

AMENDED

**Town of Montville Town Council
Regular Meeting for September 14, 2009
7:00 p.m. Town Council Chambers – Town Hall**

1. **Call to Order** – Chairperson Buebendorf called the meeting to order at 7:00 p.m.
2. **Pledge of Allegiance**

Chairperson Buebendorf asked for a motion to amend the agenda with the following changes;

1. Remove agenda item 13(b) To consider and act on a motion to discuss the status of hiring a Human Resources Director;
2. Remove agenda item 14 (s) To consider and act on a resolution to approve a Memorandum of Understanding between the Town and the Teamsters Union concerning the WPCA Accountant I position;
3. Remove agenda item 14 (u) To consider and act on a resolution to approve a Memorandum of Understanding with the Department of Homeland Security concerning the 2010 Emergency Management Performance grant.

Motion made by Councilor Geary, seconded by Councilor Caron. Discussion: none. Voice vote: 6-0, all in favor, motion carried, agenda amended.

3. **Roll Call** – Present were Councilors Beetham, Buebendorf, Caron, Geary, Jones (7:05 p.m.), Murphy and Radgowski. Also present was Town Attorney Bruce Chudwick and Mayor Jaskiewicz.
4. Motion made by Councilor Geary, seconded by Councilor Radgowski to approve the **meeting minutes** of August 10, 2009 and the Public Hearing meeting minutes of August 10, 2009 regarding Sewer Use. Discussion: none. Voice vote: 7-0, all in favor, motion carried.

5. **Executive Session**

a. To consider and act on a motion to enter into Executive Session for the purpose of interviewing the following people for re-appointment to Boards and/or Commissions:

1. Mr. Allen Polhemus for re-appointment to the Planning & Zoning Commission;
2. Ms. Margaret Skinner for appointment to the Commission on the Aging.

Executive Session to include members of the Town Council and Mayor Jaskiewicz. Motion made by Councilor Jones, seconded by Councilor Beetham. Discussion: Councilor Beetham suggested the addition of agenda item 5 (b) Discussions regarding personnel contracts to include Attorney Eileen Duggan and Theresa Fafard, Finance Director. Motion made by Councilor Beetham, seconded by Councilor Caron to amend the agenda to reflect agenda item 5(b) as discussed. Discussion: none. Voice vote: 6-0, all in favor, motion carried, agenda amended.

Voice vote for original motion as amended, 7-0, all in favor, motion carried. Council members and Mayor Jaskiewicz entered into Executive Session at 7:05 p.m., returning at 7:58 p.m. Chairperson Buebendorf stated that no formal votes were taken during Executive Session.

6. **Remarks from the Public with a Three Minute Limit**

Gary Pike, Bergman Drive, inquired if the Blight Ordinance will be available on the Town website for review and requested information regarding agenda item 14(o).

7. Communications

- a. Chairperson Buebendorf read a letter into the record dated August 25, 2009 from the Samolis family to Fire Marshal, Raymond Occhialini thanking him for his great service and professionalism in the aftermath of a fire in their home on 257 maple Avenue.
- b. A Memorandum dated September 4, 2009 from Mayor Jaskiewicz to the Planning & Zoning Commission regarding Section 8-24 request for properties located at 20 Connecticut Blvd; and 1887 Route 32 (PTA Lane).

8. Remarks from the Town Attorney on Matters Referred

Attorney Bruce Chudwick discussed the recycling agreement/contract and WPCA issues he is working on with Attorney Oschner for certifications for the water line project.

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

Mayor Jaskiewicz discussed the progress to date for the hire of the Human Resources Director. He stated he has been in contact with adjoining towns to put together professionals who are willing to help out with the interview process. He hopes to hire the best candidate by the end of the year. He discussed the 2009/2010 revenues from the State, stating the Town came out ahead by \$308,418.00. He thanked everyone who was involved with the budget for a great job. He discussed properties located on 275 Maple Avenue and 275 Route 163 scheduled for demolition after a determination is made regarding asbestos. He discussed a bus tour taken by teachers in the beginning of the school year to neighborhoods in the town. He stated the Town is very close to getting the stimulus money for the repairs to the Oxoboxo Bridge and he hopes to make an announcement regarding this in the near future. He discussed micro paving on Maple Avenue and thanked Public Works for a great job.

Raymond Occhialini, Fire Marshal, discussed the E911 program from the State and how it will benefit the residents of Montville. He discussed training for the program and how residents can sign up for notification. He stated radios have been installed in the Public Works trucks.

A discussion was held regarding the method of notification if residents do not have a home telephone.

Theresa Fafard, Finance Director, updated the Council regarding the bond payment due. She met with representatives of Webster Bank and their advice was to defer payment on the bond and pay interest only for the first two years making the first principal payment in 2013 in order to keep the mill rate down. By October 13th the interest rate on the bond can be reduced by 3 ½ percent. She discussed the bond rating for the Town and revenues over the past months in comparison to last year.

10. Reports from Standing Committees

- a. Town Administration – On agenda for discussion.
- b. Finance – On agenda for discussion.
- c. Rules and Procedures – On agenda for discussion.
- d. Public Works – nothing to report.
- e. Solid Waste – nothing to report.

11. Reports from Special Committees and Liaison Councilors

Councilor Geary discussed the Facilities Study status.

Councilor Jones gave a Board of Education update and stated she is disappointed the President's speech to the school children was not shown to the students in the Montville school system.

Councilor Beetham stated the Raymond Library renovations are almost completed. He discussed the certificate of occupancy for the Village Apartments and stated they have done a great job rebuilding with new improvements.

Councilor Caron discussed the Guardian Angel Program for the seniors and commended Public Works for a great job replacing the breezeway at the Senior Center. He commended the Youth Services for an award from the Mohegan Sun.

Councilor Buebendorf discussed the Parks & Recreation Commission, stating the committee members are helping out more now the Recreation Director has plans to retire. She discussed volleyball and the multi-purpose recreational trail. A discussion was held regarding who is going to organize the Memorial Day and Christmas Parades this year.

12. Appointments and Resignations

a. To consider and act on a motion to accept the resignation of Ms. Barbara Meagher from the Commission on the Aging, effective September, 2009. Motion made by Councilor Beetham, seconded by Councilor Caron. Discussion: Councilor Caron stated he is accepting the resignation with regret and thanked her for service to the commission. Roll call vote: 7-0, all in favor, motion carried.

13. Old Business

a. **Resolution #2009-106. THE TOWN OF MONTVILLE HEREBY RESOLVES to adopt the revised Rules and Procedures for the Montville Town Council.** Motion made by Councilor Geary, seconded by Councilor Caron. Discussion: Councilor Beetham requested the addition of an agenda item after New Business titled "Open and Act on Bids". Mayor Jaskiewicz stated this may interfere with Town business and inconvenience business owners if they have to come out to an evening meeting to view the bid openings. He stated the bid process is open to the public, there is notification in the newspaper and anyone who wants to be at a bid opening is welcome to do so. Commissioner Murphy expressed concern, stating this would not be business friendly and if the Councilors have not read the contract for the bids they may be misled into believing it is something it is not and could be getting false information. He stated this would be time consuming and does not feel it is necessary as bids are posted in the newspaper. He would be satisfied if the Council were to receive notification from the Mayor or Finance Department regarding the bids that were opened, who they were from, for what project and who attended the bid opening. Councilor Jones indicated she would be satisfied with this information as well and requested the Mayor or Finance Department provide the Councilors with monthly updates regarding bids. Councilor Geary wants the process to be transparent but would be satisfied with a summary of the bids opened in memo form. Motion made by Councilor Beetham, seconded by Councilor Jones to add agenda item titled "Open and Act on Bids" to all future Town Council agendas for discussion. Roll call vote: 1-6. Voting in favor of this motion was Councilor Beetham, voting in opposition were Councilors Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Motion failed to pass.

Mayor Jaskiewicz stated he will add discussions regarding bid openings in his report to the Council each month to keep them informed.

A discussion was held regarding the combination of the Rules and Procedures sub-committee and Town Administration standing sub-committee meetings into one meeting with one agenda instead of two scheduled back to back for convenience purposes as well as combining the Solid Waste and Public Works sub-committee meetings into one general meeting. Motion made by Councilor Murphy, seconded by Councilor Caron. Discussion: Attorney Chudwick indicated it is within the power of the Town Council to make this change. Voice vote: 6-1-0, Councilor Beetham opposed, motion carried.

Town Attorney Bruce Chudwick discussed changes to the document in regards to typing errors and wording. Motion made by Councilor Geary, seconded by Councilor Beetham to approve the changes as depicted by Attorney Chudwick. Voice vote: 7-0, all in favor, motion carried. Councilors requested an amended copy by e-mail from Attorney Chudwick.

Roll call vote for the original motion as amended; 7-0, voting in favor of adopting the resolution were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Voting in opposition, none. **Resolution adopted as amended.**

b. This item was removed from the agenda.

14. New Business

a. **Resolution #2009-088. THE TOWN OF MONTVILLE HEREBY RESOLVES to refund taxes due to overpayments and corrections in the amount of \$16,430.12 (Sixteen Thousand Four Hundred Thirty Dollars and Twelve Cents), at the request of the Tax Collector and as outlined in Schedule A and made a part of the agenda.** Motion made by Councilor Caron, seconded by Councilor Beetham. Discussion: none. Roll call vote: 7-0, voting in favor of adopting the resolution were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Voting in opposition, none. **Resolution adopted.**

b. **Resolution #2009-089. THE TOWN OF MONTVILLE HEREBY RESOLVES to accept the settlement as proposed concerning Mark and Paula Suprenant and Walker Road; said agreement listed as Schedule B and attached to these minutes.** Motion made by Councilor Caron, seconded by Councilor Radgowski. Discussion: Mayor Jaskiewicz stated this item was placed on the agenda for housekeeping purposes as the minutes of the previous meeting did not reflect the decision. Roll call vote: 7-0, voting in favor of adopting this resolution were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Voting in opposition, none. **Resolution adopted.**

c. **To consider and act on a motion to introduce an ordinance entitled “An Ordinance Regarding Blighted Properties”, and to set the date of Wednesday, October 15, 2009, for a public hearing on same to begin at 6:00 p.m. and to be conducted in Council Chambers at Town Hall.** Motion made by Councilor Jones, seconded by Councilor Beetham. Discussion: Mayor Jaskiewicz stated he submitted letters asking for comments and did not receive any comments for or against the proposal. Attorney Chudwick reviewed changes to wording of some of the wording to the ordinance. Motion made by Commissioner Caron, seconded by Commissioner Murphy to approve the proposed changes and amendments to the wording of the document. Discussion: none. Voice vote: 7-0, all in favor, motion carried. Motion made by Councilor Beetham, seconded by Councilor Geary to correct the date to reflect the meeting will be held on Wednesday, October 14, 2009 at 6:00 p.m. Voice vote: 7-0, all in favor, motion carried.

Roll call vote for original motion as amended, 7-0, all in favor, motion carried.

d. **Resolution #2009-090. THE TOWN OF MONTVILLE HEREBY RESOLVES that Mayor Joseph W. Jaskiewicz is hereby authorized to make, execute and approve on behalf of the Town of Montville any and all contracts and amendments thereto and any other related instruments with respect to the Town’s award of Nine Thousand, One Hundred (\$9,100.00) Dollars from the Recovery Act Connecticut Local Pass-Through Justice Assistance Grant Program.** Motion made by Commissioner Geary, seconded by Commissioner Radgowski. Discussion: Mayor Jaskiewicz stated this grant is designated for police equipment. Roll call vote: 7-0, voting in favor of adopting this resolution were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Voting in opposition, none. **Resolution adopted.**

- e. **Resolution #2009-091. THE TOWN OF MONTVILLE HEREBY RESOLVES** that Mayor Joseph W. Jaskiewicz is hereby authorized to make, execute and approve on behalf of the Town of Montville any and all contracts and amendments thereto and any other related instruments with respect to the Town's award of Eighty One Thousand, One Hundred and Seventy One (\$81,171.00) Dollars from the Recovery Act Connecticut Energy Efficiency Conservation Block Grant Program administered by the State of Connecticut Office of Policy and Management. Motion made by Councilor Geary, seconded by Councilor Beetham. Discussion: Mayor Jaskiewicz indicated this is one of many resolutions the Council will see in the upcoming months designed for transparency and labeled "Corporate Resolutions". Roll call vote: 7-0, voting in favor of adopting this resolution were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Voting in opposition, none. **Resolution adopted.**
- f. **Resolution #2009-092. THE TOWN OF MONTVILLE HEREBY RESOLVES** to set the rate of \$21.40 an hour for the newly established "Potable Water Systems Operator" position for the Water Pollution Control Authority. Motion made by Councilor Geary, seconded by Councilor Caron. Discussion: Mayor Jaskiewicz stated the rate of pay was determined by the amount of work required and the experience needed to do the job. Roll call vote: 7-0, voting in favor of adopting this resolution were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Voting in opposition, none. **Resolution adopted.**
- g. **Resolution #2009-093. THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve and authorize the Mayor to execute an employment agreement for the term of April 13, 2009 through June 30, 2012, with the Director of Finance, Terry Fafard. Motion made by Councilor Murphy, seconded by Councilor Geary. Discussion: none. Roll call vote: 5-2, voting in favor of adopting this resolution were Councilors Buebendorf, Caron, Geary, Murphy and Radgowski. Voting in opposition were Councilors Beetham and Jones.. **Resolution adopted.**
- h. **Resolution #2009-094. THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve and authorize the Mayor to execute an employment agreement for the term of April 10, 2009 through June 30, 2011, with the Director of Information Systems, William O'Neill. Motion made by Councilor Caron, seconded by Councilor Murphy. Discussion: none. Roll call vote: 7-0, voting in favor of adopting this resolution were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Voting in opposition, none. **Resolution adopted.**
- i. **Resolution #2009-095. THE TOWN OF MONTVILLE HEREBY RESOLVES** to enter into with and deliver to the State of Connecticut Department of Emergency Management and Homeland Security for participation in the Federal Fiscal Year 2008 SHSGP regional allocations made through Regional 4 Regional Emergency Planning Team, any and all documents which it deems to be necessary or appropriate; and further, to authorize and to direct Joseph W. Jaskiewicz, Mayor of the Town of Montville, to execute and deliver any and all documents on behalf of the Town of Montville and to do and perform all acts and things he deems necessary or appropriate to carry out the terms of such documents, including but not limited to, executing and delivering all agreements and documents contemplated by such documents. Motion made by Councilor Jones, seconded by Councilor Radgowski. Discussion: none. Roll call vote: 7-0, voting in favor of adopting this resolution were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Voting in opposition, none. **Resolution adopted.**
- j. **Resolution #2009-096. THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize Mayor Joseph W. Jaskiewicz to enter into and amend as necessary, contractual instruments in the name of and on behalf of the Town of Montville, with the Eastern Connecticut Agency on Aging concerning their Eight Thousand Dollar grant award to the Town for Senior Citizen Medical Transportation Services. Motion made by Councilor Beetham, seconded by Councilor Caron. Discussion: Mayor Jaskiewicz stated this is another Corporate Resolution. Roll

call vote: 7-0, voting in favor of adopting this resolution were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Voting in opposition, none. **Resolution adopted.**

k. **Resolution #2009-097. THE TOWN OF MONTVILLE HEREBY RESOLVES to authorize Mayor Joseph W. Jaskiewicz to enter into and amend as necessary, contractual instruments in the name of and on behalf of the Town of Montville, with the Eastern Connecticut Agency on Aging concerning their Sixteen Thousand, Four Hundred (\$16,400.00) Dollar grant award to the Town for Senior Citizen Medical Transportation Services.** Motion made by Councilor Beetham, seconded by Councilor Caron. Discussion: none. Roll call vote: 7-0, voting in favor of adopting this resolution were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Voting in opposition, none. **Resolution adopted.**

l. **Resolution #2009-098. THE TOWN OF MONTVILLE HEREBY RESOLVES to approve and authorize the Mayor to execute a Single Stream Recyclable Processing Agreement for the term of October 1, 2009 through September 30, 2014 with Willimantic Waste Paper Company whereby all of the Town's recyclable materials will be processed at their facility.** Motion made by Councilor Beetham, seconded by Councilor Geary. Discussion: none. Roll call vote: 7-0, voting in favor of adopting this resolution were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Voting in opposition, none. **Resolution adopted.**

m. **Resolution #2009-099. THE TOWN OF MONTVILLE HEREBY RESOLVES to approve and authorize the Mayor to execute a Curbside Single Stream Collection Agreement for the term of September 1, 2009 through September 1, 2012** Motion made by Councilor Murphy, seconded by Councilor Caron. Discussion: Attorney Chudwick indicated all of the changes have been made and incorporated into the final version of the agreement. Don Bourdeau explained if the resolution is adopted he hopes to start with the new program on October 1, 2009 after advertising in the local papers and television to inform the public of the new program. Chairperson Buebendorf inquired regarding the types of materials that can be recycled. A discussion was held regarding the cost of recycling and how much money will be returned to the town from the recycling contractor for recyclable materials. Roll call vote: 7-0, voting in favor of adopting this resolution were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Voting in opposition, none. **Resolution adopted.**

n. **Resolution #2009-100. THE TOWN OF MONTVILLE HEREBY RESOLVES to return the \$1,225,000.00 (One Million Two Hundred Twenty-Five Thousand Dollars) designated for the Old Colchester Road Bridge to Undesignated General Fund Surplus.** Discussion: Theresa Fafard explained it is necessary to move the funds to help with the bond rating. The money can still be accessed if it is needed and nothing has been spent to date. Clarification was requested from the Town Attorney regarding rescinding the original resolution or to adopt a new one. He indicated they both accomplish the same goal and either would be acceptable. Roll call vote: 7-0, voting in favor of adopting this resolution were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Voting in opposition, none. **Resolution adopted.**

o. **Resolution #2009-101. THE TOWN OF MONTVILLE HEREBY RESOLVES to consider and act on a Resolution entitled, "Resolution with respect to the authorization, issuance and sale of not exceeding \$12,000,000.00 Town of Montville General Obligation Refunding Bonds".** Motion made by Councilor Jones, seconded by Councilor Beetham. Discussion: Finance Director Theresa Fafard explained there will be a savings to the Town of approximately \$315,000 for refinancing the bonds. Roll call vote: 7-0, voting in favor of adopting this resolution were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Voting in opposition, none. **Resolution adopted.**

p. **Resolution #2009-102. THE TOWN OF MONTVILLE HEREBY RESOLVES to approve and authorize the Mayor to execute an employment agreement for the term of July 1, 2009 through June 30, 2011 with the Assistant Superintendent of the Water Pollution Control Authority, Thomas McNally.** Motion made by Councilor Geary, seconded by Councilor Caron. Discussion: none. Roll call vote: 7-0, voting in favor of adopting this resolution were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Voting in opposition, none. **Resolution adopted.**

q. **Resolution #2009-103. THE TOWN OF MONTVILLE HEREBY RESOLVES to establish a classified position entitled "WPCA Accountant I" and to approve the position description.** Discussion: none. Roll call vote: 7-0, voting in favor of adopting this resolution were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Voting in opposition, none. **Resolution adopted.**

r. **Resolution #2009-104. THE TOWN OF MONTVILLE HEREBY RESOLVES approve and authorize the Mayor to execute a Memorandum of Understanding with Teamsters Local 493 whereby the wages are set for the new position of WPCA Accountant I and employee Maureen Benway is promoted to the position of WPCA Accountant I at the Step 3 level.** Discussion: none. Roll call vote: 7-0, voting in favor of adopting this resolution were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Voting in opposition, none. **Resolution adopted.**

s. This item was removed from the agenda.

t. **Resolution #2009-105. THE TOWN OF MONTVILLE HEREBY RESOLVES that Mayor Joseph W. Jaskiewicz be and hereby is authorized to act on behalf of the Town of Montville and its Town Council in executing a Memorandum of Understanding with the State of Connecticut Department of Emergency Management and Homeland Security for the FY2010 Emergency Management Performance Grant Program.** Motion made by Councilor Jones, seconded by Councilor Radgowski. Discussion: none. Roll call vote: 7-0, voting in favor of adopting this resolution were Councilors Beetham, Buebendorf, Caron, Geary, Jones, Murphy and Radgowski. Voting in opposition, none. **Resolution adopted.**

u. This item was removed from the agenda.

15. **Executive Session** – none.

16. **Remarks from the Public**

Brian Lynch, Administrator for the WPCA thanked the Council for approving the salary increases for the WPCA employees.

17. **Remarks from the Councilors**

Councilor Jones thanked the Councilors and the Mayor for the compromises on the Blight Ordinance. She discussed a conversation she had with the Tax Assessor regarding Public Act 09196.

Councilor Beetham congratulated the Town Council secretary for completing the very large agenda this month and thanked the Mayor for all his hard work.

Councilor Murphy thanked the Mayor for the effort put into getting the grant money from the State.

18. **Adjournment**

Motion made by Councilor Jones, seconded by Councilor Radgowski to adjourn the meeting at 9:35 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