

**Town of Montville Town Council
Regular Meeting Minutes
October 12, 2022, 7:00 p.m.
Town Council Chambers – Town Hall**

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
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 Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally.
Absent was Mayor Ronald McDaniel.
4. Special Recognitions/Presentations
Alex Dolly, II, and his fiancée Rebecca Bugnacki were presented the Hometown Heroes Award for saving the life of an individual who they extracted from an engulfed vehicle in the woods in April 2022.
Village Apartments Property Manager Edgar Lareka (sp?) for saving the life of a child from a fire at the second story of the Village Apartments in November 2021.
5. Alterations to the Agenda
Motion made by Councilor Caron, seconded by Councilor Rix, to add the following items to the Agenda under Item 16, New Business:
 - c. **THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize Mayor Ron McDaniel to consummate the sale of 300E Maple Avenue, Montville, CT to Highland Property Developers, LLC (Marvin Comond) by virtue of a quit claim deed for \$15,000 per the purchase and sales agreement dated August 21, 2022. (Mayor McDaniel)
 - d. **THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize Mayor Ron McDaniel to consummate the sale of 141 Lake Drive East, Oakdale, CT to Kelly Soper by virtue of a quit claim deed for \$7,000 per the purchase and sales agreement dated October 7, 2022. (Mayor McDaniel)
 - e. **THE TOWN OF MONTVILLE HEREBY RESOLVES** to establish a new fund called Boat Launch/Fishing Pier (Fund # 029). (Mayor McDaniel)
 - f. **THE TOWN OF MONTVILLE HEREBY RESOLVES** to allocate \$2,000.00 in ARPA (American Rescue Plan Act) Funds to the Murphy Elementary School PTA, as recommended by the Ad-Hoc Covid-19 Impact Study Committee. (Councilor Mandler)

Discussion: None. Voice vote, 7-0, all in favor. Motion carried.
6. To Consider and Act on a Motion to Approve:
 - a. The Regular Meeting Minutes of September 12, 2022
 - b. The Public Hearing Minutes of September 12, 2022 (Montville Police Department Ordinance)
 - c. The Public Hearing Minutes of September 20, 2022 (Discontinuance of Roads)
 - d. The Special Meeting Minutes of September 20, 2022
 - e. The Special Meeting Minutes of October 6, 2022

Motion made by Councilor Rix, seconded by Councilor May. Discussion: None. Voice vote, 7-0, all in favor. 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 September 2022 Financial Reports from Pamela Bonanno, Town Treasurer
 - b. Copy of the legal bills from Suisman-Shapiro for the month of August 2022
 - c. Copy of the legal bills from Halloran & Sage for the month of August 2022
 - d. Copy of the letter from Board of Education Superintendent Laurie Pallin regarding the use of \$507,686.00 from the BOE FY2021-2022 Non-Lapsing Educational Reserve Fund account
10. Report from the Town Attorney on Matters Referred – *none*
11. Remarks from the Mayor and/or Administrative Department Heads to include Matters Referred
Planning Director Liz Burdick commented on Item 16(b) regarding the proposed name change for the Planning Department. The Department oversees a variety of land use matters, including zoning, wetlands, grant writing, administration, assisting related Boards/Commissions, and managing the GIS (Geographic Information System). The name change would more accurately reflect the work conducted in the office and help the public locate them more easily. Chairman McNally added that the name change was reviewed by the Town Attorney for any possible issues that might arise.

She also reported on the Gateway Terminal Salt Storage Facility at the Boat Launch Area and encouraged the Councilors to view its progress. Phase II of the project is near completion and the company is expected to apply for permits for additional work.

Taxable Items (Councilor Caron) – It is unknown whether there will be any taxable items on the site. The plans depict the construction of additional buildings in the future, which will be taxable.

Traffic (Councilor Bunnell) – To date, no issues re-routing the traffic from Dock Road to Depot Road have arisen. She noted that traffic was temporarily re-routed back to Dock Road while the Public Works Department paved the area.

Recreational Marijuana (Councilor Caron) – Inquiries have been received and she is in the process of gathering the regulations of other towns through the SCCOG (Southeastern Connecticut Council of Governments) to use as a guide to draft the town’s regulations.
12. Reports from Standing Committees
 - a. Town Administration/Rules of Procedure
Councilor Yuchniuk reported that the Committee discussed and approved the name change for the Planning Department, which is on this evening’s agenda for approval. The Committee also discussed and voted against adding the Public Works’ snowplow drivers to the Town’s Emergency Notification Policy. Drivers could be notified through the Town radios, which would be safer than viewing the notifications on their mobile phones. The Committee agreed to send the Citizens’ Alert Policy and Montville WebEOC User Access Policy to the Public Safety Commission for review.
 - b. Finance – *no meeting*
The Finance Director position has been filled and will begin work on October 17.
 - c. Public Works/Solid Waste Disposal – *no meeting*
The Public Works Department has been busy paving the roads.
13. Reports from Special Committees and Liaison Councilors
 - a. Councilor Bunnell: Library Committee, Parks & Recreation Commission, Volunteer Fire Fighters’ Relief Fund

Library Committee – *no meeting*; A well-attended Book Sale Fundraiser, which earned \$500.00, was held last Saturday, October 8. The ARPA projects are proceeding. The installation of the new HVAC system and the electrical upgrades have been completed. They are awaiting the receipt of an additional bid for the other projects. The Committee will be discussing the usage of the neighboring Church at their November meeting.

Volunteer Fire Fighters' Relief Fund – *no meeting; no report*

Parks & Recreation Commission – The Commission approved the modified tennis courts, which will include two (2) tennis courts and six (6) pickleball courts. The remaining area will be cleared for possible future use. The project will be funded by a State Grant (\$500,000.00) and ARPA Funds (\$100,000.00). Paperwork finalizing the State Grant will be submitted next week. The Playground vendor purchase order has been completed and they are awaiting verification of the vendor's status on the State Bid List. Trick or Trunk will be held on October 22, 6:00 - 8:00 p.m., and the Holiday Parade will be held on December 4. The Public Works Department is working on paving the Community Center's back lot, Camp Oakdale Tennis Court well and restrooms, Large and Small Pavilion Repairs, signage, and the Community Center's library air conditioning system and bathroom repairs. The Commissioners also discussed unauthorized drivers who were driving in the restricted area in the Camp Oakdale athletic field parking lot during a recent event, creating a hazard for the public. To try and help remedy the issue, they plan to install signage and request Police presence. Councilor Bunnell complimented Public Works Director John Carlson for his hard work and efforts.

- b. Councilor Caron: Commission on Aging, Social Services, Non-Profit Organizations
Non-Profit Organizations – The Non-Profit Organizations also expressed their concerns to him regarding the Camp Oakdale parking lot.

Senior & Social Services – The Department is busy preparing for the upcoming holidays and providing energy assistance. The Senior Center is currently serving approximately 150 lunches a week. The Annual Veterans Fundraiser will be held on Saturday, October 22, from 12:00 to 2:00 p.m. The event will include the band, *Don't Tell Lisa*, food trucks, raffles, and games. He will be sending a letter to the Mohegan Tribe requesting their annual donation of turkeys for the Thanksgiving Day Food Baskets. New volunteers are in the process of being trained at the Senior Center. He congratulated Director Kathie Doherty-Peck who has been working for the Town for 27 years.

- c. Councilor Mandler: Water Pollution Control Authority (WPCA), Ad-Hoc Covid-19 Impact Study Committee

WPCA – Councilor Mandler recently met with the Superintendent to discuss operations and the fishing pier. The WPCA has agreed to donate funds for the lighting and cameras for the fishing pier.

Ad-Hoc Covid-19 Impact Study Committee – The Committee agreed to fund \$2,000.00 to the Murphy Elementary School PTA; the item is on the Agenda for final approval.

- d. Councilor May: Conservation Commission
Volunteers will be helping to place bog logs in the parking area. The wetlands permit for the project has been approved.

- e. Councilor Rix: Board of Education, Farmers Market Committee, Planning & Zoning Commission

Board of Education – *no report*; the items are included on this evening's agenda. In response to Councilor Caron, Councilor Rix reported that the Public Safety Commission is reviewing and discussing the policies regarding School Security.

Planning & Zoning Commission – see Item 11, Planning Director Burdick’s report

Farmers Market Committee – At least one indoor Farmers Market event is planned. The Farmers Market is quickly outgrowing its space and only one of the events was cancelled due to inclement weather.

- f. Councilor Yuchniuk: Economic Development Commission, Public Safety Commission, Youth Services Bureau and Advisory Board

Economic Development Commission – The Business Spotlight Awards will be revived and awarded quarterly.

Public Safety Commission – The Board of Education is in the process of developing policies regarding School Security; the policies will be referred to the Public Safety Commission before being sent to the Town Administration/Rules & Procedures Standing Committee for review and approval. The Police Department received 980 Calls for Service and the Fire Department received 297 Calls for Service in August 2022.

Chairman McNally added that no petitions were received regarding the Independent Police Department. Montville Police Lt. Dave Radford, the Public Safety Commission, and the Town Administration/Rules & Procedures Standing Committee will be drafting the job descriptions and related policies, Memorandum of Understandings (MOUs), and the like. The goal is to complete the establishment of the Independent Police Department by July 1, 2023.

Youth Services Bureau & Advisory Board – no update

14. Appointments and Resignations

- a. To Consider and Act on a Motion to re-appoint Sheelagh Lapinski to the Youth Advisory Board with a term to expire on December 10, 2024.

Motion made by Councilor Caron, seconded by Councilor Rix. Discussion: None. Voice vote, 7-0, all in favor. Motion carried.

- b. To Consider and Act on a Motion to re-appoint Timothy Shanahan to the Youth Advisory Board with a term to expire on December 14, 2024.

Motion made by Councilor Caron, seconded by Councilor May. Discussion: None. Voice vote, 7-0, all in favor. Motion carried.

- c. To Consider and Act on a Motion to re-appoint Daniel Dunn to the Youth Advisory Board with a term to expire on December 22, 2024.

Motion made by Councilor Caron, seconded by Councilor Bunnell. Discussion: None. Voice vote, 7-0, all in favor. Motion carried.

- d. To Consider and Act on a Motion to re-appoint Raymond Occhialini to the Inland Wetlands Commission with a term to expire on November 14, 2026.

Motion made by Councilor Rix, seconded by Councilor Caron. Discussion: None. Voice vote, 7-0, all in favor. Motion carried.

15. Unfinished Business – none

16. New Business

- a. **Resolution #2022-131. THE TOWN OF MONTVILLE HEREBY RESOLVES** to refund taxes due to overpayments and corrections in the amount of \$10,540.00 (ten thousand five hundred forty dollars and no cents) as requested by the Tax Collector. (Councilor McNally)

Motion made by Councilor Yuchniuk, seconded by Councilor Rix. Discussion: None. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- b. **Resolution #2022-132. THE TOWN OF MONTVILLE HEREBY RESOLVES** to change the name of the Planning Department to the “Department of Land Use and Development”, as recommended by the Town Administration/Rules & Procedures Standing Committee. (Councilor Yuchniuk)
- Motion made by Councilor Rix, seconded by Councilor May. Discussion: None. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.
- c. **Resolution #2022-133. THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize Mayor Ron McDaniel to consummate the sale of 300E Maple Avenue, Montville, CT to Highland Property Developers, LLC (Marvin Comond) by virtue of a quit claim deed for \$15,000 per the purchase and sales agreement dated August 21, 2022. (Mayor McDaniel)
- Motion made by Councilor May, seconded by Councilor Bunnell. Discussion: Chairman McNally stated that the two previously accepted offers were rescinded following an inspection of the property. Daniel Almeida, 300F Maple Avenue (neighboring property), expressed his concerns regarding the possible temporary loss of access to his property should the new owners wish to construct a new single-family residence. He explained that the road is very narrow and the construction workers would block access to their homes. He added that he also made an offer on the property that he would like the Town Council to consider. Councilor Bunnell stated that the offers have already gone through the process and informed him that his comments should have been made during the Public Comment portion of the meeting. Chairman McNally concurred, adding that it was not under their purview. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.
- d. **Resolution #2022-134. THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize Mayor Ron McDaniel to consummate the sale of 141 Lake Drive East, Oakdale, CT to Kelly Soper by virtue of a quit claim deed for \$7,000 per the purchase and sales agreement dated October 7, 2022. (Mayor McDaniel)
- Motion made by Councilor Rix, seconded by Councilor May. Discussion: Chairman McNally stated that the buyer of the property is the abutting property owner, which is ideal since it is an inaccessible non-conforming lot. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.
- e. **Resolution #2022-135. THE TOWN OF MONTVILLE HEREBY RESOLVES** to establish a new fund called Boat Launch/Fishing Pier (Fund # 029). (Mayor McDaniel)
- Motion made by Councilor Rix, seconded by Councilor May. Discussion: The funds received from the State Grant will be deposited into the fund. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.
- f. **Resolution #2022-136. THE TOWN OF MONTVILLE HEREBY RESOLVES** to allocate \$2,000.00 in ARPA (American Rescue Plan Act) Funds to the Murphy Elementary School PTO, as recommended by the Ad-Hoc Covid-19 Impact Study Committee. (Councilor Mandler)
- Motion made by Councilor Rix, seconded by Councilor Bunnell. Discussion: Chairman McNally stated that the Murphy Elementary School PTO was the only school that requested the funds. He did confirm that at least one of the other Elementary School PTOs did not need funding. Councilor Mandler added that he also inquired with the Superintendent of Schools and was informed that the other Elementary School PTOs were not requesting funding. Roll Call vote, 7-0, all in favor. Voting in Favor:

Councilors Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

17. Remarks from the Public with a three-minute limit – *none*

18. Remarks from the Councilors and the Mayor

Councilor Bunnell informed Mr. Almeida that there should be no restrictions and that all of the residents residing on the road should have sufficient egress to/from their property. In addition, the bidding process was completed and the Council was presented with limited options (Item 16c).

Councilor Caron concurred. The residents should have access to/from their properties and access cannot be denied. Mr. Almeida stated that, due to the narrowness of the road, it is not accessible by emergency vehicles. Councilor Caron stated that the issue will be referred to the relevant party(ies). He congratulated Kelly Soper on the purchase of their property (Item 16d) and the recipients of the Hometown Heroes Award.

Councilor May commended the Department of Land Use and Development, which has been a great help to the Conservation Commission.

Chairman McNally announced that the Football League is planning to recognize the Town Council for funding their new uniforms on October 29 and were requested to Save the Date. Other upcoming events include:

VFW (Veterans of Foreign Wars) Flag Retirement Ceremony – October 22 at 2:30 p.m.

VFW Luminary Lighting – November 11

Trick or Trunk – October 22

Recognizing Mr. Almeida's concerns, they will check with the Public Works Department regarding the possibility of widening and/or improving the accessibility of the road. He added that four (4) bids were received for the property and the two (2) highest bids that were accepted by the Town Council were contingent upon inspection. Because those bids were later rescinded, the next highest offer was accepted. He expressed his appreciation and congratulated the recipients of the Hometown Heroes Award.

Councilor Rix encouraged everyone to purchase their luminaries before event and encouraged everyone to attend the VFW's Luminary Lighting and Flag Retirement Ceremonies. She also expressed her appreciation and congratulated Mr. Dolly, II, and Ms. Bugnacki; she is happy to hear that the victim was doing well. She also congratulated the purchasers of the Lake Road property.

Councilor Yuchniuk also thanked and commended Mr. Dolly, II, and Ms. Bugnacki at a time when many would not react heroically.

Councilor Mandler commended Town Clerk Katie Haring on managing and posting the information on the new digital sign in front of Town Hall. He questioned why the Town is not following its policy regarding the foreclosure of overdue taxes. He, too, congratulated the purchasers of the Lake Road property and the recipients of the Hometown Heroes Awards; their actions were stupendous and commendable.

19. Adjournment

Motion made by Councilor Caron, seconded by Councilor Rix, to adjourn the meeting at 7:41 p.m. Discussion: None. Voice vote, 7-0, all in favor. Meeting Adjourned.

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