

Town of Montville Town Council
Regular Meeting Minutes
September 11, 2023, 7:00 p.m.
Montville Town Hall – Town Council Chambers

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.
Also present was Mayor Ronald McDaniel.
4. Special Recognitions/Presentations – *none*
5. Alterations to the Agenda
Motion made by Councilor Caron, seconded by Councilor May, to add the following items under Item 16, New Business, to the Agenda:
 - 16(m) **THE TOWN OF MONTVILLE HEREBY RESOLVES** to waive the sealed bid requirement in Section 708(a) of the Town Charter for the Installation of the Dance Flooring in Room 112 at the Fair Oaks Facility, as it is in the best interest of the Town. (Councilor Yuchniuk)
 - 16(n) **THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize the allocation of an amount not to exceed \$18,000.00 (eighteen thousand dollars) of the ARPA (American Rescue Plan Act) Funds for the purchase installation of dance flooring in Room 112 at the Fair Oaks Facility. (Councilor Yuchniuk)Discussion: None. Voice vote, 7-0, all in favor. Motion carried.
Motion made by Councilor Yuchniuk, seconded by Councilor Rix, to move items 16(m) and (n) to follow Item 6, Approval of the Minutes. Discussion: None. Voice vote, 7-0, all in favor. Motion carried.
Motion made by Councilor Yuchniuk, seconded by Councilor Rix, to move Item 8, Remarks from the Public, to follow Item 5, Alterations to the Agenda. Discussion: None. Voice vote, 7-0, all in favor. Motion carried.
6. Remarks from the public relating to matters on the agenda with a three-minute limit
David Spisak, 1020 Route 163, Oakdale, thanked the Councilors for the opportunity to speak and the town for offering several activities that his five (5) children have been able to take part in over the years. His children have been studying dancing under Ms. Lana (Davidson), the dance instructor, for up to five (5) years. While the location is convenient and the space is ideal, he expressed his concerns regarding the condition of the dance room floor. The floor is not conducive to dancing and could negatively affect their future health and development. The room is used daily and heavily by the dancers throughout the year. He presented photographs reflecting the condition of the flooring.

Kylie Spisak, age 12, a four-year student of the dance class, stated the importance of supporting Ms. Lana and explained the issues she encounters while dancing on the floor, including its hardness for tap dancing and getting her feet caught in the cracks of the floor while wearing jazz shoes.

Brittany Casey, 717 Raymond Hill Road, Oakdale, was grateful for the opportunity to speak on the town's dance program. Two of her three children are currently participating in the program, which boasts an enrollment of 220 dancers in 24 classes. She stated that Ms. Lana was recently recognized as the best dance instructor in Southeastern Connecticut and

the dancers placed third in the program. She is very appreciative of and grateful for the program, which is kind and inclusive and very near and dear to their hearts. She also expressed her pride in the program as they become increasingly involved in community events and look forward to its continued growth. One of the main issues is the condition of the dance floor, which is very old and cracked, resulting in soreness following their classes, falls, slips, and getting their shoes caught in the flooring. She requested that the Councilors seriously consider the health and safety of its dancers by ensuring that a safe dance floor is provided for the children.

Gloria Casey, age 10, requested the Counselor's help with getting a new dance floor.

Ella Scott, age 11, also requested their help with getting a new dance floor due to the cracks.

Tammie Scott, 558 Fire Street, Oakdale, a 7-year Montville business owner, stated that the dance program has helped them feel part of the community as they have hosted a number of community and personal events together. She concurred with the previous speakers, stating the importance of installing a new dance floor for the children's safety, health, and well-being, adding that some of the dancers are dancing for two to three hours a night. She commended Ms. Lana's growing program and looks forward to its continued growth and improvement. She thanked the Councilors for their time.

Nicole Holland, 126 Buckeye Road, Groton, (military housing), stated that her daughter began participating in Ms. Lana's class in 2014 when she hosted a navy dance program. After leaving and returning to Connecticut in 2017, they were happy to return to Ms. Lana's class and be part of the dance group once again.

McKenzie Holland, who has been dancing under Ms. Lana for approximately six years, stated that after leaving town, she had always wanted to return to Ms. Lana's class. Upon returning, she was able to improve her skills and meet some of her best friends. She stated the condition of the floors, which is cracked and missing tile pieces in some areas while bubbly and slick in others. Her lyrical dance shoes often get caught in the cracks and missing tile pieces on the floors, causing her trip and resulting in scrapes and cuts.

Harold Davison, 9 Doolittle Road, Preston, thanked the Councilors for the opportunity to speak regarding the need to replace the flooring for the dance class, an item that has been requested and discussed for several years. Many members of the dance community have offered to help fund the project and volunteer their time and energy to conduct the work but were unable to do so due to liability concerns. He urged the Town Council to replace the flooring for the dance community, which has grown tremendously over the last 15 years. Over the years, the floor has become worn, cracked, and damaged and is not a proper platform for young dancers. He also expressed his concerns for Ms. Lana's health as she works tirelessly for her students. He reiterated the importance of the instructor and the teaching space and surface, including the room's acoustics for such dancing as tap, and creating a safe and adequate space for the students.

Jon Chase, 1011 Route 163, Oakdale, Parks & Recreation Commission member, spoke in favor of items 14(b) to re-appoint Morgan Matthewson and (c) to re-appoint Kate Southard. Commissioner Matthewson, who is the pride and force of the town's Carnivals, works tirelessly and leads the team in continuing to improve upon the event. She is a great asset to the Commission. Similarly, Commissioner Chairperson Southard has led the Commission in every accomplishment over the past several years, including successfully obtaining a \$500,000.00 state grant and making improvements to the facilities, i.e., the new tennis and pickleball courts, in cooperation with the Parks & Recreation and Public Works Directors. She has overcome several obstacles, risen through adversity, and has consistently maintained the interests of the citizens.

7. To Consider and Act on a Motion to Approve:
 - a. The Regular Meeting Minutes of August 14, 2023
Motion made by Councilor Caron, seconded by Councilor May. Discussion: None.
Voice vote, 7-0, all in favor. Motion carried.
 - b. The Special Meeting Minutes of August 28, 2023 (School Infrastructure Projects)
Motion made by Councilor May, seconded by Councilor Bunnell. Discussion: None.
Voice vote, 7-0, all in favor. Motion carried.
8. New Business
 - a. **Resolution #2023-94. THE TOWN OF MONTVILLE HEREBY RESOLVES** to waive the sealed bid requirement in Section 708(a) of the Town Charter for the Installation of the Dance Flooring in Room 112 at the Fair Oaks Facility, as it is in the best interest of the Town. (Councilor Yuchniuk)
Motion made by Councilor Caron, seconded by Councilor May. Discussion: Councilor Yuchniuk explained that the waiver is being requested due to the difficulties in obtaining estimates for the flooring, which is highly specialized with only a limited number of contractors offering such services. The project was proposed the previous month and postponed in hopes of obtaining additional estimates. Two quotes have been obtained, to date. He requested that the item be moved forward. 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 #2023-95. THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize the allocation of an amount not to exceed \$18,000.00 (eighteen thousand dollars) of the ARPA (American Rescue Plan Act) Funds for the purchase installation of dance flooring in Room 112 at the Fair Oaks Facility. (Councilor Yuchniuk)
Motion made by Councilor Rix, seconded by Councilor May. Discussion: Ad-Hoc COVID-19 Impact Study Committee Chairman Councilor Mandler stated that he received and reviewed the final report for the request and felt that, because the funds are available and the town has utilized its ARPA Funds to support other youth groups, the item should be approved. He believed that it was their duty to support the youth and the elderly of the community. Councilor Bunnell also expressed his full support, adding that he has always supported enlarging the room. Councilor Caron also expressed his support and looks forward to, one day, meeting Ms. Lana of whom many have spoken highly. He was also impressed with the children who spoke this evening. Councilor May also expressed his support and recommended that an air conditioning system/dehumidifier also be installed to, in part, protect the new flooring. As a former dancer of 17 years, Councilor Rix expressed her excitement for the new flooring and was impressed with the number of students enrolled in the class. Based on her experience, she agreed with the importance of having proper flooring. Councilor Yuchniuk stated the importance of replacing the flooring, which contains asbestos and is cracked and has missing pieces. The new floor will be tiled over the existing floor, avoiding the need for any abatement. While he is in full support of the item, he must abstain from voting as he is related to one of the companies who provided an estimate for the project. Roll Call vote, 6-0-1. Voting in Favor: Councilors Bunnell, Caron, Mandler, May, Rix, and McNally. Voting in Opposition: None. Voting in Abstention: Councilor Yuchniuk. Resolution passed.
9. Executive Session
 - a. To Consider and Act on a Motion to enter into Executive Session for the purpose of interviewing candidate for the Planning & Zoning Commission and Water & Sewer

Commission. Discussions to include members of the Town Council and Mayor Ronald McDaniel.

Motion made by Councilor Caron, seconded by Councilor Bunnell. Discussion: None. Voice vote, 7-0, all in favor. Invited parties exited Town Council Chambers for Executive Session at 7:27 p.m. Chairman McNally resumed the meeting at 7:38 p.m. No votes were taken during Executive Session.

- c. To Consider and Act on a Motion to enter into Executive Session for the purpose of discussion of strategy and/or negotiations with respect to collective bargaining, without prejudice to the Council's right to discuss the same in private pursuant to Connecticut General Statutes §1-200(2). Discussion to include members of the Town Council, Mayor Ronald McDaniel.

Motion made by Councilor Caron, seconded by Councilor Rix. Discussion: None. Voice vote, 7-0, all in favor. Invited parties exited Town Council Chambers for Executive Session at 7:39 p.m. Chairman McNally resumed the meeting at 8:08 p.m. No votes were taken during Executive Session.

10. Communications

- a. Copy of the August 2023 Financial Reports from Finance Director Barbara Griffin
- b. Copy of a letter from Lenny Bunnell, Sr., regarding the legality of an Ethics Complaint investigation

In response to Councilor Bunnell's question regarding the mailing of the letter to the Attorney, Chairman McNally stated that an e-mail was sent to the Councilors requesting any recommendations/suggestions they might have in the handling of the Ethics Complaint against Councilor Bunnell. Responses were received from the Mayor, who recommended that an independent attorney be hired to investigate the complaint, rather than the Town Council-appointed Town Attorney, and Councilor Yuchniuk. Chairman McNally added that it would be unethical for the Town Council to investigate themselves and felt that Councilor Bunnell's letter, which includes threats against the investigating attorney could impede upon the investigation. Councilor Bunnell stated that the town's Code of Ethics Policy states that, "The Town Council shall have the power to investigate any complaint for ethic code violations by an elected or appointed Town official after a concurring vote of at least four members after an initial finding of probable cause against any Town elected or appointed official." (§49-5(B)). Enforcement for elected and appointed Town officials.) He stated that there was no "initial finding of probable cause" nor was there "a concurring vote of at least four members" of the Town Council. He questioned the Chairman's authoritarian handling of the matter, including approving the funds to hire a third-party attorney without the Town Council's approval. Councilor May concurred with Councilor Bunnell, stating that the proper procedures were not followed and a meeting should have been held to approve the appropriation of funds. He also stated that the engagement in a conversation of at least four (4) Town Councilors in an e-mail, or otherwise, constitutes an FOIA (Freedom of Information Act) violation. Councilor McNally recited his e-mail, dated June 2, 2023, that was sent to the Councilors. Councilor Bunnell felt that the e-mail was irrelevant as that is not the procedure, as stated in the town's Code of Ethics. Councilor Bunnell re-recited §49-5(B) of the Code of Ethics and reiterated that the proper procedures were not followed. Chairman McNally stated that he would contact the attorney for his opinion on the matter

- c. Copy of a Letter of Appreciation from Safe Futures, Inc. for the town's donation

11. Report from the Town Attorney on Matters Referred

Mayor McDaniel reported that the closing documents for the Brownfield Grant for the Oxoboxo Lofts were signed today.

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

Mayor McDaniel reported that the town is slated to receive \$42,000.00 of the state's allocation of \$10 million in ARPA Funds for the Senior Center for facility improvements and/or programs. He has urged her to expend the funds on one-time, rather than recurring, costs. Several meetings have been held regarding the Cook Drive Water Tower Project; the bids have been awarded and the work has begun. Montville Police Department (MPD) Chief Wilfred Blanchette was very well-received at a recent breakfast meeting at the Rotary. He was pleased to honor Seabird Enterprises at Riverview Farms with a proclamation for their 40 years of service. Two meetings were held with the new Chiefs to discuss the new schedule and other related issues. He and Land Use & Development Director Liz Burdick are in discussions with *The Botanist* regarding instituting a permanent solution for the ongoing parking issues. They also met with economic development consultants whom the town hopes to engage with on an ad-hoc basis to work with the Economic Development Commission. He attended the Convocation for Tyl Middle School and Montville High School. He also attended a recent Region 4 Annual Meeting. He was very pleased to honor Mr. Paul Chase earlier in the month for his dedication and service to the town.

MPD Lt. David Radford, II, provided a commemorative patch celebrating Montville Police Department's independence to each of the Town Councilors as a gesture of appreciation for their efforts and support to establish an Independent Police Department.

Land Use & Development Director Burdick reported that the closing documents for the \$990,000.00 Brownfield Grant for remediation work were signed. There will be no cost to the town for the project, which is slated to begin immediately and be completed by August 2024; Councilors interested in a tour of the interior of the building to view its progress may contact her. The final PSA (Professional Services Agreement) for the Fishing Pier project was signed in July and the first RFP (Request for Proposal) for geotechnical engineering services has been prepared with the Town Engineer. The cost of the work will be covered by the grant. The final reimbursement for the \$65,425.19 STEAP (Small Towns Economic Assistance Program) Grant for the Community Center is expected to be received soon. The Planning & Zoning Commission approved an application for a proposed gasoline/convenience store facility on Route 32 and an application for three (3) large industrial buildings and an office building on Fitch Hill Road. The Commission's September Agenda will include the §8-24 Referral for the approved solar array project, an application for a one-lot re-subdivision on Route 163, and an application for a six-lot subdivision on Old Colchester Road. The proposed application to amend the Zoning Regulation to prohibit retail cannabis establishments failed and the Commissioners plan to review the previous regulations drafted by herself and the Town Attorney to allow cannabis establishments, with conditions. She also spoke concerning item 16(l), regarding the Animal Control Facility and explained that the reasoning behind the request for an additional allocation of \$28,100.00 is to accommodate a fee increase, in part, as a result of an increase in civil engineering costs and the size of the shelter from 1,000 square feet to 2,400 square feet, per state requirements. The final project for the building is \$2.2 million. The increase reflects a fee rate decrease from 11% to 5.5%, based on the original construction estimate of \$800,000.00. Following the completion of the drawings, an RFP will be issued and the exact cost of the project can be determined.

Finance Director Barbara Griffin reported that the Auditors will be conducting their in-office fieldwork for the next two weeks. She stated that the actual FY2022/23 Revenue exceeds the budgeted amount. Similarly, the actual FY2022/23 Expenditures were lower than budgeted. Three (3) collections from foreclosed and auctioned properties recently brought in over \$150,000.00. Close to \$20,000.00 in monthly revenue is received from cannabis sales and approximately \$40,000.00 has been received from the nips program. She stated that the Adopt-a-Road Policy, which will utilize some of the nips funds, will be amended to clarify that the funds would be *donated* to the supporting organization. Concerning item 16(j), she explained that an error was found and a line-item transfer for Line Item 10880-53015, Uniforms is no longer necessary.

12. Reports from Standing Committees

- a. Town Administration/Rules of Procedure – *no meeting; no report*
- b. Finance – *items included on the agenda*
- c. Public Works/Solid Waste Disposal
The Oxoboxo culverts are near completion; the road will be paved soon after.

13. Reports from Special Committees and Liaison Councilors

- a. Councilor Bunnell: Library Committee, Parks & Recreation Commission, Volunteer Fire Fighters' Relief Fund

Library Committee – While no meeting was held, he reported that the handicapped sidewalk is complete, and work on the lighting and ceilings is planned for the upcoming holiday season to keep the interruptions to the Library's operations at a minimum.

Parks & Recreation Commission – 230 children participated in this year's summer camp, including 30 waitlisted children. New (replacement) signage will be installed at the tennis/pickleball courts and the sidewalks are complete. The area surrounding the sidewalks has been loomed and seeded. 340 members are reportedly utilizing the courts. The bathrooms are complete and open. Public Works Director Carlson is investigating the possibility of installing surveillance cameras in the area and Councilor Bunnell has placed a request to the Police Department to include the property on their patrol checklist to ensure that the area is regularly monitored. The August Mud Run was lightly attended. Possible plans that do not appear to include the recommendations provided by CT DEEP (Connecticut Department of Energy and Environmental Protection) for the Mostow Property were received by the Commissioners from CLA Engineers, Inc. The new gymnastics instructor will begin classes and the dance classes have begun. One bid for the slab for the Camp Oakdale basketball courts has been received. The Commission's discussions also included Desjardins Park and the proposed new Community Center, which will include the Youth Services and Recreation Departments, a gymnasium, and a pool. The Commission is in the process of making plans to host a celebration and grand opening of the new playground at Fair Oaks. A successful youth soccer opening day was held. He noted that the fields were in outstanding condition.

- b. Councilor Caron: Commission on Aging, Social Services, Non-Profit Organizations
Commission on Aging – *no quorum; no meeting*. The Senior Center currently boasts over 2,000 members. New senior programs are being planned. New legislation supporting the elderly who wish to reside in their homes is expected to be presented. He has spoken with the Governor's office and plans to speak with the Lt. Governor at an upcoming event to discuss the importance of Senior Centers and Social Services to the community and the need to support additional funding.

Social Services – *no meeting*. With the holidays looming, he reported that he has drafted a letter to the Mohegan Tribe to solicit a donation of turkeys for Thanksgiving.

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

Water Pollution Control Authority – The Commission approved the allocation of \$100,000.00 for the Rand-Whitney Discharge Line, which is in dire need of repair. Commissioner Chairman Chuck Longton was designated the Planning & Zoning Commission Liaison for the WPCA and he was appointed as Vice Chairman of the Water & Sewer Commission.

Ad-Hoc Covid-19 Impact Study Committee – The Committee will be meeting tomorrow evening.

- d. Councilor May: Conservation Commission

Councilor May thanked the Mayor for presenting the Citation to Former Chairperson and Commissioner of the Conservation Commission Paul Chase who was recognized for his dedication and service. A Working Party will be held on September 24 to complete additional work before the winter weather. A Garden Club has been formed; any interested parties are encouraged to join.

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

Board of Education – School has begun. Due to extreme heat in the school buses and classes, school was reduced to half a day last week. Montville Music Night was held last week. Several fundraisers, including a mattress sale (September 30), are in the works to help fund a field trip to New York to attend workshops and a Broadway show.

Farmers Market Committee – Tomorrow evening's theme for Farmers will be Military Appreciation Night. A table will be available for guests to draw and/or write cards and letters to deployed submariners stationed at the Naval Submarine Base.

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

Youth Services Bureau and Advisory Board – *meetings will begin next week*

Economic Development Commission – The Commission is working on implementing the Business Spotlight.

Public Safety Commission – The Commission has begun interviews for the vacant Firefighter position. Ten (1) applications were received for the position. Similarly, interviews for a part-time Animal Control Officer have also begun. The Police Department reported a total of 1,016 Calls for Service and 97 issued citations for July 2023. While the individual Fire Companies reported their numbers, they overlap with each other and are inaccurate when combined; they continue to work on creating an accurate system.

14. Appointments and Resignations

- a. To Consider and Act on a motion to accept the resignation of Beverly Matteson from the Montville Housing Authority, effective immediately.

Motion made by Councilor May, seconded by Councilor Rix. Discussion: It was confirmed that a member of the Housing community must be appointed to fill the vacancy. Voice vote, 7-0, all in favor. Motion carried.

- b. To Consider and Act on a Motion to re-appoint Morgan Matthewson to the Parks & Recreation Commission with a term to expire on October 12, 2027.

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 Kate Southard to the Parks & Recreation Commission with a term to expire on October 12, 2027.
Motion made by Councilor Rix, seconded by Councilor May. Discussion: Councilor Yuchniuk commended Commissioner Southard and expressed his support for her reappointment. Councilor Caron concurred, adding that the entire Commission does a great job. Voice vote, 7-0, all in favor. Motion carried.
- d. To Consider and Act on a Motion to accept the resignation of Thomas McCarthy from the Economic Development Commission, effective immediately.
Motion made by Councilor Caron, seconded by Councilor May. Discussion: None. Voice vote, 7-0, all in favor. Motion carried.
- e. 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 Water & Sewer Commission.
Motion made by Councilor Rix, seconded by Councilor Caron. Discussion: The Commission requested that a new member be appointed as soon as possible. Voice vote, 7-0, all in favor. Motion carried.
- f. To Consider and Act on a Motion to appoint Richard Gladue to fill a vacancy on the Water & Sewer Commission with a term to expire on January 9, 2026.
Motion made by Councilor Caron, seconded by Councilor May. Discussion: None. Voice vote, 7-0, all in favor. Motion carried.

15. Unfinished Business – *none*

16. New Business

- a. **Resolution #2023-96. THE TOWN OF MONTVILLE HEREBY RESOLVES** to refund taxes due to overpayments and corrections in the amount of \$9,235.29 (nine thousand two hundred thirty-five dollars and twenty-nine cents) as requested by the Tax Collector. (Councilor McNally)
Motion made by Councilor Caron, seconded by Councilor May. Discussion: None. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilor Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.
- b. **Resolution #2023-97. THE TOWN OF MONTVILLE HEREBY RESOLVES** to waive the sealed bid requirement in Section 708(a) of the Town Charter for the M-43 Tanker Truck, as it is in the best interest of the Town. (Councilor McNally)
Motion made by Councilor May, seconded by Councilor Rix. Discussion: Chairman McNally stated that the job cost includes a total retrofitting of the truck. Two bids were received from very reputable companies. Roll Call vote, 6-0-1. Voting in Favor: Councilor Bunnell, Caron, Mandler, May, Rix, and Yuchniuk. Voting in Opposition: None. Voting in Abstention: Councilor McNally. Resolution passed.
- c. **Resolution #2023-98. THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve the use of an additional \$495.00 (four hundred ninety-five dollars) of the General Fund Reserve for Oakdale Volunteer Fire Company's M-43 Tanker repairs. (Councilor McNally). (Councilor McNally)
Motion made by Councilor May, seconded by Councilor Bunnell. Discussion: Chairman McNally stated that the Town Council previously approved the allocation of the originally estimated amount of \$325,000.00. The final cost is over by \$495.00 of the estimated amount. Roll Call vote, 6-0-1. Voting in Favor: Councilor Bunnell, Caron, Mandler, May, Rix, and Yuchniuk. Voting in Opposition: None. Voting in Abstention: Councilor McNally. Resolution passed.
- d. **Resolution #2023-99. THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve the favorable §8-24 review for the Lease of Town-Owned Property and Solar

Array on Existing Capped Landfill located at 669 Route 163, Oakdale, CT (Parcel ID: 038-056-000), as recommended by the Planning & Zoning Commission. (Councilor McNally)

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

- e. **Resolution #2023-100. THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve the position description for the Youth Services Director as approved by the Town Administration Rules/Procedure Committee on May 28, 2019. (Mayor McDaniel)

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

- f. **THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize Mayor Ron McDaniel enter into a Memorandum of Agreement with the Montville Association of Management Employees (MAME) Local 818, Council 4, AFSCME, AFL-CIO and approve funds for the agreement. (Mayor McDaniel)

Motion made by Councilor Rix, seconded by Councilor Bunnell.

Motion made by Councilor Mandler, seconded by Councilor Caron, to table the item. Roll Call vote, 5-2. Voting in Favor: Councilors Caron, Mandler, May, Yuchniuk, and McNally. Voting in Opposition: Councilors Bunnell and Rix. Motion carried.

- g. **Resolution #2023-101. THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize Mayor Ron McDaniel enter into a Memorandum of Agreement with the Montville Police Union, Local 2504, Council 4, AFSCME, AFL-CIO and approve funds for the agreement. (Mayor McDaniel)

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

- h. **Resolution #2023-102. THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize Mayor Ronald McDaniel to renew the lease agreement with Lifespan School Solutions, Inc., d/b/a the Bradley School for the use of the Town Hall Gymnasium. (Mayor McDaniel)

Motion made by Councilor Rix, seconded by Councilor Caron. Discussion: Mayor McDaniel stated that the lease agreement is for one year and has been going well. The only caveat is that the Gymnasium is not available on Election Day. He will investigate how often it is being used. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilor Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- i. **Resolution #2023-103. THE TOWN OF MONTVILLE HEREBY RESOLVES** to re-allocate \$6,000.00 (six thousand dollars) of the ARPA (American Rescue Plan Act) Funds from the Tennis Court Ramp Project to the Tennis Court Bathroom Remodel Project. (Councilor McNally)

Motion made by Councilor May, seconded by Councilor Bunnell. Discussion: Chairman McNally stated that the funds used for the project were expended from the Public Works' Maintenance Budget and requested that the funds be reallocated for other projects. Mayor McDaniel added that, because none of the fixtures fit in the existing holes, all of the items needed to be re-holed and re-plumbed. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilor Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- j. **Resolution #2023-104. THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize the year-end transfers as requested by the Finance Director as depicted in Schedule A, as amended. (Councilor McNally)

Motion made by Councilor May, seconded by Councilor Rix. Discussion: The amendment, as previously discussed (*Item 11*), includes the elimination of the line-item transfer for Uniforms. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilor Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- k. **Resolution #2023-105. THE TOWN OF MONTVILLE HEREBY RESOLVES** to transfer \$11,240.00 (eleven thousand two hundred forty dollars) from Contingency (10480-52164) for 3% budget increases to four (4) Fire Departments (10880-52060), (10880-52061), (10880-52062), (10880-52063) to receive \$2,810.00 (two thousand eight hundred ten dollars) each. (Councilor McNally)

Motion made by Councilor Rix, seconded by Councilor May. Discussion: Chairman McNally stated that the Public Safety Commission approved a 3% raise for the Fire Companies. The increase was inadvertently excluded during their approval for the FY2023/24 budget. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilor Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- l. **Resolution #2023-106. THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve the fee proposal adjustment to \$119,900.00 (one hundred nineteen thousand and nine hundred dollars), as requested by Silver & Petrucelli Architects, Et Al, for the new Montville Animal Shelter. (Councilor McNally)

Motion made by Councilor Yuchniuk, seconded by Councilor Mandler. Discussion: Councilor Bunnell stated that the cost of the ACO Facility has increased from its originally estimated cost of \$800,000.00 to \$2.2 million and, while these particular funds are deriving from the town's ARPA Funds and is necessary and a benefit to the town to determine its final cost, he noted the significant increase in the amount. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilor Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

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

Erika Striebel, 9 Lathrop Court Ext., expressed her concern and alarm with the exchange regarding Councilor Bunnell's letter. She found the seemingly active argument regarding an "underhanded attempt to undermine" another member of the Town Council distressing. She felt that the implication that town funds were used inappropriately should be explored and reviewed and, possibly, investigated should that be the case. She felt that the open animosity along party lines does not belong on the dais and such behavior is not reassuring to the community. The appearance of an abuse of power and/or authority is also distressing and is akin to "swamp politics". She expects more from the Town Councilors and expects them to correct their issues amongst themselves and behave and represent the town in a more appropriate manner. Otherwise, they might like to reconsider their membership on the Town Council.

18. Remarks from the Councilors and the Mayor

Mayor McDaniel thanked everyone for taking the time to attend the meeting and be part of such an active agenda.

Councilor Bunnell thanked Lt. Radford for thinking of them and for the patches. He also confirmed that he was not included in the group e-mail regarding the next step(s) for the Ethics Complaint. He recited §49-5(A) and (B) of the town's Ethics Policy, which states that "The Town Council is hereby established as the committee authorized and approved to

investigate allegations of unethical conduct against a Town elected or appointed official The Town Council shall have the power to investigate any complaint for ethic code violations by an elected or appointed Town official after a concurring vote of at least four members after an initial finding of probable cause against any Town elected or appointed official.” He reiterated that no vote was taken and funds were authorized to be expended to begin an investigation. The same action was taken for an Ethics Complaint against Councilor Mandler. He stated the importance of following the Policy and providing due process. On a different note, he is saddened to relive the tragedy of 9/11 which occurred 22 years ago and resulted in the loss of 3,000 lives.

Councilor Caron stated that his thoughts are with the families who were affected by the 9/11 tragedy.

Councilor May concurred and expressed his continuing disbelief of the 9/11 tragedy and hopes we will never forget. He also stated that the Town Council has positively conducted business for the past two years and was saddened that the item regarding the salary increase for the Mayor, which was approved by the Town Administration/Rules & Procedures Standing Committee in August 2022, was never introduced to the Town Council for a final vote at that time, though it was requested by several Councilors. He added that both the vote to add the item to the agenda and the budget item were approved with a bi-partisan 4-3 vote. In addition, the vote was passed before any of the members of the Town Council announced their Mayoral candidacy. He felt that introducing the matter to the citizens in this light and without the facts was disingenuous.

Councilor McNally was pleased that the issue regarding the dance floor was brought to their attention and resolved. Concerning the Ethics Complaint, he stated that he followed past practice and the advice of the Mayor. He was unsure as to why an individual would be opposed to an unbiased, third-party opinion and felt that the Town Council should not investigate each other. He suggested the possibility of establishing an Ethics Board. He also corrected Councilor May, stating that the vote was 4-3 to approve the mil rate.

Councilor Yuchniuk was also pleased that they are moving forward with the dance floor.

Councilor Mandler concurred with Councilor Yuchniuk and was proud to vote in favor of the item for the children.

19. Adjournment

Motion made by Councilor Rix, seconded by Councilor May, to adjourn the meeting at 9:20 p.m. Discussion: None. Voice vote, 7-0, all in favor. Meeting adjourned.

Respectfully Submitted by:

Agnes T. 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 – MEETING RECORDINGS