Duggan regarding this issue. She is familiar with some of the emails that are being sent out and is not in a position to answer them or dispute them. Councilor Murphy stated Ms. Anderson is sending emails that are troubling and someone should give him a heads up regarding issues that are ongoing as a heads up. He will follow up with the human resource director and labor attorney with future questions regarding this matter.

19. **Adjournment**

Motion made by Councilor Murphy, seconded by Councilor Caron to adjourn the meeting at 11:05 p.m. Discussion, none, voice vote, 7-0, all in favor, motion carried, and meeting adjourned.

Respectfully Submitted by:

Audrey Ulmer, Recording Secretary for the Town of Montville

REBATES FOR DECEMBER 13, 2010

CASLER, ERIC OR MELISSA DIRECTV	OVERPAYMENT	\$	8.80
EUCELL, SHIRLEY P.	CT LEVEL/ERNINGS IN LIEU OF TOWN TAX		614.90
EVANS, PHILLIP M. & CARA J.	VEHICLE JUNKED		20.65
GERVAIS, SARAH S.	OVERPAYMENT		37.66
KALIN, PAUL E.	VEHICLE REGISTERED IN RI		69.46
LIEBIG, TINA L.	VEHICLE SOLD		61.78
MAURO, SUSAN C.	VEHICLES JUNKED (2)		12.87
RYAN, JAMES N.	VEHICLE JUNKED		11.47
YADVAIO, JULIETTE & DURYEA, EDNA	VEHICLE TOTALED		20.94
	OVERPAYMENT		21.77
	TOTAL	\$	880.30

Schedule A

2010 Proposed Bonuses for Individual Employees

<u>INDIVIDUAL</u>						
BOURDEAU	DONALD	IND2	08/17/1998	100.00		
CHRISTOPHER	KATHERINE	INDV	11/30/2009	100.00		
CLARK-WILSON	MARY	REGISTRARS		50.00		
CUBILLA	CATHY	IND4	03/13/1989	100.00		
DIDATO	MICHAEL	IND3	08/20/1990	100.00		
ELLIOTT	LORRAINE	REGISTRARS		50.00		
FAFARD	THERESA	INDV	04/14/2008	100.00		
JASKIEWICZ	JOSEPH	ELCT	11/11/2003	100.00		
LYNCH	BRIAN	INDV	12/03/2007	100.00		
MCNALLY	THOMAS	WPCA	04/23/2001	100.00		
O'NEILL	WILLIAM	IND3	04/09/2007	100.00		
<u>PART TIME OVER 780 HRS</u>						
MOUREAU	CYNTHIA	PT	1033.5	25.00		
TAYLOR	IRENE	PT	782.5	25.00		
ZETTERGREN	ANDREW	PT	910.5	25.00		
ULMER	AUDREY	PT	921.0	25.00		

Schedule B

Surplus Auction

Item #	Description	Department
1	1989 International Bus 214,356 miles asking \$1000.00	Public Works
2	1975 Dodge 300 series 127,077 miles asking \$300.00	Public Works
3	1989 Chevy Silverado 189,979 miles asking \$1200.00	Public Works
4	1983 GMC Sierra 3500 119,297 miles asking \$800.00	Public Works
5	1984 GMC Sierra 3500 has blow 167,126 miles \$ 500.00	Public Works
6	1990 Chevy Astro van 220,269 front window broken asking \$300.00	Public Works
7	1992 Ford Crown Vic broken front window broken 156,491 miles asking \$500.00	Public Works
8	1992 Ford Crown Vic front window broken 127,197 miles asking \$500.00	Public Works
9	1995 Ford Crown Vic front window broken 117,246 miles asking \$800.00	Public Works
10	1989 Ford Crown Vic back window broken 143,491 miles asking \$1200.00	Public Works
11	Snow Plow 10 ft.	Public Works
12	Snow Plow 11 Ft.	Public Works
13	12 Metal Desks	Public Works
14	2 metal Lockers	Public Works
15	Old metal hospital bed	Public Works
16	1 small trailer \$200	Public Works
17	2 sanders highland 10ft (tarco) \$100 each	Public Works
18	1 side dump 9ft \$100	Public Works
19	1 snow plow 8 ft pwer angle \$150	Public Works
20	1 snow plow 9ft \$100	Public Works
21	1 snow plow 11 ft power angle \$1,000	Public Works
22	5 snow plow 10 ft \$200 each	Public Works
23	GMC top kick 3208 diesel \$1,500	Public Works
24	1997 Ford Crown Vic no broken windows 160,00 miles asking \$500	Public Works
25	Laminator	Town Clerk
26	5 Metal Stools	Town Clerk
27	Metal Box	Town Clerk
28	Typewriter table	Town Clerk
29	Okidata Microline 395 printer	Town Clerk
30	20 computer monitors	Town Hall
31	21 CPU's	Town Hall
32	5 Keyboards	Town Hall
33	1 UPS	Town Hall
34	2 Metal shelving units	Town Hall
35	3 Office chairs	Town Hall
36	4 metal chairs	Town Hall
37	2 arm chairs	Town Hall
38		
39		
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41		
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44		
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Schedule C

**Schedule D
Amended**

Charge For The Public Safety Building Committee

BE IT RESOLVED:

Section 1- Establishment; Duties. The Public Safety Building Committee (the "Building Committee") established by the Town Council shall serve as the building committee for the construction of a new public safety building in Montville. The Building Committee's duties and responsibilities shall be as follows:

- a) Preliminary plan development. The Building Committee shall:
 - 1) Solicit proposals from qualified architects to prepare schematic drawings and project cost estimates, including costs of construction, engineering, finance, legal, contingency, independent construction monitoring and oversight, and other appropriate costs.
 - 2) Select an architectural firm(s) and negotiate a contract to be entered into between the Town and said firm(s), subject to approval of the Town Council. The architectural work will be contracted for in two phases:
 - i. Phase one will consist of pre-referendum services, including the preparation of schematic drawings and cost estimates, including structural site work, grading and drainage, presentation to Town boards and commissions and other services and costs as determined by the Building Committee.
 - ii. Phase two services will complete the project through Town acceptance and final payment to the contractor(s). The phase two contract will include the architectural fees and expenses to take the project through the design development, contract document, and administrative services phases during construction, including the preparation of bid documents and contract documents, the evaluation of bids and the determination of appropriate bonding, insurance and other soft costs. The contract(s) shall provide that the architect will not proceed beyond phase one services until the Building Committee has issued a notice to proceed after approval of funding for the entire project; and that the Town has no financial obligation beyond phase one fees and expenses if the project funding is not approved.
 - 3) Obtain from the architect a certificate attesting to the architect's errors and omissions insurance coverage that will be valid throughout the duration of the project.

- 4) Request sufficient funds from the Town Council to pay for the architect's phase one services. Upon approval of such funding, the Building Committee shall execute the contract with the architect for such services.
- 5) Decide what type of owner's representative to use (if other than the architect) such as a clerk of the works, construction manager or general contractor. If a construction manager is to be used, the Building Committee shall solicit proposals from qualified firms and negotiate services and fees for the pre- and post-referendum phases.
- 6) Submit the completed schematic drawings to the Town's Planning and Zoning Commission for informal review and recommendation and make such changes as appropriate in accordance with the contract for architectural services.
- 7) Submit the completed schematic drawings and project cost estimates to the Town Council for approval.
- 8) Upon Town Council approval of the schematic drawings and project cost estimates, request that the Town Council:
 - i. Set a Town Meeting (and referendum if necessary) for the total project cost based on the cost estimates prepared by the architect and/or construction manager; and
 - ii. Refer the project to the Town's Planning and Zoning Commission for a report under Section 8-24 of the Connecticut General Statutes.

Section 2 – Duties Construction Phase.

The Building Committee shall:

- 2.1 Meet with the Architect to finalize the second phase (phase II) cost for service as outlined in AIA Document B201-2007.
- 2.2 Complete final site plan.
- 2.3 Obtain required land use approvals:
 - 2.3.a Inland Wetlands
 - 2.3.b Site plan approval – Planning & Zoning
 - 2.3.c Coastal Area Management
 - 2.3.d Building Official – handicapped parking
 - 2.3.e Water and Sewer Commission
 - 2.3.f Town Engineer – drainage
 - 2.3.g DOT District II encroachment permit

- 2.4 Prior to finalizing the building plans solicit input and comment from the following:
 - 2.4.a Director of Public Works – short and long term maintenance – vendor standardization
 - 2.4.b IS Director – specifications for computer systems
 - 2.4.c Fire Marshal/Emergency Management Director – consultation on Dispatch configuration
- 2.5 Forward the building plans for review to:
 - 2.5.a Building Official
 - 2.5.b Fire Marshal
 - 2.5.c IS Director
- 2.6 Incorporate any changes required by review from sections 2.3, 2.4 and 2.5
- 2.7 Complete final plans and bid documents for the building and site work.
- 2.8 Complete the RFP for the communications tower.
- 2.9 Approve all plans, bid documents and contract documents prior to soliciting bids.
- 2.10 Put the project out to be bid in accordance with the Town of Montville’s bidding procedures.
- 2.11 Develop a bid evaluation process which shall include a standardized review sheet which shall be retained for the duration of the project.
- 2.12 Analyze the bids using the bid evaluation process established in section 2.11.
- 2.13 Forward a written recommendation for the bid, accompanied by a bid tabulation sheet, to the Town Council for approval. All bid documents shall be available for public inspection.
- 2.14 Develop a RFP evaluation process for the tower component of the project which shall include a standardized review sheet which shall be retained for the duration of the project.
- 2.15 Analyze the RFP submissions using the evaluation process established in Section 2.14.
- 2.16 Forward a written recommendation for the proposal, accompanied by a tabulation sheet, to the Town Council for approval. All RFP documents shall be available for public inspection.
- 2.17 Negotiate the building construction and tower contracts to be entered into by the Town and said construction firms.

- 2.18 After approval of the Bid by the Town Council, award the contracts to the successful bidders.
- 2.19 Establish a construction schedule which ensures that the tower project is completed at least four months prior to the completion of the Public Safety Building.
- 2.20 Establish a construction meeting schedule.
- 2.21 Forward a monthly progress report to the Mayor, Town Council and Finance Director. The report shall, at a minimum, address cash flow and construction progress.
- 2.22 Submit requests for payments to the Planning Director ten (10) days prior to a Committee meeting. The Planning Director shall:
- 2.22.a Review the payment requests in consultation with the Owners Representative and the architect.
 - 2.22.b Place the payment request and any other bills on the Committee meeting agenda for authorization to pay.
 - 2.22.c Assign account code and forward purchase order to the Director of Finance.
- 2.23 Ensure that the Director of Finance pays all bills within forty five (45) days of receipt by the Committee.
- 2.24 Review and approve change orders as follows:
Change orders:
- 2.24.a Shall be submitted to the Planning Director ten (10) days prior to a Committee meeting.
 - 2.24.b The Director shall review the change order in consultation with the Owners Representative and the Architect.
 - 2.24.c The Director shall place the change order request on the Committees meeting agenda for action.
 - 2.24.d. No change order or contract change shall be approved which would increase project costs beyond the amount authorized by Referendum on November 2, 2010.
- 2.25 Create a logistics plan for moving and Dispatch relocation. The plan shall include a time line for turning the current Public Safety Building over to the State, including cancellation of insurance.
- 2.26 Ensure that the Architect certifies the building as substantially complete, provides the Committee a list of items not fully complete (punch list) and ensures that all

extended warranties have been provided. The Committee shall ensure the completion of all punch list items.

2.27 Review the Architects certification that the construction has been completed in full compliance with contract documents. The Committee shall not accept the building and associated site work until all punch list items have been completed.

Section 3- Structure; Membership. The Building Committee members will consist of seven (7) members and two (2) alternates. The members and alternates shall be appointed by the Town Council. The Town Council shall fill all vacancies in the Building Committee. The Building Committee shall choose its Chair, Vice Chair and Secretary. The Building Committee shall perform the duties and function provided in this Resolution.

Section 4- Administration. The Building Committee members shall not receive any compensation for their services. Necessary expenses of the Building Committee shall be included in the cost of the project. In carrying out their functions, the Building Committee shall comply with all aspects of the Connecticut Freedom of Information Act, as amended.

Section 5- Grant and Loan Applications. The Building Committee shall assist the Mayor in applying for any federal, state or other grants or loans for the project and ensure that the grant of loan application and other documentation is filed expeditiously so that the Town receives any grant or loan funds on a timely basis.

Section 6- Mayor's Responsibility for Coordination of Process. Throughout the planning and construction process, the Mayor shall be responsible for coordinating the process and working with the Building Committee or its designees/liaisons and making full use of the Town staff and appropriate outside services as required. Within budgetary limits, the Mayor is authorized to obtain outside services as he believes are needed.

Section 7- Execution of Contracts. The Mayor shall execute all contracts entered into by the Town for the project. The Town Attorney shall review all contracts before they are entered into by the Town and shall oversee the execution of such contracts and compliance with appropriate bonding and insurance requirements.