

**Town of Montville
Town Council
Public Hearing Minutes
September 16, 2024 – 6:00 p.m.
Montville Town Hall – Council Chambers**

1. Call to Order
Chairman May called the meeting to order at 6:00 p.m.
2. Pledge of Allegiance
3. Roll Call
Present were Councilors Jaskiewicz, Lathrop, May, Southard, and Yuchniuk. Absent were Councilors Caron and Sabilia. Also present was Mayor Leonard Bunnell, Sr.
4. Public Hearing

**TOWN OF MONTVILLE
NOTICE OF ORDINANCE HEARING**

The following Ordinance, copies of which may be obtained at the office of the Town Clerk during office hours, was introduced at a regular meeting of the Town Council held September 9, 2024 and a public hearing thereon and for its consideration by the Town Council will be held at Town Hall Council Chambers, Monday, September 16, 2024 at 6:00 P.M.

**AN ORDINANCE REGARDING AUTHORITY TO
DECLARE LINE OF DUTY DEATHS OF FIREFIGHTERS**

THE TOWN OF MONTVILLE HEREBY ORDAINS:

Section 1.

Pursuant to Section 7-313e of the Connecticut General Statutes:

- a. If the death of a volunteer firefighter is caused by a cardiac event, stroke, or pulmonary embolism that occurred not later than twenty-four hours after such firefighter concluded a shift or training, the chief of such firefighter's fire ~~department~~ *company* shall have the authority to determine whether such firefighter died in the line of duty;
- b. If the death of a uniformed Town-employed firefighter is caused by a cardiac event, stroke, or pulmonary embolism that occurred not later than twenty-four hours after such firefighter concluded a shift or training, the chief of the ~~department~~ *company* or any member serving in the capacity of fire officer-in-charge overseeing his or her last shift, shall have the authority to determine whether such firefighter died in the line of duty.

Section 2.

This ordinance shall become effective thirty (30) days from the date of its adoption.

Dated at Montville, Connecticut this 9th day of September, 2024.

Katie Haring, Montville Town Clerk

Chairman May recited the Ordinance, correcting the following Scribner's error:
"department" should read "company" in both sections (a) and (b) of the Ordinance.

Mayor Bunnell stated that the proposed Ordinance was introduced by the Public Safety Commission, per C.G.S. §7-313(e). Because, unlike many other towns, the Town of Montville lacks a Fire Chief as a paid employee of the Town, an Ordinance must be adopted to clarify who is authorized to make the declaration.

Chairman May asked if any members of the public would like to speak in favor of the proposed Ordinance.

Matthew Suarez, 18 Cranberry Drive, stated his support for the Ordinance. As a volunteer Firefighter, he questioned the current death benefits of the Town. He also raised the possibility of including volunteers who work as an EMT (Emergency Medical Technician), or Fire-Police in the Ordinance, adding that other Ordinances in the Town, including the Stipend Program, include the three positions.

Timothy Congdon, President, Montville Firefighters Union, informed the Town Council that, following its passage, Connecticut Public Act 24-16 was brought to the attention of the Public Safety Commission. He explained that the Public Act requires the Fire Chief or Fire Department to make the declaration; municipalities that do not have a Fire Chief or Fire Department must adopt an Ordinance authorizing a different individual or entity to make the determination. He requested that Section 2 of the Ordinance be modified to meet the deadline date of October 1, 2024, and adopt an Emergency Ordinance, per §C313 of the Town Charter. He thanked the Town Council for expediting the Ordinance.

Chairman May asked three times if any additional members of the public would like to speak in favor of the proposed Ordinance. There being none, he asked three times if there were any members of the public who would like to speak in opposition to the proposed Ordinance. There being none, the Public Hearing was closed.

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

6. Remarks from the Councilors and the Mayor

Councilor Yuchniuk commented that both individuals provided good input that should be considered.

Councilor Lathrop questioned where the responsibility lies for a career firefighter who also serves as a volunteer firefighter in another town and suffers a death within the 24-hour period.

Chairman May stated that he discussed the Ordinance with the Town Attorney, who stated that the proposed Ordinance would only allow a different individual or entity to make the determination. Other aspects of the Ordinance, including the Town's risk and liability, will need to be investigated.

Mayor Bunnell responded to Councilor Lathrop's question, stating that the responsibility would lie with the individual's last place of service.

7. Adjournment

Motion made by Councilor Jaskiewicz, seconded by Councilor Southard, to adjourn the meeting at 6:13 p.m. Discussion: None. Voice vote, 5-0, 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**