

**Town of Montville Town Council
Regular Meeting Minutes for Monday, April 11, 2011
7:00 p.m. – Town Council Chambers – Town Hall**

1. Call to Order

Acting Chairperson Hillman called the regular meeting of the Town Council to order at 7:00 p.m. after establishing a quorum.

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

3. Roll Call

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

4. Special Recognitions/Presentations

a. A presentation from Mr. Chuck Longton, Chairman of the Economic Development Commission and Mr. Jim Toner, Commissioner of the Economic Development Commission regarding the state of the Economic Development Commission and the business climate in the Town of Montville.

Mr. James Toner, 10 Indian Hill Road, Uncasville, CT 06382, a member of the Economic Development Commission discussed the sub-committee report regarding businesses that have opened in the Town of Montville in the past two years, 2009 and 2010. The question asked of the businesses was “why did you locate in the Town of Montville?” He explained the Economic Development Commission is trying to determine the best way to attract business to town and the best way to determine this would be to poll the businesses that have already established themselves in Montville to determine the type of information they could provide. He explained there were twenty eight new businesses started up between 2009 and 2010. He and Lt. Bunnell visited the various new businesses including dental practices, retail stores, restaurants, landscaping and nursery business, a funeral home, a hotel, a karate training facility, a hair salon, a pool hall, an office building, a credit union, a pet salon and a sign shop. Of the twenty eight businesses three had already closed and one decided not to open, five were too busy to talk to them and this left eighteen businesses to talk to. Mr. Toner distributed a copy of this presentation to the Council and is attached to the minutes as Schedule B. He discussed the various comments made by the business owners and how the information submitted was utilized.

Councilor Murphy inquired if the Economic Development Commission looked into the signage in the town that is from out of town business. Mr. Toner stated they looked only at signage for business in town, not out of town business. The consensus of the people polled regarding signs have indicated that if the town is going to allow them, they should be allowed for everyone, if the town is going to request they all come down this should include all signs.

Chairperson Jacobson inquired regarding the type of business that was selected to be in the survey. Mr. Toner stated the Planning Department provided a complete listing of every new business that started between 2009 and 2010. Chairperson Jacobson suggested implementing long term business in town in the next survey to determine what keeps a business in the town.

Councilor Buebendorf thanked Mr. Toner and Lt. Bunnell for their hard work gathering the important information for the financial stability of the town. This information will determine what the town is doing right and in what areas it can improve.

- b. A presentation from Glen Mathieu regarding an update to the Montville Community Rally.

Mr. Glen Mathieu, 96 Richard Brown Drive, Uncasville presented a thirty two slide power point presentation and reviewed and discussed the proposed Montville Community Rally proposal. He is requesting in kind services from the Town of Montville for the event and a Town Council liaison for the event. The last event was held on June 6, 2010 that started as a meeting with the Parent Advisory Group at the High School. Out of this meeting a fund raising event was discussed and the event was put together in two and one half months. Seventy motorcycles attended the event and raised thirty five hundred dollars for the Diabetes Association. This year the event is scheduled for June 5, 2011 and will have a BBQ lunch and a poker run for the motorcycles to raise money as well as vendors, a car show and a non-perishable food drive to benefit Montville families in need. Mr. Mathieu is asking the Town Council to consider donating in kind services to cover all the related town services and fees for the event. This includes a shuttle bus from the High School to the Pavilion, a police officer on site for safety, Public Works for clean up and support, the Building Inspector and Fire Marshal for inspections and permits, the use of the High School cafeteria to prepare foods, Public Works to repair the roads and pavilion parking lot to ensure no bikes slip on sand or hit pot holes, and barricade cones for the rally. The costs for these services are approximately one thousand nine hundred and sixty eight dollars. He indicated he will email the presentation and monetary request to all of the Councilors.

5. Alterations to the Agenda

Chairperson Jacobson suggested the addition of the following item to the agenda as 7 (c) "to consider and act on a motion to enter into a closed confidential session to discuss and ethics complaint filed with the Town Council. Motion made by Councilor Hillman, seconded by Councilor Beetham. Discussion, none, voice vote, 7-0, all in favor. Item added to the agenda.

Councilor Hillman suggested the Council delete the approval of the March 29, 2011 special meeting minutes because they have not been submitted for approval. Discussion, none, voice vote, 7-0, all in favor, item deleted.

6. To consider and act on a motion to approve the regular meeting minutes of the March 14, 2011, the special meeting minutes of March 14, 2011, the special meeting minutes of March 21, 2011, and the April 4, 2011 special meeting minutes.

Motion made by Councilor Beetham, seconded by Councilor Hillman, discussion, none, voice vote, 7-0, all in favor, motion carried.

Chairperson Jacobson resumed her roll as the Chair.

7. Executive Session

- a. To consider and act on a motion to enter into Executive Session for the purpose of interviewing the following person for Boards and Commission; Mr. Gilbert Maffeo for appointment to the Parks & Recreation Commission to include members of the Town Council and Mayor Jaskiewicz.

Motion made by Councilor Hillman, seconded by Councilor Buebendorf, discussion, none, voice vote, 7-0, all in favor, motion carried and invited parties left Chambers for executive session at 7:44 p.m., returning at 7:53 p.m. Chairperson Jacobson resumed the meeting and indicated no formal votes were taken during executive session.

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

Motion made by Councilor Caron, seconded by Councilor Beetham. Discussion, Councilor Murphy indicated he will abstain from the executive session discussions because he is employed by the Department of Corrections. Voice vote, 7-0, all in favor, motion carried and invited parties left Chambers for executive session at 7:54 p.m., returning at 8:04 p.m. Chairperson Jacobson resumed the meeting and indicated no formal votes were taken during the executive session.

c. To consider and act on a motion to enter into a closed confidential session to discuss the ethics complaint filed with the Town Council. Discussions to include members of the Town Council, Mayor Jaskiewicz and Town Attorney Bruce Chudwick.

Motion made by Councilor Hillman, seconded by Councilor Beetham, discussion, none, voice vote, 7-0, all in favor, motion carried and invited parties left Chambers for executive session at 8:06 p.m., returning at 8:31 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.

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

9. Communications

- a. A letter dated April 2, 2011 from Mr. James Andriote regarding his resignation from the Economic Development Commission.
- b. A letter dated March 30, 2011 from Theresa Hart, Finance Director to Mr. Robert L. Howard, Jr., CPA CCR LLP.

10. Report from the Town Attorney on Matters Referred.

Attorney Bruce Chudwick stated several of the items he has been working on are on the agenda, the purchasing policies and procedures and the two ordinances. There are a few litigation matters he has been working on regarding a property tax appeal and an Inland Wetlands appeal.

Councilor Beetham inquired regarding the salary increase for the Mayor's salary and Attorney Chudwick indicated he will discuss this matter when it comes up on the agenda.

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

Mr. Vern Vesey, Building Official, was present at the request of Councilor Buebendorf regarding an update to the Blight Ordinance. He indicated over the winter months there was a minimal of cleanup due to the heavy snow. He started issuing violations in December and January and February had heavy snow. He sent out letters in March letting the property owners who received letters in January for blighted properties know they had until the 30th of March to clean up their properties. He discussed the open violations and the stage of each property at this time. He stated that overall he is pleased with the response and cooperation of most of the three hundred and seventy four blighted property owners on his list. He stated seventy five percent of the people he has dealt with have made an effort to abate the properties and comply with the

ordinance. A discussion was held regarding unsafe properties and inspection and abatement procedures for these properties.

Ms. Lucy Beit, Assessor, discussed the spreadsheet she submitted to the Council regarding the Montville Personal Property Auditing Proposal. She discussed the criteria the town is looking for in a firm to conduct the personal property audits. Two of the four companies who submitted proposals met the criteria, Tax Management Associates, Inc.; and Kostin, Ruffkess & Co, LLC. Kostin and Ruffkess & Co chose to submit a contingency based bid only and Tax Management submitted both bids as suggested in the RFP. She discussed the work to be performed, including inspections and field audits. State law dictates how accounts have to be contacted, when they have to be contacted, how appointments are set up, etc. and Tax Management Associates gave the Council the best methodology regarding their goal to avoid a law suit with an account and to educate the account and get them to sign off. They will prepare audit reports and when they get them back the Assessor's office can add the items to personal property for taxation. Tax Management Associates estimated in their RFP a five to one ration, if the town spends two hundred thousand dollars they can expect a return of one million dollars. The last full audit done by the town was approximately twenty years ago. The audit will provide the Assessor with a base line to work off of in the future and will not need to be redone because Tax Management has offered to educate the Assessor and her staff to perform their own audits in the future. Councilor Hillman inquired regarding the ongoing training request included in the RFP and Ms. Beit stated Tax Management is willing to train her staff along the way. The revaluation company chosen and hired by the Council can not conduct the personal property audits because they deal only with real estate and not with personal property, it is not their job to look for personal property.

Finance Director, Terry Hart discussed revenue and expenditures with the Council. She indicated the projected short falls in revenue are approximately five hundred thousand dollars. The town has received money for back taxes and interest and is anticipating FEMA money in the amount of fifty thousand dollars for the winter storm. The schools will be up twenty eight thousand for their tuition for regular and special education. The commercial tipping fees are up as well. She discussed the expenditures with the Council, stating the medical is over approximately ninety thousand dollars with three months left in the fiscal year, and the pension line item will be approximately one hundred and fifty three thousand dollars short, the legal bills have run over seven thousand dollars, and she is estimating that will be between one hundred and twenty and one hundred and sixty one thousand dollars over budget depending on the direction of the sex offender facility. Public Works is running in the red at about ninety three thousand dollars over budget, and the other insurance is negative thirty two thousand dollars, partly due to a deductible of ten thousand dollars on certain claims and the town must pay in toward them. Fuel oil and propane are over budget due to a price increase, the big accounts were locked in but the Senior Center, Youth Center and Public Works were not locked in for fuel prices. The total shortfall projection is three hundred and sixty thousand dollars but she will look further into the budget to determine if this money will come out of surplus. The town has implemented a spending freeze and many of the departments may not expend their entire budgets, leaving some money to use toward other items. Councilor Beetham discussed the police overtime running over and Ms. Hart explained these line items have consistently been under budgeted year after year. Chairperson Jacobson asked Ms. Hart for documentation regarding the numbers she just reviewed for the Council members to review. Ms. Hart will provide the copies as requested. Councilor Hillman suggested a meeting with the top two companies of the personal property audits to give the Council a presentation regarding their RFP's and to give the Council the opportunity to ask questions. Mayor Jaskiewicz stated he would like to see the Council vote on that issue because it is a significant item for the budget this year and encouraged the Council not to postpone the issue.

Mayor Jaskiewicz discussed an email from the Town Attorney from the Department of Corrections regarding the MOU. He encouraged the Council to pass the personal property audit and to award the contract, he has a meeting on Friday regarding the Montville Road Bridge repairs in Norwich, and he will present the town budget at 6:00 p.m. on Wednesday. There are nine candidates for interview for the position of Human Resource Director. There will be a committee formed and he will not be on the committee. Three people from different towns will serve on the committee for interview and will narrow the candidates down to three and he will present the top three to the Council. He distributed a letter from SEAT regarding the oil spill, stating there is a possibility the town will have to share with some of the costs. He has a meeting with AES Thames on Wednesday morning and they will give him an update of their status regarding returning to the town.

Chairperson Jacobson turned the meeting over to Vice Chairperson Hillman.

12. Reports from Standing Committees.

a. Town Administration/Rules of Procedure

Councilor Hillman indicated Town Administration continues to work on the Safety Zone ordinance and the cultural awareness discussion group.

b. Finance

Councilor Murphy indicated there are several items on the agenda tonight and they are eagerly waiting on the Mayor's budget before they move forward. The Finance Committee did not meet this month.

c. Public Works/Solid Waste Disposal

Councilor McFee stated the sub-committee met and he has been in contact with the Public Works director regarding Willimantic waste using their own roll off to save the town money.

Mr. Don Bourdeau indicated he has been in contact with Willimantic Waste. He explained the town has town wide recycling pickup curbside for every resident in town but some of the residents don't take advantage of this system. Some residents choose to bring their recyclables to the Transfer Station. The town is paying for the town wide recycling pickup and those that choose to bring their recyclables to the Transfer Station then cause the town to pay to dispose of them when they can be recycled curbside without incurring extra costs. Willimantic Waste's position is that is not stated in their contract to pick up the recyclables from the Transfer Station, they pick up curbside for every resident in town and if the resident does not wish to recycle curbside it is not their responsibility to take it from the Transfer Station. Willimantic Waste indicated they would be willing to discuss the issue to negotiate but for the time being they will not take on the responsibility.

Councilor McFee suggested the Transfer Station not accept recyclables forcing the residents to put the recycling curbside for pickup, it is not a burden on anyone to place it on the curb and it will save the town money by doing so.

Mr. Bourdeau indicated the Transfer Station hauls two to three loads a week of recycle materials. He stated he could get information out asking residents to take advantage of the curbside recycling pickup.

Councilor Beetham inquired regarding the date of the surplus town vehicles and equipment.

Mr. Bourdeau stated the sale is scheduled for May 13, 2011 at 1:00 p.m.

Councilor Beetham inquired if town employees or members of the Town Council can bid on the equipment being sold. Attorney Chudwick stated he will get back to the Council with his findings for next month.

13. Reports from Special Committees and Liaison Councilors

a. Planning & Zoning Commission

Councilor Beetham stated the last Planning & Zoning Commission was interesting last month, stating they approved the plan of the Public Safety Building without the installation sidewalks. Councilor Beetham stated the Planning & Zoning Department tells business that they have to install sidewalks or they don't get approval and then the town gets approval without doing so. The Tuesday night meeting was cancelled because there was nothing to discuss.

Councilor Hillman asked Councilor Beetham to contact the Raymond Hill Library regarding their request to the non-profit committee for this year; she stated they have not submitted their request as of today.

b. Library Committee

Councilor Beetham indicated there was no meeting for the Library Committee this month.

c. Parks & Recreation Commission

Councilor Buebendorf stated the tobacco ordinance is on the agenda, the commission is gearing up for summer camp and they are discussing the process and the possibility of expanding the number of weeks camp is run and the fees for the camp this year. Last month they evaluated the basketball program and determined it was wildly successful and she let the council know they were able to save significant money on referees because the Parks & Recreation Director, Peter Bushway and Commissioner Jason Clark refereed some games for free, there is a new dodge ball program starting in May.

d. Public Safety Commission

Councilor Buebendorf stated the final draft for the Rules and Procedures for the Commission will be presented at the next meeting and will be forwarded to the Town Council for approval. The firefighter hiring process has been re-posted, the Commission felt strongly that they wanted a defined set of guidelines consistent for the hiring process and the hiring procedure has been developed and the process will take place. There was discussion regarding part time firefighters and their hiring procedures.

e. Commission on the Aging

Councilor Caron stated the Director is working on grants, the Chicken Soup Program is taking applications, and the senior art show is April 29, 2011 and it is a great show and recommends anyone who can attend to do so from 6:00 p.m. to 8:00 p.m.

f. Economic Development Commission

Councilor Caron introduced Mr. Chuck Longton, Chairman of the Economic Development Commission to give a report.

Mr. Chuck Longton stated the report given tonight by Mr. Jim Toner was not materially different than the one given last fall, including the expectations of their findings from the business owners. He discussed how the town has turned around its image of being hard to work for and with to being helpful and cooperative. It has become a valuable resource for people who are attempting to start a business in the Town of Montville. He discussed concerns of new business owners regarding road access, water supply issues, sewer lines and electric rates. He is please to relate that in the opinion of the business community, Montville is a good place to begin a new enterprise and this opinion was arrived at by the new business owners themselves, after weighing their other options from surrounding towns. In all cases studied by the Economic Development Commission, Montville only lost out to people who had a personal preference for anther town, not based upon economic conditions, but on other things such as family ties. When it came to pure economics Montville was the preferred area of all the surrounding towns. He offered his congratulations to the Council, because of the coordinated efforts of the Town Council, the Mayor, and all of the town agencies Montville has obtained the reputation of being a good place to start a new business.

g. Social Services

Councilor Caron stated they are working on their Easter baskets and summer baskets will follow right after the Easter baskets. They are service approximately one hundred families at the Social Services per week; this number is up a considerable amount.

h. Youth Services Bureau & Advisory Board

Councilor Caron indicated there is a pasta dinner fund raiser on Sunday, May 1, 2011 at the Mohegan Fire House and tickets can be purchased at Youth Services. The summer registration begins on May 9th at 9:00 a.m. and will run between June 27th until August 24th and there are twenty five spots available on a first come, first serve basis. He encouraged everyone to stop by the Youth Services center and Senior Center to take advantage of their programs.

i. Volunteer Fire Fighters Relief Fund

Councilor McFee did not have anything to report.

j. Community Center Building Committee

Councilor McFee did not have anything to report.

k. Montville Fair

Councilor McFee did not have anything to report.

l. Regional Dispatch Committee

Councilor McFee stated the committee met and he is encouraged there are quite a few towns that are interested in regional dispatch. This could be savings for the town based on the cost sharing proposal. He did not take the trip to look at a regional dispatch in Tolland, CT.

m. Board of Education

Councilor Murphy stated there is a meeting on Tuesday evening for the Board of Education, they set the tuition rate for the Elementary School at nine thousand eighty dollars for elementary, nine thousand five hundred and ten for the Middle School and nine thousand nine hundred and twenty

dollars for High School. The special education in the elementary school is twenty four thousand one hundred and eighty, and the middle school is twenty three thousand one hundred and sixty dollars and the high school is twenty two thousand one hundred and eighty dollars. The preschool is twenty three thousand two hundred and sixty dollars. They are looking to upgrade their website in order to attract more students to Montville from surrounding areas instead of students going to the various magnet schools in the area. There is a new job description for the School Resource Officer and it will be on the agenda for approval at the Tuesday meeting.

n. Water and Sewer Commission

Councilor Hillman stated WPCA has a revised water budget and she put a copy in each Councilors mailbox for review. They have had a number of meetings with the Municipal and Financial Services Group concerning the sewer use rate study. Rand Whitney has been invited to participate in every step of the selection process but up to now has chosen not to attend any of the meetings. They received notice of a credit from the Connecticut Department of Environmental Protection for nitrogen credits; one credit is worth four dollars and fifty nine cents with a total credit in August of fifteen thousand nine hundred and eighty three dollars as part of the Long Island Sound Nutrient Reduction Program Credit Exchange. This credit rate will change from year to year and the town does not expect to receive as much next year as it goes down with time as most government programs do.

o. Non-Profit Organizations

Councilor Hillman stated she is waiting on requests from the Boy Scouts, the Girl Scouts, the Memorial Day Parade, the Montville Youth Football and the Raymond Hill Library.

p. Public Safety Building Committee

Councilor Jacobson stated there is a breakdown of the soft costs for the building in the Council packets for review as required per the Charge. They posted the RFP for the tower on the towns website and are reviewing the bid package. This package should be going out to bid for the entirety of the building in the near future. In the bid package utilized an alternate process so that it could potentially bring the cost down of the building. This gives them the option to save money on the building. The Town Planner has been giving the committee very good advice and she is recommending a conservative approach to the bid process as possible, they are getting everything they need without including a wish list and she commends them on holding the line and being fiscally prudent with this project as it is.

q. School Building Committee

Councilor Jacobson stated there was no meeting for the School Building Committee this month.

Councilor Hillman turned the meeting back over to Chairperson Jacobson.

14. Appointments and Resignations

a. To consider and act on a motion to appoint a full voting member to the Economic Development Commission with a term to expire June 12, 2015. (Mr. James Toner has indicated he would like to be appointed and was interviewed by the Council on March 21, 2011).

Councilor Buebendorf nominated Mr. James Toner, Councilor Caron seconded the nomination. There were no more nominations and the nominations were closed.

Roll call vote, 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. Mr. James Toner was appointed to the Economic Development Commission.

b. To consider and act on a motion to accept the resignation of Mr. James Andriote from the Economic Development Commission with regret.

Motion made by Councilor Beetham, seconded by Councilor Caron. Discussion, none, voice vote, 7-0, all in favor, motion carried.

15. Unfinished Business

a. THE TOWN OF MONTVILLE HEREBY RESOLVES to increase the salary of the Mayor for the Town of Montville effective November 14, 2011.

Motion made by Councilor Beetham, seconded by Councilor Murphy. Discussion; Attorney Chudwick corrected a statement he made at the last meeting indicating that the Council can increase the Mayor's salary at any point in time as long as it is in conformance with the systematic pay of all town employees. There is a constitutional provision in Connecticut that prevents the Mayor from getting a salary increase at any point in time and that provision is in Article 11, Section 2 of the Connecticut Constitution, it provides the compensation of an elected official of a political subdivision of the State whose term of office is four years or more may be increased once after such official has completed two years of service in that position. The Mayor would not be able to get an increase of salary in the first two years of his or her term, but could get it after the first two years of the four year term are served. Councilwoman Jacobson sent him information regarding the process that has been followed in the past with the Mayor's increase in salaries and based on that and what was done in 2001 and 2005, mid term for the Mayor at that point in time and on June 11, 2001 the Council voted to increase the Mayors salary effective November 8, 2001. It would be appropriate for the Town Council to give the Mayor a pay raise at this point in his term as he has served over two years. It could be effective immediately or it could be effective for the next Mayor as provided in the Council resolution. Regarding the staggering increases, the Council can give the Mayor one increase of salary but can not make it effective incrementally each year. The Constitutional provision says that the Mayors salary can be increased one time in a two year time period. Being consistent with prior practice the Town Council can give an increase any time during the second two year portion of the term. He apologized for the inaccurate information he provided at the previous meeting.

Motion made by Councilor Beetham to amend the resolution to reflect a three percent increase starting July 1, 2011 for the Mayor to run through the last portion of the term of November, 2013. There was no second to the motion.

Motion made by Councilor McFee, seconded by Councilor Beetham to amend the original motion to increase the Mayors salary at sixty five thousand dollars per year beginning July 1, 2011 through the end of the term in November, 2013. Discussion, Attorney Chudwick stated the wording should state "to increase the Mayors salary for the position, effective July 1, 2011, this would go indefinitely until the Council changes it again. Discussion on the amendment; Councilor Buebendorf does not support raising any salaries at this point in time with the economy the way it is and with so many people out of work and other expenses going up. Councilor Hillman agreed, stating it is not the right time; the economic climate is not changing rapidly enough to sustain pay increases when the town is looking at cutting budgets. Councilor Beetham stated the present Mayor has not had an increase in over two years, if this does not pass then it will be another four years and the Mayoral salary is much lower than surrounding towns

in southeastern Connecticut. The raise is for the position, not for the individual. Roll call vote on the amendment to the resolution, 7-0, all in favor, motion carried, and resolution amended.

Chairperson Jacobson read the amended motion into the record as follows; THE TOWN OF MONTVILLE HEREBY RESOLVES to increase the Mayors salary to sixty five thousand dollars a year effective July 1, 2011.

Motion made by Councilor McFee, seconded by Councilor Beetham, discussion, none, Roll call vote, 3-2-2, voting in favor of adopting the resolution were Councilors Beetham, McFee and Murphy, voting in opposition were Councilors Buebendorf and Hillman, abstaining from the vote were Councilors Jacobson and Caron. Resolution failed to pass as there needs to be a four in favor vote to pass.

16. New Business

a. To consider and act on a motion to refer the Town's Purchasing Policies and Procedures to be reviewed by the Town Administration/Rules and Procedure Sub-Committee.

Motion made by Councilor Beetham, seconded by Councilor Hillman. Discussion, Mayor Jaskiewicz stated this item may fall under the purview of the Finance Committee. Attorney Chudwick stated he has been in contact with the Mayor and Chairperson Jacobson and determined the purchasing policies need to be reviewed, revised and updated. The last time they were updated was in the year 2000 and they could use a little work. The question for consideration is whether or not it should be at the Town Administration Committee or the Finance Committee and looking at the Finance Committee's charge, it appears that it is more targeted to look at an issue like this. It would be more appropriate for the Finance Committee to look at this as it relates specifically to purchasing and he recommends the motion be amended to reflect the Finance Committee. Motion made by Councilor Hillman to amend the motion to reflect the Finance Committee, seconded by Councilor Caron, roll call vote on the amendment, 7-0, all in favor, motion carried. Chairperson Jacobson read the motion into the record as follows;

Chairperson Jacobson read the amended motion into the record as follows;

To consider and act on a motion to refer the Town's Purchasing Policies and Procedures document to be reviewed by the Finance Committee. Roll call vote, 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. Motion carried.

b. To consider and act on a motion to schedule a special informational meeting for the public regarding the sex offender facility to include the Department of Corrections and the Town of Montville.

Motion made by Councilor Beetham, seconded by Councilor Caron, discussion, Councilor Beetham requested amending the motion to set the date for the meeting after the town has received the MOU signed, sealed and delivered. Seconded by Councilor Caron, discussion regarding the amendment; Councilor Caron stated he wanted to schedule a meeting to bring things to light and hopefully the meeting can be held in May after the MOU is signed and returned. Roll call vote on the amendment, 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson.

Chairperson Jacobson read the amended motion into the record as follows; To consider and act on a motion to schedule a special informational meeting for the public regarding the sex offender

facility to include the Department of Corrections and the Town of Montville when the Town receives the Memorandum of Understanding from the State signed, sealed and delivered.

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. Motion carried.

c. Resolution #2011-032. THE TOWN OF MONTVILLE HEREBY RESOLVES to refund taxes due to overpayments and corrections in the amount of \$12,931.53 as requested by the Tax Collector and attached hereto as Schedule A.

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

d. THE TOWN OF MONTVILLE HEREBY RESOLVES to approve and adopt the ordinance titled “ An Ordinance Regarding The Lease, Sale and Conveyance Of Real Property Located at 14 Bridge Street”; as read at a public hearing on Monday April 11, 2011. Mayor Jaskiewicz requested this item be postponed until next month to allow him the opportunity to provide necessary documents to the Council for review.

Motion made by Councilor Beetham, seconded by Councilor Caron to table item 16 (d). Discussion, none, Roll call vote, 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. Motion carried.

e. Resolution #2011-033. THE TOWN OF MONTVILLE HEREBY RESOLVES to approve and adopt the ordinance titled “An Ordinance Regarding Tobacco-Free Community Recreation”; as read at a public hearing on Monday April 11, 2011.

Motion made by Councilor Buebendorf, seconded by Councilor Caron, discussion, Councilor Hillman gave credit to the Parks & Recreation Commission for putting the ordinance together, it is long overdue, Councilor Caron thanked Parks & Recreation stating he would like to see the ordinance enforced and posted very well at Camp Oakdale if possible. Roll call vote, 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. Resolution adopted.

f. Resolution #2011-034. THE TOWN OF MONTVILLE HEREBY RESOLVES to authorize the Mayor to execute a contract on behalf of the Town of Montville with the Connecticut Department of Public Safety, Division of the State Police for the services of one Resident Trooper for the period of July 1, 2011 through June 30, 2013.

Motion made by Councilor Beetham, seconded by Councilor Caron, discussion; Mayor Jaskiewicz stated the only change to the document was for the overtime. He called regarding the overtime change to item H and determined this was added since last year. He was originally concerned thinking they were going to charge the town but as it turns out the State has to pay the overtime rate if the State Police hire for anything other than a town function they have to pay the overtime rate plus. Roll call vote, 7-0, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, Murphy and Jacobson. Resolution adopted.

g. THE TOWN OF MONTVILLE HEREBY RESOLVES to authorize the Mayor to execute a one year extension of the engineering services agreement with Nathan L. and Associates; said extension is from July 1, 2011 through June 30, 2012.

Motion made by Councilor Hillman, seconded by Councilor Caron, discussion, Mayor Jaskiewicz stated the thought behind this resolution is to allow Nathan Jacobson to finish working on the many jobs they are currently working on and in one year the town can put out another RFP and change firms if they decide to do so. Councilor Hillman inquired if there will be a cost increase for the additional year and Mayor Jaskiewicz stated he is not certain but will get that information for the Council. Chairperson Jacobson indicated there are billing rates on the last page of the contract but it does not state any billing rates for the years 2011-2012. Mayor Jaskiewicz suggested tabling this issue until next month to allow him to gather information requested by the Council.

Motion made by Councilor Hillman, seconded by Councilor Caron to table item 16 (g) until the next regularly scheduled meeting, discussion, none, Roll call vote, 4-3, voting in favor were Councilors Buebendorf, Caron, Hillman, and Murphy. Voting in opposition were Councilors Beetham, McFee and Jacobson. Motion carried, this item will be tabled until next month.

h. Resolution #2011-035. THE TOWN OF MONTVILLE HEREBY RESOLVES that Joseph W. Jaskiewicz, Mayor of the Town of Montville, be and hereby is authorized to make, execute and approve on behalf of the Town of Montville, any and all contracts and amendments and to execute and approve on behalf of the Town, other instruments, a part of or incident to such contracts and amendments effective until otherwise ordered by the Town Council with respect to the award of the FY2010/2011 Seven Hundred Thousand (\$700,000) grant for the construction of a public safety building from the Urban Action Grant administered by the State of Connecticut Department of Economic and Community Development.

Motion made by Councilor Beetham, seconded by Councilor Caron. Discussion, Mayor Jaskiewicz indicated Attorney Ochsner is present to answer questions from the Council if they have any. To accept the grant requires a certified resolution from the Town Council and five thousand of the grant money goes to the Attorney General for his labor costs. Attorney Ron Ochsner stated he received the proposal last week and put together an analysis of the requirements and wrote a letter to the Mayor and Chairperson Jacobson and put it in the mail. There are a number of requirements that come with the free money; the obligations of the Town are outlined with respect to the grant funds. The first requirement is that the town will have to sign a restrictive covenant that is recorded on the land records to use the public safety facility as a public safety facility for a minimum of ten years, and he does not foresee a use change down the line. The second requirement is relative to environmental compliance, the proposal recites that the Commissioner of the Economic Development can impose a requirement on the town to have undertaken by the DECD to come out of the grant funds a CEPA review and this is an environmental protection act review. He does not think this is likely to happen, it is a site that was acquired by the town in 1984 and there has been no activity on this site since it was acquired by the town and he discussed the historical uses to date. There does not appear to be any environmental issues with the property. He does not envision any large environmental assessment taking place on the property. The remainder of the property will have the same auditing and reporting requirements, financial reporting and there will be a signed proposal signed by the State followed by a closing and at this closing the town will sign off of the necessary documents and the restrictive covenant for the property. Prior to this the town has to file with the DECD the opinion of counsel, the certificate of the applicant and a certified resolution prior to closing. He explained the remaining issues are spelled out in his correspondence. He discussed penalties if the town does not follow through would be a return of the funds and a five percent liquidated damages penalty with a fifteen percent per annum interest on the finances provided. He explained these are standard provisions for a State grant; it is a matter of keeping an eye on the ball and doing everything necessary and required. This grant will offset the bonding cost associated with the project. Chairperson Jacobson inquired if the property restrictions pertain to the entire property, or just where the building is located. Attorney

Ochsner stated he does not have the restrictive covenant yet, but he suspects it will relate to the portion of the property where the public safety building will be constructed. Chairperson Jacobson inquired if a portion of the property was utilized for a public park the grant would not be jeopardized. Attorney Ochsner stated he will be sensitive to the use of the acreage because it is in excess of fifteen acres and the actual area used by the building will be five or six acres total. He will look into the covenant to see there is a level of flexibility in that respect.

Roll call vote 7-0, all in favor, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, Jacobson, McFee and Murphy. Voting in opposition were none. Resolution adopted.

i. Resolution #2011-036. THE TOWN OF MONTVILLE HEREBY RESOLVES to authorize the Mayor to enter into a contract with Tax Management Associates, Inc. to provide Municipal Personal Property Tax Audit Services for all Town accounts that currently reflect true cash values of \$50,000 and greater.

Motion made by Councilor Murphy to hire Tax Management Associates, Inc for the personal property audit. Seconded by Councilor Buebendorf. Discussion, Councilor Hillman stated she would like to interview the top two companies prior to entering into a contract to find out if they are willing to train, are they presenting ongoing legal fees, what is covered in the bid and what is extra for the town, these things are unclear as to who is doing what. Mayor Jaskiewicz recommended the Council approve this resolution as it could impact the budget. He stated it could have a significant impact on the proposed budget if not approved. Finance Director Hart stated a personal property audit has not been done in twenty years and it is way overdue. The revenues collected from the personal property could be significant revenue for the town. If this audit is not performed the burden will be on the taxpayers. Councilor Beetham stated he would like the opportunity to have one more interview with the Tax Management Associates team prior to signing a contract with them. Councilor Murphy stated businesses should pay their fair share of taxes and an audit has not been conducted in twenty years and it is time to do so. A discussion was held regarding training the Assessor's office to conduct audits on their own in the future. Chairperson Jacobson stated this is a one time deal hiring Tax Management Associates and the town can then get a base line and the Assessor's office can work off of what was learned by this situation, she stated the town has grown in twenty years, there has been a shift in the town, there were no hotels, large shopping areas and industry. She stated the town will be shorting the taxpayers as a whole if the town does not go forward with the personal property audit and get it done in a timely fashion. This is prudent business on the part of the town to make sure that everyone is on an equitable field and there is parity amongst all taxpayers and she encouraged the Council to vote in favor of this resolution.

Roll call vote, 7-0, voting in favor were Councilors Buebendorf, Caron, Murphy and Jacobson. Voting in opposition were Councilors Beetham, Hillman and McFee. Resolution adopted.

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

Motion made by Councilor Murphy, seconded by Councilor Caron, discussion; Councilor Hillman inquired why there a five year cycle is proposed. Councilor Murphy stated the businesses enhance and upgrade in this period of time and that was what was recommended by the Tax Management people. Finance Director Hart stated five years is a realistic number to work with. A discussion was held regarding the best way to conduct personal property audits and how many years between audits and how many audits can be performed each year. Ms. Hart stated a revaluation is done every five years and this is a realistic number. Councilor Hillman inquired why the five year increment if the town can go back to collect over a two year period.

She suggested staggering the audits. Ms. Hart recommends as the Finance Director to do an audit every five years. Councilor Hillman stated other towns stagger their audits and take a group of accounts each year depending on the value of the account. Councilor Buebendorf clarified what Councilor Hillman was saying, suggesting the town perform personal audits every year for a selected group of accounts, selecting twenty percent of the accounts for audit each year, with a continuous audit in place. Councilor McFee stated if the Assessor is trained to do audits they should be ongoing as part of the job. There are two hundred and twelve accounts and Ms. Hart stated the Assessor can not conduct audits on every account every year. Chairperson Jacobson suggested the need for clarity from the Finance Committee and suggested this item be tabled until the information is obtained.

Motion made by Councilor Buebendorf, seconded by Councilor McFee to table this discussion until next month. Discussion, none, Roll call vote, 6-1, voting in favor were Councilors Beetham, Buebendorf, Caron, Hillman, McFee, and Jacobson. Voting in opposition was Councilor Murphy. Resolution adopted.

17. Remarks from the Public

Lt. Bunnell, 5 Little John Drive, discussed the School Resource Officer, stating there is one in place until the end of the school year when he plans to step down and the department is looking into replacing him. The policy Councilor Murphy referred to will be back in front of the Town Council and Public Safety Commission once the Board of Education has approved it. There are no proposed changes to the daily, routine, daily scope of the job, everything is status quo.

Ms. Linda Jean, 1583 Rt. 163, Oakdale, stated the Council is a comedy show, half of the Council does not get along and its embarrassing to the Town of Montville for the people who actually come to see what is going on, its embarrassing. She stated all the Councilors have problems and suggested they get it together as they are running the Town of Montville.

Mr. Ken Evans, 1583 Rt. 163, Oakdale, stated he has a problem with the smoking ordinance, stating it is political correctness run amuck, he suggested a designated smoking area but the town should not ban smoking all together, tobacco is sold in town and people should be allowed to use it in the town. People burn wood in fireplaces and the town does not ban that. The political correctness needs to stop in the country.

Mr. Kevin Fridge, 12 Morgan Street stated the constraints on the solid waste program is starting to have an adverse affect on the town because the trash is being dumped on the side of the road if there is a fee to dispose of it. The intent is good, but if it is too tight the garbage and furniture ends up on the side of the road.

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

18. Remarks from the Councilors

Councilor Buebendorf stated the Public Safety Commission is recommending a town wide public safety evaluation consult that will be approximately fifty thousand dollars and this report will give direction to the town and the commission is requesting the funds be a part of their budget consideration for the 2011-2012 budget.

Councilor McFee apologized to the Mayor for not getting him a raise.

Councilor Beetham did not have anything to comment.

Councilor Hillman stated the WPCA is looking in to conducting a fire safety study with water hydrants and the amount of public water that is available and suggested that it go back to the Public Safety Committee to initiate this and will share costs with them.

Councilor Murphy praised the Mayor in acquiring the seven hundred thousand dollar grant for use at the public safety building and encouraged him to look for more money available. He wished the Mayor luck with the bridge.

Councilor Caron thanked Mr. Longton and Mr. Toner for a great presentation and regarding the Montville Community Rally, he stated last year's event was a success and hopes the Council will consider supporting Mr. Matthieu as it is an excellent cause.

Mayor Jaskiewicz thanked the Council for their support regarding Tax Management, it is very important and they will see the results on Wednesday.

19. Adjournment

Motion made by Councilor Murphy, seconded by Councilor Buebendorf to adjourn the meeting at 10:45 p.m. Discussion, none, voice vote, 7-0, all in favor, motion carried.

Respectfully Submitted by:

Audrey Ulmer, Recording Secretary for the Town of Montville.