

Town of Montville Town Council
Regular Meeting Minutes for February 12, 2018
7:00 p.m. – Town Council Chambers – Town Hall

1. Call to Order
Chairman McNally called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance followed by a moment of silence in honor of our military
3. Roll Call
Present were Councilors Caron, Jaskiewicz, Pike, Pollard, Rogers, Rogulski, and McNally. Also present was Mayor Ronald McDaniel.
4. Special Recognitions/Presentations – *none*
5. Alterations to the Agenda
Motion add by Councilor Pike, seconded by Councilor Rogulski, to amend the following item on the Agenda as follows:
 - 16(b) **THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve and adopt the Town of Montville ~~Regulations for Public Improvements replacing Road Standards and~~ the Town of Montville Improvement Details as recommended by the Public Works/Solid Waste Subcommittee, effective March 14, 2018.
(Councilor McNally)Discussion: None. Voice vote, 7-0, all in favor. Motion carried.
6. To Consider and Act on a motion to approve:
 - a. The Public Hearing Meeting Minutes of January 8, 2018, 6:30 p.m. (Volunteer Firefighters’ Relief Program)
Motion made by Councilor Rogers, seconded by Councilor Rogulski. Discussion: None. Voice vote, 6-0-1. Voting in Favor: Councilors Caron, Jaskiewicz, Pike, Pollard, Rogers, and Rogulski. Voting in Opposition: None. Voting in Abstention: Councilor McNally. Motion carried.
 - b. The Public Hearing Meeting Minutes of January 8, 2018, 6:45 p.m. (Conveyance of Property)
Motion made by Councilor Jaskiewicz, seconded by Councilor Rogulski. Discussion: None. Voice vote, 6-0-1. Voting in Favor: Councilors Caron, Jaskiewicz, Pike, Pollard, Rogers, and Rogulski. Voting in Opposition: None. Voting in Abstention: Councilor McNally. Motion carried.
 - c. The Regular Meeting Minutes of January 8, 2018
Motion made by Councilor Rogulski, seconded by Councilor Caron. Discussion: None. Voice vote, 6-0-1. Voting in Favor: Councilors Caron, Jaskiewicz, Pike, Pollard, Rogers, and Rogulski. Voting in Opposition: None. Voting in Abstention: Councilor McNally. Motion carried.
7. Executive Session – *none*
8. Remarks from the public relating to matters on the agenda with a three-minute limit – *none*
9. Communications
 - a. Copy of the January 2018 budget report from Ms. Terry Hart, Finance Director
 - b. Copy of the legal bills from Suisman-Shapiro for the month of November 2017
 - b. Copy of the legal bills from Suisman-Shapiro for the month of December 2017
10. Report from the Town Attorney on Matters Referred
Mayor McDaniel reported that he, along with several other towns, has filed for intervenor status on the matter of the PURA (Public Utilities Regulatory Authority) Docket. Each municipality is entitled to a “Municipal Gain” on the poles located within the town, but

various utility companies joined forces and submitted a petition to PURA, stating that municipalities should not have access to the poles. The status will allow the Town to utilize the poles in the future, thereby protecting the Town's interest.

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

Mayor McDaniel recently attended a CERC (Connecticut Economic Resource Center) and seCTer (Southeastern Connecticut Enterprise Region)-sponsored economic development meeting with Research on Investment, a Canadian company that has partnered with Germany. A representative from Düsseldorf, Germany discussed possible future manufacturing investments with representatives from various towns, including New London, Montville, Waterford, and Groton. In addition, he, along with the Town Councilors, attended a Mock Trial at Montville High School.

Finance Director Hart reported that the possibility of joining the National Joint Powers Alliance was discussed at a recent Finance Committee Meeting. Upon investigation, she has discovered that the Town is already a current member of the Alliance since both the Water Pollution Control Authority (WPCA) and Board of Education (BOE) hold a membership.

12. Reports from Standing Committees.

a. Town Administration/Rules of Procedure – Councilor Jaskiewicz

Discussions included the proposed Noise Ordinance, which they are hoping to introduce to the Town Council in the very near future, and the job description for the Town Clerk, which is on this evening's agenda for approval.

b. Finance – Councilor Pike

The Committee discussed the Fund Balance Policy, which is on this evening's agenda, reviewed the Delinquent Tax & Collection Policy, and requested a detailed summary of expenditures from the Fire Companies.

c. Public Works/Solid Waste Disposal – Councilor McNally

The Committee reviewed the amended Road Improvements and Standards, which is on this evening's agenda, the upcoming road repair schedule, the Town's infrastructure and upcoming repairs, Adopt-a-Space (formerly known as Adopt-a-Road) Program, Mailbox Policy, and the Transfer Station and Public Works Fuel Pump Upgrades.

13. Reports from Special Committees and Liaison Councilors

a. Councilor Pike: Board of Education, Planning & Zoning Commission

Board of Education – Councilor Pike expressed his appreciation of the Montville Marvels presentation, which recognizes the Schools' teachers, staff, and students. Director of Student Services Paula LaChance is reviewing the possibility of new placements for the next school year. In addition, Montville Public Schools Superintendent Brian Levesque reported that they are currently \$100,000.00 over budget in their Special Education Funds and have expended \$70,000.00 in livery services, which was not included in their budget. Everyone was encouraged to attend Superintendent Levesque's budget presentation on Tuesday, February 13, 6:00 p.m., at the Montville High School Library/Media Center.

Planning & Zoning Commission – A Public Hearing was held regarding an application for a Zone Change from C-3 (Commercial) to R-20-M (Residential, Multi-family) for a property located on Richard Brown Drive & Fitch Hill Road. Several members of the public attended and spoke in opposition to the application and a petition was also submitted for the same. The item was tabled, pending verification of the signatures on the petition.

b. Councilor Pollard: Commission on Aging, Non-Profit Organizations

The Commission on Aging is seeking for ways to ensure the safety of the seniors who are under the care of Home Health Care services and is planning to meet with various

State representatives, agencies, and other organizations to propose the establishment of resources that would provide proper training to the Home Health Care workers and ensure that they are licensed and adequately monitored. In addition, they hope to provide information on the agencies online, which consumers can use to make informed decisions. She thanked Councilor Caron for his Letter to the Editor, published in *The Day* newspaper, regarding the “Restore MSP (Medicare Savings Program)”, which was recently restored by the State. An evening Painting Class, Zentangle Art Class, Quarterly Financial Workshops, and a Winter Floral Arrangement Class will be offered, free of charge, to seniors. The Mohegan Tribe has generously donated skybox tickets for a fundraising concert featuring *Little Big Town* on February 23. Twenty (20) tickets, costing \$100.00 each, are currently available. Proceeds will benefit the Senior Center’s programs. A copy of CT’s aging demographics was provided to the Councilors.

Non-Profit Organizations – A TVCCA (Thames Valley Council for Community Action) Luncheon was held on January 24 and a Mohegan Sun- and Mohegan Tribe-sponsored 2018 Gala, An Annual Benefit for Meals on Wheels, will be held on Saturday, April 21. The deadline to apply for the TVCCA-sponsored Energy Assistance Program for low to middle income families is May 1, 2018. Please visit www.tvcca.org or contact TVCCA for details on the Gala or Energy Assistance Program.

- c. Councilor Rogers: Economic Development Commission, Parks & Recreation Commission, Public Safety Commission, Water Pollution Control Authority (WPCA) The Economic Development Commission discussed the status of their website design and distribution of pamphlets, the Business Recognition Program, and their upcoming Community Development Forum, which will be held on April 26, 9:00-11:00 a.m., at the Mohegan Firehouse.

The Parks & Recreation Commission agreed to take all of the necessary precautions and perform its due diligence before making their final decision on the inclusion of a Beer Tent at the 2018 Carnival. No members of the public were present to speak on the matter. The Commission will be reviewing the results of the survey conducted by the Community Center Building Committee to determine its next step. The Dog Park Committee discussed the naming of the Park and the status of an Eagle Scout project for the construction of tables and benches. In addition, repairs have been made to the recently installed fence due to damage caused by a fallen tree and the initial seeds have been sown. In addition, the Committee has submitted a draft of the rules to the Commissioners for review and approval.

Public Safety Commission – Councilor Rogers congratulated newly elected Chairman Jim Moran and Vice Chairman Michael Doherty. In December 2017, the Fire Companies received 246 calls for service and a total of 2,795 calls for service in 2017. The Police Department received 1,156 calls for service in December 2017. In preparation for the pending retirement of Lt. Leonard Bunnell, a draft proposal for the non-Union position of Captain was discussed. A three-member subcommittee will be appointed at the Commission’s next meeting to review the proposed policy.

The WPCA discussed the sewer connection rates and the rate data of surrounding towns will be presented to the members to ensure that the rates are competitively priced. The WPCA purchased 1,500 feet of pipe lining for any anticipated pipe failure(s) on the Rand-Whitney line and approved the construction of a vault to be located at Maple Avenue and Jerome Road to house a pressure-reducing valve. The State of CT Department of Health has instituted a new Safe Drinking Water Primary Assessment fee. The CT DEEP (Department of Energy and Environmental Protection) has approved the processing of additional BOD (Biochemical Oxygen Demand) at the facility.

- d. Councilor Rogulski: Library Committee, Youth Services Bureau and Advisory Board - *no report*

- e. Councilor Caron: Volunteer Fire Fighters' Relief Fund, Social Services
The Department of Social Services distributed approximately 700 food baskets and 568 toy baskets to those in need over the holiday season. A \$2,225.00 donation was received from Charter Oak Federal Credit Union, in response to a letter sent by Councilor Caron requesting donations in support of the Town's Senior and Social Services Department. The Department has also received a donation of \$1,000.00 from the Mohegan Tribe to help fund a shed to store dog food for those in need. He will be meeting with representatives from Home Depot to solicit additional donations for a shed. Dog food donations are received by the Humane Society and private donors. Senior & Social Services Director Kathie Doherty-Peck is also organizing new services and programs for those in need. He also updated Councilor Pollard's report, stating that there are now ten (10) tickets available for the *Little Big Town* concert. He is also actively soliciting fundraising events and/or donations for the Veterans In Need Fund, which is nearly depleted.

Mayor McDaniel reiterated the importance of the shed, which would segregate the food donations for humans and animals. He is also actively seeking the possibility of having the shed constructed as an Eagle Scout project. It was noted that the Animal Control Officer also receives food donations from the Humane Society. He also reported that another concert has been secured to help benefit Social & Senior Services and/or Youth Services.

14. Appointments and Resignations

- a. To Consider and Act on a motion to waive the waiting period for appointments, Rule 14C of the Town Council Rules of Procedure, for the Niantic River Watershed Committee, Economic Development Commission, and Public Safety Commission.
Motion made by Councilor Rogers, seconded by Councilor Rogulski. Discussion: None. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pike, Pollard, Rogers, Rogulski, and McNally. Voting in Opposition: None. Motion carried.
- b. To Consider and Act on a Motion to appoint David Bliven to fill a vacancy on the Niantic River Watershed Committee with a term to expire on February 12, 2020.
Motion made by Councilor Jaskiewicz, seconded by Councilor Rogers. Discussion: None. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pike, Pollard, Rogers, Rogulski, and McNally. Voting in Opposition: None. Motion carried.
- c. To Consider and Act on a Motion to appoint Mickey Gillette to fill a vacancy on the Economic Development Commission with a term to expire on February 12, 2022.
Motion made by Councilor Rogers, seconded by Councilor Rogulski. Discussion: None. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pike, Pollard, Rogers, Rogulski, and McNally. Voting in Opposition: None. Motion carried.
- d. To Consider and Act on a motion to waive the interview, Rule 14B of the Town Council Rules of Procedure, for the Economic Development Commission.
Motion made by Councilor Rogers, seconded by Councilor Rogulski. Discussion: None. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pike, Pollard, Rogers, Rogulski, and McNally. Voting in Opposition: None. Motion carried.
- e. To Consider and Act on a Motion to re-appoint Brian Quinn to the Economic Development Commission with a term to expire on February 12, 2022.
Motion made by Councilor Rogers, seconded by Councilor Pollard. Discussion: Because Commissioner Quinn was appointed to fill a vacancy on the Commission, his term expires two months following his appointment. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pike, Pollard, Rogers, Rogulski, and McNally. Voting in Opposition: None. Motion carried.

- d. To Consider and Act on a Motion to nominate and appoint one of the following candidates to fill a vacancy on the Public Safety Commission with a term to expire on January 9, 2021:

Mickey Gillette	Stevenson R. Jones	Lisa Przybyl	Jim Toner
Ray Coggeshall	Chuck Longton	Tony Siragusa	

Due to Majority/Minority representation rules, only three (3) candidates are eligible for appointment: Mickey Gillette, Chuck Longton, and Jim Toner.

Motion made by Councilor Rogers, seconded by Councilor Pollard, to nominate Mickey Gillette.

Motion made by Councilor Caron, seconded by Councilor Jaskiewicz, to nominate Chuck Longton.

Discussion: None. Roll Call vote, 4-2. Voting in Favor of Mickey Gillette: Councilors Pollard, Rogers, Rogulski, and Pike. Voting in Favor of Chuck Longton: Councilors Caron and Jaskiewicz. Mickey Gillette was appointed to the Public Safety Commission.

- 15. Unfinished Business - *none*

- 16. New Business

- a. **Resolution #2018-08. THE TOWN OF MONTVILLE HEREBY RESOLVES** to refund taxes due to overpayments and corrections in the amount of \$2,594.09 (two thousand five hundred ninety-four dollars and nine cents) as requested by the Tax Collector. (Councilor McNally)

Motion made by Councilor Jaskiewicz, seconded by Councilor Rogers. Discussion: None. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pike, Pollard, Rogers, Rogulski, and McNally. Voting in Opposition: None. Resolution passed.

- b. **Resolution #2018-09. THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve and adopt the Town of Montville Road Standards and the Town of Montville Improvement Details as recommended by the Public Works/Solid Waste Subcommittee, effective March 14, 2018. (Councilor McNally)

Motion made by Councilor Rogulski, seconded by Councilor Caron. Discussion: The regulation, which was last updated in 1991, includes amendments that will align their regulations with the current codes and standards; updates to the terminology were also made. The regulations have also been reviewed by the Town Engineer. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pike, Pollard, Rogers, Rogulski, and McNally. Voting in Opposition: None. Resolution passed.

- c. **Resolution #2018-10. THE TOWN OF MONTVILLE HEREBY RESOLVES** to “Opt Out” of Public Act 17-155 – An Act Concerning Temporary Health Care Structures as approved by the Planning & Zoning Commission and Public Waste/Solid Waste Subcommittee. (Councilor McNally)

WHEREAS, Public Act 17-155 allows municipalities to "opt out" of the requirements of that Act; and

WHEREAS, the Planning and Zoning Commission voted to “opt out” on November 14, 2017 indicating that it believes that it is appropriate for Connecticut municipalities to provide for caregivers for persons requiring such assistance due to age, disability, or illness, however;

WHEREAS, the Town of Montville is too rural, and lacks sufficient volunteers or staff, to comply with many of the procedural requirements of the Act; an example is the 15-day period for Commission action on any application under the Act when the Commission does not meet every 15 days; and

WHEREAS, the Act itself contains inconsistencies, such as the notice requirements (certified mail) which conflict with Connecticut General Statutes Section 8-7d(a), and the Act fails to specify the procedure by which approvals are to be granted, thereby creating ambiguities and potential appeals; and

WHEREAS, the Planning and Zoning Commission has advised the Town Council that if such uses are appropriate for Town of Montville, a locally adopted regulation can resolve those procedural problems while still addressing the legitimate need which spawned the Act; and

NOW, THEREFORE, BE IT RESOLVED, that, in accordance with the recommendation of the Planning and Zoning Commission, the Town Council does hereby affirmatively opt out of the provisions of Public Act 17-155;

ADOPTED, at a Regular Meeting of the Town Council on February 12, 2018, by a simple majority vote to approve.

Motion made by Councilor Rogers, seconded by Councilor Rogulski. Discussion: The Public Act allows for a structure of no more than 500SF to be placed on a property to house a mentally or physically impaired person. For the reasons stated in the Resolution, the Planning & Zoning Commission recommends that the Town opt out of the Public Act. At the same time, recognizing the value of the Act, the Commission is planning to draft a regulation enabling the Town to allow for such accommodations. Councilor Caron expressed his support of the resolution. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pike, Pollard, Rogers, Rogulski, and McNally. Voting in Opposition: None. Resolution passed.

- d. **Resolution #2018-11. THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve the job description for the Town Clerk as approved by the Town Administration/Rules & Procedures Subcommittee. (Councilor Jaskiewicz)

Motion made by Councilor Jaskiewicz, seconded by Councilor Caron. Discussion: Councilor Jaskiewicz stated that both the Town Clerk and Town Attorney have reviewed the job description and encouraged the Councilors to approve the item. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pike, Pollard, Rogers, Rogulski, and McNally. Voting in Opposition: None. Resolution passed.

- e. **Resolution #2018-12. THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve the amended Fund Balance Policy as approved by the Finance Committee. (Councilor Pike)

Motion made by Councilor Jaskiewicz, seconded by Councilor Pike. Discussion: Finance Director Hart stated that the GASB (Government Accounting Standards Board) recommends that municipalities maintain two-months worth of funds in their Unassigned Fund Balance. The Town currently has 1.7 months of funds or 14.1%. The Finance Committee is recommending that the current policy be amended allowing the Town to maintain an unassigned fund balance between 12 and 16%, rather than the current 8-12%. Should the fund balance fall below 12%, the Town would be required to replenish the reserves within three years. Mayor McDaniel felt that raising the current percentage would be too excessive based on the State's current fiscal issues and the residents' personal financial issues. He also felt that a maximum amount was not necessary. Councilor Pike stated that the Committee and Finance Director agreed that the Town should be in accordance with the GASB recommendations and, without dismissing the State and individuals' financial issues, stated the importance of ensuring the Town's solvency, above all. He also stated that there are currently \$3.5 million of outstanding tax payments. Councilor Rogulski recommended against maintaining the minimum amount of 8% (approximately 26 days) since falling below that amount would not be prudent. Roll Call vote, 6-1. Voting in Favor: Councilors Jaskiewicz, Pike, Pollard, Rogers, Rogulski, and McNally. Voting in Opposition: Councilor Caron. Resolution passed.

- f. To Consider and Act on a Motion to introduce an ordinance titled “An Ordinance to Amend Ordinance No. 2015-02, Ordinance to Prohibit Dogs and Other Animals from Certain Public Places” and to set the date of Monday, March 12, 2018, for a public hearing on same to begin at 6:30 PM and to be conducted in Council Chambers at Town Hall. (Councilor Rogers)

Motion made by Councilor Rogers, seconded by Councilor Caron. Discussion: The amendment would allow dogs to be unleashed within the Dog Park. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pike, Pollard, Rogers, Rogulski, and McNally. Voting in Opposition: None. Motion carried.

- g. To Consider and Act on a Motion to introduce an ordinance titled “An Ordinance to Amend Ordinance No. 0-0-1, Ordinance Concerning Land Belonging to the Town of Montville and Known as the Montville-Fair Oaks Conservation Center, Camp Oakdale, and Town Land on PTA Lane” and to set the date of Monday, March 12, 2018, for a public hearing on same to begin at 6:45 PM and to be conducted in Council Chambers at Town Hall. (Councilor Rogers)

Motion made by Councilor Jaskiewicz, seconded by Councilor Rogulski. Discussion: Similar to item 16(f), the amendment allows for dogs to be unleashed within the confines of the Dog Park. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pike, Pollard, Rogers, Rogulski, and McNally. Voting in Opposition: None. Motion carried.

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

Ellen Desjardins, 513 Raymond Hill Road, Uncasville, recommended the Town host a Clean-Up Day and recruit volunteers to help clean up the Town and allow residents to leave their bulky items for roadside pick-up. She also questioned the need for a shed to store dog food at Social Services, adding that dog food must be stored in a sealed metal container in order to avoid rodents from getting into the food; simply storing the food in a shed will not help deter the food from being invaded. The Public Works/Solid Waste Committee will consider the possibility of hosting a Clean-Up Day.

18. Remarks from the Councilors and the Mayor

Councilor Rogulski commented on a great Town Hall meeting with State Senator Paul Formica and State Representatives Kathleen McCarty and Mike France regarding the status of the State Budget. He applauded Chairman McNally’s response to Senator Cathy Osten’s statement that “Montville should “tank” its state performance tests and become one of the Alliance Districts, which receive additional money to improve test scores.”

Councilor Pollard agreed with Councilor Rogulski’s remarks, thanked everyone for attending the meeting, and wished everyone a Happy Valentine’s Day.

Councilor Pike emphasized the significant impact the ECS (Education Cost Sharing) funding cuts by the State has on the Town to the Senator and Representatives at the recent Town Hall meeting. He also voiced his disagreement with the State in penalizing a Blue Ribbon School District in an effort to preserve an Alliance District(s). As a fiscally conservative person who carefully reviews all of the available information, he stated that his goal in voting in favor of the amendment to the Fund Balance Policy is to preserve the integrity of the town. He announced that he will be available for Office Hours on the second and third Wednesdays of every month from 5:00 to 6:30 p.m. at Town Hall. In addition, he, again, encouraged everyone to attend the Budget Meeting at the High School tomorrow evening.

Councilor Caron commented on his appreciation of Councilor Pike who does do his homework and thanked everyone for supporting the Department of Social Services. He is open to any suggestions anyone might have that would help them raise funds for the Veterans in Need Fund. He also thanked Councilor Pollard for her kind words regarding the MSP.

Councilor Jaskiewicz thanked the Councilors for inviting everyone to their meeting.

Mayor McDaniel stated the significance of and commended the WPCA for all of their hard work in obtaining DEEP's approval to process additional BOD at the WPCA facility, which will result in a huge cost avoidance for the Town. Additional efficiencies are being investigated. He announced that repairs to the Oxoboxo Dam will be conducted from late Fall 2018 to early Spring 2019. He thanked the Councilors for a spirited conversation regarding the fund balance.

Councilor Rogers, as a combat war veteran, reached out to Councilor Caron and offered to partner with him in his efforts with the Veterans in Need Fund. He encouraged everyone to attend and support Boy Scout Troop 93, who will be hosting a Spaghetti Dinner on Saturday, February 17, 5:30-7:30 p.m. at the Oakdale Firehouse.

Councilor McNally reported that a well-attended State of Non-Profits at the Otis Library, Norwich, was recently held and discussions included the State's cuts and its effect on their programs and services.

19. Adjournment

Motion made by Councilor Caron, seconded by Councilor Jaskiewicz, to adjourn the meeting at 8:07 p.m. Discussion: None. Voice vote, 7-0, all in favor. Meeting adjourned.

Respectfully Submitted by:

Agnes Miyuki, Recording Secretary for the Town of Montville

AN AUDIO RECORD OF THE MEETING CAN BE FOUND ON THE TOWN'S WEBSITE LOCATED UNDER RESOURCES – FORM REPOSITORY – MEETING RECORDINGS