

**Town of Montville Town Council**  
**Regular Meeting Agenda**  
**July 11, 2022, 7:00 p.m.**

**Town of Montville has lifted the mask mandate effective Monday, February 28, 2022 throughout Town facilities in coordination with our schools. Although the mask mandate has been lifted, Uncas Health strongly recommends that all individuals, both vaccinated and unvaccinated, continue to wear masks indoors.**

1. Call to Order
2. Pledge of Allegiance followed by a moment of silence in honor of our military.
3. Roll Call
4. Special Recognitions/Presentations
5. Alterations to the Agenda
6. To Consider and Act on a Motion to Approve:
  - a. The Special Meeting Minutes of June 16, 2022
  - b. The Public Hearing Minutes of June 16, 2022 (8, 14, and 22 Bridge Street)
7. Executive Session
  - a. To Consider and Act on a Motion to enter into Executive Session for the purpose of discussing the Mayor's performance. Discussions to include members of the Town Council and Mayor Ronald McDaniel.
8. Remarks from the public relating to matters on the agenda with a three-minute limit
9. Communications
  - a. Copy of the June 2022 Financial Reports from Terry Hart, Finance Director
  - b. Copy of the legal bills from Halloran & Sage for the month of April 2022
  - c. Copy of the legal bills from Halloran & Sage for the month of May 2022
  - d. Copy of the legal bills from Suisman-Shapiro for the month of May 2022
10. Report from the Town Attorney on Matters Referred
11. Remarks from the Mayor and/or Administrative Department Heads to include Matters Referred
12. Reports from Standing Committees
  - a. Town Administration/Rules of Procedure
  - b. Finance
  - c. Public Works/Solid Waste Disposal
13. Reports from Special Committees and Liaison Councilors
  - a. Councilor Bunnell: Library Committee, Parks & Recreation Commission, Volunteer Fire Fighters' Relief Fund
  - b. Councilor Caron: Commission on Aging, Social Services, Non-Profit Organizations
  - c. Councilor Mandler: Water Pollution Control Authority, Ad-Hoc Covid-19 Impact Study Committee
  - d. Councilor May: Conservation Commission
  - e. Councilor Rix: Board of Education, Farmers Market Committee, Planning & Zoning Commission
  - f. Councilor Yuchniuk: Economic Development Commission, Public Safety Commission, Youth Services Bureau and Advisory Board

14. Appointments and Resignations

- a. To Consider and Act on a Motion to re-appoint Heather Harris to the Regional Tourism District with a term to expire on August 12, 2025.
- b. To Consider and Act on a Motion to re-appoint Mary Adams to the Commission on Aging with a term to expire on August 13, 2025.

15. Unfinished Business – *none*

16. New Business

- a. **THE TOWN OF MONTVILLE HEREBY RESOLVES** to refund taxes due to overpayments and corrections in the amount of \$35,799.56 (thirty-five thousand seven hundred ninety-nine dollars and fifty-six cents) as requested by the Tax Collector. (Councilor McNally)
- b. **THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve the favorable 8-24 review for the sale of property located at 300 Maple Avenue Unit E (Map 82 Lot 28) as recommended by the Planning & Zoning Commission. (Councilor McNally)
- c. **THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize Mayor Ronald McDaniel to enter into an agreement with Bonnie Yacovetsky of Re/Max to represent the Town of Montville in the sale of 300 Maple Avenue Unit E. (Councilor McNally)
- d. **THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve the Notification Policy, as recommended by the Town Administration/Rules & Procedures Standing Committee. (Councilor McNally)
- e. **THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve and adopt the resolution entitled “Resolution Authorizing An Appropriation Of \$7,000,000 For The School Improvement Project And The Financing of Said Appropriation By The Issuance Of General Obligation Bonds Of The Town And Notes In Anticipation Of Such Bonds In An Amount Not To Exceed \$7,000,000 Therefor,” a copy of which resolution is attached hereto as Exhibit A; and to waive the reading of the entire resolution and to incorporate its full text into the minutes of the meeting. (Councilor McNally)
- f. **THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve and adopt the resolution entitled “Resolution Authorizing An Appropriation Of \$1,000,000 For The Montville High School Project And The Financing of Said Appropriation By The Issuance Of General Obligation Bonds Of The Town And Notes In Anticipation Of Such Bonds In An Amount Not To Exceed \$1,000,000 Therefor,” a copy of which resolution is attached hereto as Exhibit B; and to waive the reading of the entire resolution and to incorporate its full text into the minutes of the meeting. (Councilor McNally)
- g. **THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve and adopt the resolution entitled “Resolution Establishing A Date For A Referendum And The Preparation of Explanatory Text Related To (A) Resolution Authorizing An Appropriation Of \$7,000,000 For The School Improvement Project And The Financing of Said Appropriation By The Issuance Of General Obligation Bonds Of The Town And Notes In Anticipation Of Such Bonds In An Amount Not To Exceed \$7,000,000 Therefor, and (B) Resolution Authorizing An Appropriation Of \$1,000,000 For The Montville High School Project And The Financing of Said Appropriation By The Issuance Of General Obligation Bonds Of The Town And Notes In Anticipation Of Such Bonds In An Amount Not To Exceed \$1,000,000 Therefor,” a copy of which resolution is attached hereto as Exhibit C; and to waive the reading of the entire

resolution and to incorporate its full text into the minutes of the meeting. (Councilor McNally)

- h. **THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize Mayor Ron McDaniel to consummate the sale of 323 Route 163, Montville, CT to William Kotecki by virtue of a quit claim deed for \$10,000 per the purchase and sales agreement dated July 5, 2022. (Mayor McDaniel)

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

18. Remarks from the Councilors and the Mayor

19. Adjournment

**EXHIBIT A**

**TOWN OF MONTVILLE  
TOWN COUNCIL**

RESOLUTION AUTHORIZING AN APPROPRIATION OF \$7,000,000 FOR THE SCHOOL INFRASTRUCTURE PROJECT AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$7,000,000 THEREFOR

**RESOLVED:**

Section 1. That the sum of \$7,000,000 is appropriated by the Town of Montville, Connecticut (the "Town"), for school infrastructure projects including:

<b>Tyl Middle School</b>	
Roof Replacement	\$1,050,230
Caulking of exterior joints and windows	177,900
Rooftop Air Handlers	4,626,000
Boiler Replacement	748,000
<b>Mohegan Elementary School</b>	
Window Replacement	129,610
<b>Murphy Elementary School</b>	
Fire Alarm Panel Replacement	87,500
<b>Palmer School</b>	
Roof Replacement Above Gym and Vocational Room	93,200
<b>Contingency and Costs of Issuance</b>	<u>87,560</u>
<b>Total</b>	<b>\$7,000,000</b>

including expenditures for design and construction costs, equipment, materials, site improvements, architects' fees, engineering fees, interest on borrowings and other financing costs, and for administrative, printing, financing and legal and costs of issuance related thereto (collectively, the "Project"). The Director of School Facilities and the Mayor are authorized to determine the scope and particulars of the Project. The Director of School Facilities and the Mayor, with the approval of the Town Council, may reduce or modify the scope of the Project if funds are insufficient to complete the Project, and the appropriation authorized hereby may be spent on the Project as so reduced or modified. The Director of School Facilities and the Mayor, with the approval of the Town Council, may reallocate the appropriation among the Project, so long as the aggregate amount of the appropriation is not increased.

Section 2. That to finance said appropriation for the Project, the Town shall issue bonds, notes or other obligations in an amount not to exceed \$7,000,000. The bonds, notes or other obligations shall be issued pursuant to Chapter 109 of the Connecticut General Statutes, Revision of 1958, as amended (the "Connecticut General Statutes"), including, without limitation, Section 7-369 of the Connecticut General Statutes, and any other enabling acts.

Section 3. That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds, notes or other obligations for the Project or the receipt of grants for the Project. The amount of the notes outstanding at any time shall not exceed \$7,000,000. The notes shall be issued pursuant to Section 7-378 of the Connecticut General Statutes. The Town shall comply with the provisions of Section 7-378a of the Connecticut General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

Section 4. That the Mayor and the Director of Finance of the Town (the "Officials") be authorized to sign said bonds, notes or other obligations by their manual or facsimile signatures and to determine the amounts, rates of interest, dates, maturities, dates of principal and interest payments on such bonds, notes or other obligations, the form of such bonds, notes or other obligations; the provisions for protecting and enforcing the rights and remedies of the holders of such bonds, notes or

other obligations and all other terms, conditions and particular matters regarding the issuance and securing of such bonds, notes or other obligations and to execute, sell and deliver the same and all other documents, agreements and certificates related to the sale, issuance or delivery of said bonds, notes or other obligations, and provide all supporting documentation as may be necessary or desirable to accomplish such purposes and to comply with the requirements of the Internal Revenue Code of 1986, as amended, Securities and Exchange Commission Rule 15c2-12 (the "Rule"), and in accordance with the Connecticut General Statutes and any other applicable provision of law thereto enabling. Pursuant to Section 7-370 of the Connecticut General Statutes, except as otherwise provided herein, the Officials are delegated authority to determine the terms, details and particulars of borrowings authorized by this resolution. The bonds and notes authorized hereby shall be general obligations of the Town secured by the full faith and credit of the Town.

Section 5. That the Officials are hereby authorized to designate a bank or trust company to be the certifying bank, registrar, transfer agent and paying agent for such bonds and notes; to provide for the keeping of a record of the bonds, notes or other obligations; to designate a financial advisor to the Town in connection with the sale of the bonds, notes or other obligations; to designate the law firm of Pullman & Comley, LLC, Hartford, Connecticut, as the attorneys at law, to render an opinion approving the legality of such issue or issues.

Section 6. That the Officials are authorized to sell the bonds and notes by a competitive offering or by a negotiated sale, at public or private sale, at their discretion; to deliver the bonds, notes or other obligations; and to perform all other acts which are necessary or appropriate to issue the bonds, notes or other obligations, including, but not limited to, entering into a continuing disclosure agreement pursuant to the "Rule". If the bonds, notes or other obligations authorized by this resolution are issued on a tax-exempt basis, the Officials are authorized to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes or other obligations, including covenants to pay rebates of investment earnings to the United States in future years.

Section 7. That the Town hereby declares its official intent under Section 1.150-2 of the Federal Income Tax Regulations (the "Treasury Regulations") that project costs may be paid from temporary advances of available funds, which are paid within sixty days prior to and any time after the date of passage of this resolution, and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings (the "Obligations") in an aggregate principal amount not in excess of the amount of borrowing authorized above for the Project. Such Obligations shall be issued to reimburse such expenditures not later than eighteen months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Treasury Regulations may authorize. The Treasurer, or designee, is authorized to pay Project expenses in accordance herewith pending the issuance of reimbursement Obligations. The Officials are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes or other obligations authorized by this resolution, if issued on a tax-exempt basis.

Section 8. That the Officials are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to information repositories designated by the Municipal Securities Rulemaking Board and to provide notices to such repositories of certain events as enumerated in the Rule, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to such repositories made prior hereto are hereby confirmed, ratified and approved.

Section 9. That the Officials and other proper officers of the Town are authorized to take all other actions which are necessary or desirable to complete the Project consistent with the foregoing and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

Section 10. That this resolution shall become effective after approval at referendum vote.

**EXHIBIT B**

**TOWN OF MONTVILLE  
TOWN COUNCIL**

RESOLUTION AUTHORIZING AN APPROPRIATION OF \$1,000,000 FOR THE HIGH SCHOOL PROJECT AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$1,000,000 THEREFOR

**RESOLVED:**

Section 1. That the sum of \$1,000,000 is appropriated by the Town of Montville, Connecticut (the "Town"), for (I) the High School projects including:

<b>Montville High School</b>	
Tennis Court Replacement	\$750,500
Track Replacement	219,395
<b>Contingency and Costs of Issuance</b>	<u>30,105</u>
<b>Total</b>	\$1,000,000

including expenditures for design and construction costs, equipment, materials, site improvements, architects' fees, engineering fees, interest on borrowings and other financing costs, and for administrative, printing, financing and legal and costs of issuance related thereto (collectively, the "Project"). The Director of School Facilities and the Mayor are authorized to determine the scope and particulars of the Project. The Director of School Facilities and the Mayor, with the approval of the Town Council, may reduce or modify the scope of the Project if funds are insufficient to complete the Project, and the appropriation authorized hereby may be spent on the Project as so reduced or modified. The Director of School Facilities and the Mayor, with the approval of the Town Council, may reallocate the appropriation among the Project, so long as the aggregate amount of the appropriation is not increased.

Section 2. That to finance said appropriation for the Project, the Town shall issue bonds, notes or other obligations in an amount not to exceed \$1,000,000. The bonds, notes or other obligations shall be issued pursuant to Chapter 109 of the Connecticut General Statutes, Revision of 1958, as amended (the "Connecticut General Statutes"), including, without limitation, Section 7-369 of the Connecticut General Statutes, and any other enabling acts.

Section 3. That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds, notes or other obligations for the Project or the receipt of grants for the Project. The amount of the notes outstanding at any time shall not exceed \$1,000,000. The notes shall be issued pursuant to Section 7-378 of the Connecticut General Statutes. The Town shall comply with the provisions of Section 7-378a of the Connecticut General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

Section 4. That the Mayor and the Director of Finance of the Town (the "Officials") be authorized to sign said bonds, notes or other obligations by their manual or facsimile signatures and to determine the amounts, rates of interest, dates, maturities, dates of principal and interest payments on such bonds, notes or other obligations, the form of such bonds, notes or other obligations; the provisions for protecting and enforcing the rights and remedies of the holders of such bonds, notes or other obligations and all other terms, conditions and particular matters regarding the issuance and securing of such bonds, notes or other obligations and to execute, sell and deliver the same and all other documents, agreements and certificates related to the sale, issuance or delivery of said bonds, notes or other obligations, and provide all supporting documentation as may be necessary or desirable to accomplish such purposes and to comply with the requirements of the Internal Revenue Code of 1986, as amended, Securities and Exchange Commission Rule 15c2-12 (the "Rule"), and in accordance with the Connecticut General Statutes and any other applicable provision of law thereto enabling. Pursuant to Section 7-370 of the Connecticut General Statutes, except as otherwise provided herein, the Officials are delegated authority to determine the terms, details and particulars of

borrowings authorized by this resolution. The bonds and notes authorized hereby shall be general obligations of the Town secured by the full faith and credit of the Town.

Section 5. That the Officials are hereby authorized to designate a bank or trust company to be the certifying bank, registrar, transfer agent and paying agent for such bonds and notes; to provide for the keeping of a record of the bonds, notes or other obligations; to designate a financial advisor to the Town in connection with the sale of the bonds, notes or other obligations; to designate the law firm of Pullman & Comley, LLC, Hartford, Connecticut, as the attorneys at law, to render an opinion approving the legality of such issue or issues.

Section 6. That the Officials are authorized to sell the bonds and notes by a competitive offering or by a negotiated sale, at public or private sale, at their discretion; to deliver the bonds, notes or other obligations; and to perform all other acts which are necessary or appropriate to issue the bonds, notes or other obligations, including, but not limited to, entering into a continuing disclosure agreement pursuant to the "Rule". If the bonds, notes or other obligations authorized by this resolution are issued on a tax-exempt basis, the Officials are authorized to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes or other obligations, including covenants to pay rebates of investment earnings to the United States in future years.

Section 7. That the Town hereby declares its official intent under Section 1.150-2 of the Federal Income Tax Regulations (the "Treasury Regulations") that project costs may be paid from temporary advances of available funds, which are paid within sixty days prior to and any time after the date of passage of this resolution, and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings (the "Obligations") in an aggregate principal amount not in excess of the amount of borrowing authorized above for the Project. Such Obligations shall be issued to reimburse such expenditures not later than eighteen months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Treasury Regulations may authorize. The Treasurer, or designee, is authorized to pay Project expenses in accordance herewith pending the issuance of reimbursement Obligations. The Officials are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes or other obligations authorized by this resolution, if issued on a tax-exempt basis.

Section 8. That the Officials are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to information repositories designated by the Municipal Securities Rulemaking Board and to provide notices to such repositories of certain events as enumerated in the Rule, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to such repositories made prior hereto are hereby confirmed, ratified and approved.

Section 9. That the Officials and other proper officers of the Town are authorized to take all other actions which are necessary or desirable to complete the Project consistent with the foregoing and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

Section 10. That this resolution shall become effective after approval at referendum vote.

**EXHIBIT C**

**TOWN OF MONTVILLE  
TOWN COUNCIL**

RESOLUTION ESTABLISHING A DATE FOR A REFERENDUM AND THE PREPARATION OF EXPLANATORY TEXT RELATED TO (A) “RESOLUTION AUTHORIZING AN APPROPRIATION OF \$7,000,000 FOR THE SCHOOL INFRASTRUCTURE PROJECT AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$7,000,000 THEREFOR” AND (B) “RESOLUTION AUTHORIZING AN APPROPRIATION OF \$1,000,000 FOR THE HIGH SCHOOL PROJECT AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$1,000,000 THEREFOR”

**RESOLVED:**

Section 1. That the resolutions entitled (A) “Resolution Authorizing An Appropriation Of \$7,000,000 For The School Infrastructure Project And The Financing Of Said Appropriation By The Issuance Of General Obligation Bonds Of The Town And Notes In Anticipation Of Such Bonds In An Amount Not To Exceed \$7,000,000 Therefor” and (B) “Resolution Authorizing An Appropriation Of \$1,000,000 For The High School Project And The Financing Of Said Appropriation By The Issuance Of General Obligation Bonds Of The Town And Notes In Anticipation Of Such Bonds In An Amount Not To Exceed \$1,000,000 Therefor” shall be submitted to the electors and eligible taxpayers of the Town of Montville qualified to vote, at a referendum pursuant to Section C709 of the Charter of the Town and Chapter 152 of the Connecticut General Statutes, and held in conjunction with the general election to be held on Tuesday, November 8, 2022, between the hours of 6:00 a.m. and 8:00 p.m., for yes or no vote, in the designated voting locations in the manner provided by said Charter and the Connecticut General Statutes, and that the Town Clerk is directed to post and publish notice of such referendum in accordance with the provisions of said Charter and the Connecticut General Statutes, which notice shall state the questions to be voted on as follows:

- (I) “Shall the resolution entitled, ‘Shall the resolution entitled, ‘Resolution Authorizing An Appropriation Of \$7,000,000 For The School Improvement Project And The Financing of Said Appropriation By The Issuance Of General Obligation Bonds Of The Town And Notes In Anticipation Of Such Bonds In An Amount Not To Exceed \$7,000,000 Therefor,’ be approved?  
Yes \_\_\_\_ No \_\_\_\_”

The ballot label for said question shall read as follows:

“Shall the Town of Montville appropriate \$7,000,000 for school infrastructure projects, including (a) Roof Replacement, Caulking of exterior joints and windows, Rooftop Air Handlers and Boiler Replacement at the Tyl Middle School, (b) Window Replacement at the Mohegan Elementary School, (c) Fire Alarm Panel Replacement at the Murphy Elementary School, and (d) Roof Replacement Above Gym and Vocational Room at the Palmer School, and authorize the issuance of general obligation bonds and notes in the same amount to finance said appropriation?  
Yes \_\_\_\_ No \_\_\_\_”

- (II) “Shall the resolution entitled, ‘RESOLUTION AUTHORIZING AN APPROPRIATION OF \$1,000,000 FOR THE HIGH SCHOOL PROJECT AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$1,000,000 THEREFOR,’ be approved?  
Yes \_\_\_\_ No \_\_\_\_”

The ballot label for said question shall read as follows:

“Shall the Town of Montville appropriate \$1,000,000 for the High School projects, including (a) Tennis Court Replacement, and (b) Track Replacement, and authorize the issuance of general obligation bonds and notes in the same amount to finance said appropriation?  
Yes \_\_\_\_ No \_\_\_\_”

The warning of said referendum shall state that the full text of said resolution is on file open to public inspection at the office of the Town Clerk.

Section 2. That the Town Council hereby authorizes the preparation and printing of explanatory text by the Town Clerk in accordance with Section 9-369b of the Connecticut General Statutes for the questions to be voted upon on November 8, 2022 approved above. Subject to the approval of the Town Attorney, the Town Council further authorizes the preparation and printing of materials concerning the questions to be voted upon on November 8, 2022 approved above in accordance with Section 9-369b of the Connecticut General Statutes.