

Town of Montville Town Council
Special Meeting Minutes for Wednesday, February 13, 2013
6:00 p.m. – Town Council Chambers

1. Call to Order
Chairperson Buebendorf called the meeting to order at 7:00 p.m. after establishing a quorum.
2. Pledge of Allegiance followed by a moment of silence in honor of our military.
3. Roll Call
Present were Councilors Caron, Jaskiewicz, Jones, Longton, McFee, Tanner, and Buebendorf. Also present was Mayor Ronald McDaniel.
4. Special Recognitions/Presentations
 - a. Review of 2012 Audit by Finance Director Terry Hart
While the auditors will be presenting, at least, a draft of their audit next month to review and answer any questions the Council may have, Ms. Hart presented the fund balance for the fiscal year ending June 30, 2012, which was \$2.5 million, approximately 4.3%. They also received some unexpected money from AES and, when added in, will bring the fund balance up to 8%, placing it well within the policy of keeping a 5-12% balance. She also discussed the status of the Town Aid Road Fund that was budgeted within the General Fund for town aid road expenditures in 2011 by the previous Town Council. The Town Aid Road Fund is carried over from year to year resulting in \$166,000 (one-hundred sixty-six thousand dollars) being transferred into the General Fund. The funds will be returned to the Town Aid Road Fund for use by the Public Works Department for the roads. Lastly, the Board of Education reviewed the encumbrances about which the Town had expressed concern. Each year, the Board of Education is paying for large items, e.g., insurances, computer software, etc., at the end of their fiscal year, making only one large payment per year. The Board, seeking to have more collaboration with the Town, will be meeting with Board of Education Finance Director Kathy Lamoureux, Superintendent Pamela Aubin and the auditors to discuss what they can do together.
5. Alterations to the Agenda
The following items were removed from the Agenda:
New Business
16(d) regarding the “Ordinance Regulating Peddlers, Vendors and Solicitors”. Due to inclement weather, the Public Hearing for this Ordinance has been re-scheduled and re-posted for March 11, 2013 and discussions will ensue at the next Town Council meeting.
16(g) regarding the termination of medical and disability benefits for the position of Registrar of Voters is currently at attorneys and will likely return in ordinance form.
Motion made by Councilor Tanner, seconded by Councilor Longton. Discussion: none.
Voice vote, 7-0, all in favor. Items have been removed from the agenda.
6. To consider and act on a motion to approve:
 - a. The Regular Meeting Minutes of Monday, January 14, 2013, and;
Motion made by Councilor Longton, seconded by Councilor Jones. Discussion:
Councilor Tanner noted an error under 13(f) for Parks and Recreation which should read that the “Volleyball games are held at Tyl Middle School...” rather than “Zen Tiles...”
Voice vote, 6-0-1. Voting in Favor: Councilors Caron, Jones, Longton, McFee, Tanner,

and Buebendorf. Voting in Opposition: none. Voting in Abstention: Councilor Jaskiewicz. Motion carried.

- b. The Special Meeting Minutes of Thursday, January 24, 2013.

Motion made by Councilor Longton, seconded by Councilor Jones. Discussion: None. Voice vote, 6-0-1. Voting in Favor: Councilors Jaskiewicz, Jones, Longton, McFee, Tanner, and Buebendorf. Voting in Opposition: none. Voting in Abstention: Councilor Caron. Motion carried.

7. Executive Session

To Consider and Act on a motion to enter into Executive Session for the purposes of:

- a. Discussing terms and conditions of employment of certain non-union employees. Discussion to include members of the Town Council, Mayor Ronald McDaniel and Attorney Eileen Duggan.
- b. Discussion of strategy and/or negotiations with respect to collective bargaining with the Montville Police Union, AFSCME, Council 15, Local 2504, 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 and Attorney Eileen Duggan.
- c. Discussing miscellaneous pending litigation. Discussion to include members of the Town Council, Attorney Eileen Duggan and Mayor Ronald McDaniel.

Motion made by Councilor Jaskiewicz, seconded by Councilor Tanner. Discussion: Councilor Jones moved to refer items 7(a) and 7(b) to the Town Administration Committee in accordance to the Town rule 11(a)1, as required by town charter, which states that any wage or salary of any town employee is required to be reviewed by the Town Administration Committee, unless it has been ratified, seconded by Councilor McFee. Discussion: Councilor Jaskiewicz noted that he thought the rule only applied to additional salaries or income, not contracts that have been negotiated upon. Mayor McDaniel noted that item 7(b) has been ratified. Attorney Eileen Duggan noted that the collective bargaining issues state statutes specifically states, under section 4-474 of the general statutes, that the legislative body of the Town, i.e., the Town Council, must review, consider and approve the terms and negotiations within a specific period of time and an intermediary staff is not allowed. The Town's legislative body is only entity allowed to make such decisions on tentative agreement, itself, which the Mayor has indicated has been ratified by the Police Department. Councilor Jones corrected herself noting that she was speaking in reference to item 7(a) regarding the terms and conditions of non-union employees. In such case, with the understanding that such items have never come before the Town Administration, Attorney Duggan deferred, in part, to the Chair. While it is not in the nature of a "contract", it does set out employment terms and her understanding is that it has, historically, always gone through the Council. Councilor Jones, while not objecting to discussing the issue in executive session, questioned the necessity of the rule, if there is no intention of compliance. She felt that such issues are of great importance to the Town employees as well as the operations of the Town, in general, and that, in order to provide a legitimate review, consideration and discussion, more time should be devoted to the matter than is available during an executive session, which could be the reasoning behind such a rule. Councilor Jaskiewicz questioned whether there exists a time constraint should the discussion be delayed. Attorney Duggan clarified that the removal of discussing item 7(b) regarding the collective bargaining with the Montville Police Union would be acceptable. If and when item 7(a) goes to the Town Administration Committee, they will be discussing the salaries, wages, benefits, and the like. Councilor McFee withdrew his second to defer items 7(a) and

7(b), Councilor Jones withdrew her motion. Councilor Jones moved to refer item 7(a) to the Town Administration Committee in accordance to the Town rule 11(a)1, as required by town charter, seconded by Councilor McFee. Discussion: Councilor Buebendorf clarified that, should the motion be carried, item 7(a) will not be discussed during Executive Session. Roll Call vote, 3-4. Voting in Favor: Councilors Jones, McFee, and Buebendorf. Voting in Opposition: Councilors Caron, Jaskiewicz, Longton, and Tanner. Motion failed.

Returning to the original motion of discussing the three items during Executive Session. Discussion: With regards to item 7(c), Councilor Jones questioned whether there is a legal prerogative with regards to withholding the identification of the plaintiff(s) names in any lawsuits presented against the Town. The townspeople, she felt, should be informed as to who is suing the town. Attorney Duggan stated that there is nothing that prohibits the identification of the individuals from being made public. Voice vote, 7-0, all in favor. Motion carried. Invited parties exited Chambers for Executive Session at 6:25 p.m., returning at 7:25 p.m. Chairperson Buebendorf resumed the meeting and stated that discussions regarding item 7(a) ended at 7:09 p.m., 7(b) at 7:19 p.m., and item 7(c) at 7:37 p.m. No formal votes were taken during the executive session.

8. Remarks from the public relating to matters on the agenda with a three-minute limit.

Harry Heller, 736 Route 32, Uncasville, asked the Council to accept Monahan Drive and Dennis Drive of the Gay Hill Road sub-division into the town roadway system [item 16(c)], noting that the Planning and Zoning Commission conducted its C.G.S. §8-24 review and sent a favorable report to the Council, the town engineers' punch list has been completed, and all of the necessary documents have been submitted and accepted.

Tony Siragusa, 39 Hillcrest Drive, Uncasville, commented on the motion made by Councilor Jones regarding the violation of rules. He stated that he agreed that the rules should be followed and that they may be changed through the proper channels should the Council not agree with them. He believed that the violation of the rules would make the meeting illegal, making references to the School Board's recent spending of \$2.6 million. In addition, he felt that the Council should review the scheduling of the Executive Session in the Agenda, either placing it at the very beginning and/or at the very end of the meeting so that the public will not be required to sit and wait for an extended period of time.

9. Communications

a. A copy of the legal bills from Suisman-Shapiro for the month of November 2012.

10. Report from the Town Attorney on Matters Referred — none.

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

Mayor McDaniel thanked the community for their patience and backs that were challenged by the 36 inches of snow received during the recent blizzard. He praised the Public Works Department and Emergency Personnel as well as Emergency Management Director Ray Occhialini and Deputy Director Ed Shafer who stayed overnight in Town Hall for up to three days due to the blizzard. The Mayor reported that more compliments than complaints were received and the power was restored in a timely manner, though there were those who were without heat for 24-36 hours

Finance Director Terry Hart stated that the Town, using Municibid, sold the Corvette, the old D.A.R.E. vehicle, for \$4,100.00 (four-thousand one-hundred dollars). The numbers for refunding is currently in the process of being updated as the savings continue to fluctuate.

The restructuring of the bonds resulting in an increased savings is being investigated. They are reviewing the numbers and determining what would be in the best interest of the Town with respect to the economy and the state budget. A Pricing Call is scheduled to be held on Tuesday, March 5, 2013.

Public Works Director Don Bourdeau, Jr., reviewed the estimated costs for a town-wide trash pick-up. The numbers have been reviewed with Ms. Hart and it has been determined that it would require an increase in the town budget of \$578,674.00 (five-hundred seventy-eight thousand six-hundred and seventy-four dollars) or approximately \$79.27 (seventy-nine dollars and twenty-seven cents) per household with a house assessed at \$150,000. It would also result in the cutting of both hours and staff at the transfer station to 20 hours per week and from three full-timers and one part-timer to three part-timers. The residents at Hillcrest would be included, as would those living in condominiums and multi-family dwellings. It would not include those residing in apartment complexes. Councilor McFee stated that each dwelling, rather than each household, should be limited to three trashcans, eliminating any possible unfairness in taxes that may be caused by multi-family dwellings. Councilor Jones clarified that the town-wide trash pick-up would increase taxes by almost half a mill rate beginning on July 1. Currently, an annual Transfer Station pass is an average of \$50.00 (fifty dollars).

With regards to the Montville Road Bridge Project, the current engineer is currently conducting an investigation and a report regarding the design of the bridge is expected in med-February. In such case, they are hoping to complete and submit the report and send in the necessary applications to the Army Corps of Engineers and the CT DEP in March. If everything proceeds as planned, the Department will attend the local Inland Wetlands meetings for the towns of Montville and Norwich in April or May, by which time they should receive any comments made by the CT DEP. The plan mentioned does not include the Local Bridge Program, but the \$500,000 (five-hundred thousand dollars) state grant. If the engineering firm's findings are within that amount, the job will go out to bid.

Councilor Buebendorf, on behalf of the Town Council, thanked Mr. Bourdeau and his employees for their work and herculean efforts during and after the blizzard.

12. Reports from Standing Committees.

a. Town Administration/Rules of Procedure – Councilor Tanner.

Councilor Tanner reported that the Registrar of Voters health benefits, which will be next month's Town Council Agenda, was discussed. They also spoke with the Registrar of Voters Mary Clark Wilson regarding the Emergency Plan and she has agreed to remove the portion authorizing the Registrar of Voters to amend the Emergency Plan as needed without the approval of the Council. Councilor Tanner urged the Council to pass the revised Emergency Plan.

b. Finance – Councilor Jaskiewicz

Councilor Jaskiewicz reported that the many issues were discussed during his first meeting, the main issues which will be discussed during this evening's meeting.

c. Public Works/Solid Waste Disposal – Councilor Longton

Councilor Longton reported that the main topic of discussion was the town-wide trash pick-up and the mechanics of publicizing and promoting the issue in preparation for a town-wide vote. The matter will be presented at the next Council meeting with a proposal for an Ordinance to go to Public Hearing.

13. Reports from Special Committees and Liaison Councilors

- a. Councilor Caron: Commission on Aging; Social Services; Montville Youth Services; Senior Center; School Building Committee

Commission on Aging: Councilor Caron met with Director Kathie Peck who is currently working on the application for grants, is awaiting the delivery of new speakers, and went with couple of the Public Works employees to view the designs for their new senior bus which will be specially built for the seniors to meet their specific needs. At the meeting, the Senior Safety Zones, grant applications, and the Garden of Aging Program were discussed. The Senior Center received approximately 17 (seventeen) laptop and PC computers from Pfizer. The computers should be retrofitted and available for the seniors within the next two weeks. Councilor Caron commended Pfizer for their generous donation. Councilor Caron is currently working with Senator Cathy Osten and the Mayor to acquire a new generator for the Senior Center. The current generator at the old Police Department is inadequate in size for their needs. Private firms have expressed an interest in helping with the acquisition of a new generator.

Social Services is busy completing their move to the old Town Hall, a great location for them. Sadly, an additional 23 (twenty-three) needy families have been added.

Montville Youth Services has also been very busy. While they held no meeting, their after-school program has been swamped. Councilor Caron invited the Councilors to stop by at anytime to view the children using the computers and doing their homework. They also are taking part in a program preparing for and building benches for Public Safety and the Youth Center with the officers.

- b. Councilor Jones: Library; Planning & Zoning Commission — no report.

- c. Councilor Longton: Economic Development Commission

Economic Development Commission: The main topic of discussion was the upcoming Ordinance regarding the removal of the distance restriction for cart vendors. Due to inclement weather, the Public Hearing for this Ordinance was re-scheduled and re-posted for March 11, 2013 and discussions will ensue at the next Town Council meeting.

- d. Councilor McFee: Volunteer Firefighters Relief Fund; Inland Wetlands Commission — no report.

- e. Councilor Jaskiewicz: Board of Education; WPCA

Board of Education acknowledged the Montville Marvels, students, teachers and community members who are selected and recognized on a monthly basis for their outstanding efforts, as well as the 12 (twelve) Montville High School students who performed at an advanced level on their 2012 CT Academic Performance Test (CAPT). A demonstration of trained dogs by the State Police Department to search school property and a presentation regarding the reinstatement of Project Oceanology was provided.

WPCA: no meeting

- f. Councilor Tanner: Parks & Recreation Commission; Non-Profit Organizations

Parks & Recreation Commission: A sub-committee has been assigned to review the accommodations of all of the available gyms in the Town and is in the process of preparing a report to present to the Commission. The Judo and volleyball is continuing while basketball is winding down. The assignment was prompted by the attendance of approximately 25 (twenty-five) girls from Zumba who expressed their dissatisfaction with the moving of their venue. Councilor Buebendorf inquired about the online

registration, which she heard was going well, but that it was somewhat difficult to access. Councilor Tanner responded that the webmaster is currently in the process of making the link more accessible by having the link on the top page.

Non-Profit Organizations — no report.

- g. Councilor Buebendorf: Public Safety Commission; Regional Dispatch Committee

Public Safety Commission: Beginning in early March, the Commission will be holding a series of regular meetings in which the parties that are involved in specific parts of the Public Safety Plan will be invited to discuss and determine what and when those parts may be implemented.

Regional Dispatch Committee: Talks with the town of Ledyard are continuing regarding their joining Montville as a regional dispatch.

14. Appointments and Resignations

- a. To Consider and Act on a motion for re-appointment of Mr. Eric Lee Rousseau to the Inland Wetlands Commission with a term to expire on February 11, 2017.

Motion made by Councilor Buebendorf to remove the motion to re-appoint Mr. Eric Lee Rousseau to the Inland Wetlands Commission, seconded by Councilor Caron.

Discussion: None. Voice vote, 7-0, all in favor. Motion carried.

- b. To Consider and Act on a motion for re-appointment of Mr. Michael Fecher to the Housing Authority with a term to expire on April 30, 2018.

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

15. Unfinished Business — none.

16. New Business

- a. **Resolution #2013-08. THE TOWN OF MONTVILLE HEREBY RESOLVES to refund taxes due to overpayments and corrections in the amount of \$5,615.10 (five thousand six hundred fifteen dollars and ten cents) as requested by the Tax Collector. (Councilor Buebendorf)**

Motion made by Councilor Longton, seconded by Councilor Tanner, Discussion: None. Roll call vote, 7-0. Voting in Favor: Councilors Caron, Jaskiewicz, Jones, Longton, McFee, Tanner, and Buebendorf. Voting in Opposition: None. Resolution adopted.

- b. To Consider and Act on a Motion to introduce an ordinance titled “Ordinance Repealing Chapter 200 Ordinance No. 2012-007 Child Safety Zones”, and to set the date of March 11, 2013, for a public hearing on same to begin at 6:30 PM and to be conducted in Council Chambers at Town Hall. (Councilor Buebendorf)

Motion made by Councilor Jaskiewicz, seconded by Councilor Tanner. Discussion: Councilor Buebendorf stated that the ordinance was incorrectly repealed by resolution during the last Town meeting. The proper process is to move to introduce the Ordinance to a Public Hearing. Councilor McFee felt that the Ordinance should be left alone as enough funds have been spent for the implementation of this Ordinance. It is his understanding that the ACLU does not have any issues regarding this particular Ordinance, which is already in place and does not need to be implemented. Councilor Jones moved to postpone the motion indefinitely stating that the laws are already in effect and added that the Ordinance has been in effect in the town of Danbury since 2006 without any litigation issues, seconded by Councilor McFee. Mayor McDaniel,

who did not want to see either the Senior Safety Zones or the Child Safety Zones repealed, noted that the ACLU did say that a lawsuit would be filed on either Ordinance should they be presented with a plaintiff. Councilor Caron, who also did not want to see either Ordinance rescinded, expressed his belief in both Ordinances. Councilor Jaskiewicz stated that the cost of a Public Hearing is minimal and worthy to hear how the public feels about the Ordinance. Councilor Jones viewed the invoices from Sussman-Shapiro and noted that over \$5,000.00 (five-thousand dollars) in fees have been accumulated thus far to discuss this issue(s). Roll call vote, 3-4. Voting in Favor: Councilors Jones, Longton, and McFee. Voting in Opposition: Caron, Jaskiewicz, Tanner, and Buebendorf. Motion failed.

Returning to the original motion of introducing the Ordinance for a Public Hearing. Discussion: None. Roll call vote, 3-4. Voting in Favor: Councilors Jaskiewicz, Tanner, and Buebendorf. Voting in Opposition: Caron, Jones, Longton, and McFee. Motion failed.

c. Resolution #2013-09. THE TOWN OF MONTVILLE HEREBY RESOLVES under the provisions of Section C304 (4) of the Town Charter to accept Monahan Drive and Dennis Drive into the town roadway system. (Councilor Buebendorf)

Motion made by Councilor Longton, seconded by Councilor Tanner, Discussion: Mayor McDaniel clarified that Monahan Drive and Dennis Drive are the two streets located off of Gay Hill Road. Roll call vote, 7-0. Voting in Favor: Councilors Caron, Jaskiewicz, Jones, Longton, McFee, Tanner, and Buebendorf. Voting in Opposition: None. Resolution adopted.

d. THE TOWN OF MONTVILLE HEREBY RESOLVES to approve and adopt the ordinance titled "Ordinance Amending Chapter 289, Ordinance No. O-G-4, "Ordinance Regulating Peddlers, Vendors and Solicitors", as read at a public hearing on Monday, February 11, 2013. (Councilor Longton)

Resolution removed from the Agenda.

e. Resolution #2013-10. THE TOWN OF MONTVILLE HEREBY RESOLVES to reinstate the Floating Secretary Position and transfer \$7,000 to that line (10310-51051) in the Mayor's budget from the Administrative Secretary (10910-51050) in the Public Works Budget. (Councilor Jaskiewicz)

Motion made by Councilor Longton, seconded by Councilor McFee. Discussion: Mayor McDaniel stated that the Resolution, vetted by the Finance Committee, would allow the offices to provide continuous public service in the event of an illness or a vacation. The Resolution would also provide cross-training allowing the individual to float through various departments. There have been instances in the past when offices were required to close for hours at a time for various reasons. This part-time position was previously de-funded and, thus, is established, but is not filled. Roll call vote, 6-1. Voting in Favor: Councilors Caron, Jaskiewicz, Jones, Longton, McFee, and Buebendorf. Voting in Opposition: Councilor Tanner. Resolution adopted.

f. Resolution #2013-11. THE TOWN OF MONTVILLE HEREBY RESOLVES to approve the Emergency Contingency Model Plan of Elections. (Councilor Tanner)

Motion made by Councilor Jaskiewicz, seconded by Councilor Longton, Discussion: Mayor McDaniel elucidated that the plan arose from the unforeseeable events which occurred in Bridgeport in 2010 and the snowstorms of 2011 close to the election at which time the state developed an Emergency Plan which they are requiring all towns to

adopt unless they create and adopt their own plan. Determining that the state plan would be very costly, Registrar of Voters Mary Clark Wilson developed a much more efficient and less costly Model Plan. The original plan included a contingency authorizing the Registrar of Voters to amend the Emergency Plan as needed without the approval of the Council. The Plan has since been amended deleting that contingency. Ms. Wilson was unable to attend the meeting this evening, but is in favor of the plan as amended. Roll call vote, 7-0. Voting in Favor: Councilors Caron, Jaskiewicz, Jones, Longton, McFee, Tanner, and Buebendorf. Voting in Opposition: None. Resolution adopted.

- g. THE TOWN OF MONTVILLE HEREBY RESOLVES to terminate medical and disability benefits for the position of Registrar of Voters following expiration of the term of office which commenced on November 7, 2012. (Councilor Tanner)

Resolution removed from the Agenda.

- h. Resolution #2013-12. THE TOWN OF MONTVILLE HEREBY RESOLVES to approve the terms and conditions of employment for the Finance Director as outlined in executive session. (Councilor Buebendorf)**

Motion made by Councilor Caron, seconded by Councilor McFee, Discussion: Councilor Jones moved to refer items 7(a) and 7(b) to the Town Administration Committee for review in accordance to the Town rule 11(a)1, seconded by Councilor McFee. Discussion: Councilor Longton stated that these issues were discussed in depth earlier with the inclusion of all of the members of the Town Administration Committee, the Town Council, and the Mayor. Councilor Jaskiewicz suggested that the Council accept the Resolution and, then, get a qualification on the rule to see if it applies to this particular situation. Councilor Tanner felt that she received adequate information during Executive Session and did not feel any further discussion to be necessary. Councilor McFee noted that questions did arise during Executive Session and there would be no harm in sending the Resolution to the Town Administration Committee for review. He felt that rules have been established and it would benefit them to ensure that everything is in line. Councilor Longton reiterated that the issue was discussed with the Committee, Council, and Mayor and added that, under normal circumstances, the Council and Mayor may not be in attendance. Mayor McDaniel agreed to send the Resolution to the Committee, but only with the assurance that the issue does not get buried and is returned in time for discussion at the next Town Council meeting in March. The rule may be reviewed after the fact. Roll call vote, 3-4. Voting in Favor: Councilors Jones, McFee, and Buebendorf. Voting in Opposition: Caron, Jaskiewicz, Longton, Tanner. Motion failed.

Roll call vote for original motion to approve the terms and conditions of employment for the Finance Director, 6-1. Councilors Caron, Jaskiewicz, Longton, McFee, Tanner, Buebendorf. Voting in Opposition: Councilor Jones. Resolution adopted.

- i. Resolution #2013-13. THE TOWN OF MONTVILLE HEREBY RESOLVES to approve the terms and conditions of employment for the Administrative Assistant to the Mayor as outlined in executive session. (Councilor Buebendorf)**

Motion made by Councilor Longton, seconded by Councilor Tanner, Discussion: Councilor Jones moved to refer items 7(a) and 7(b) to the Town Administration Committee for review in accordance to the Town rule 11(a)1, seconded by Councilor Buebendorf. Discussion: None. Roll call vote, 3-4. Voting in Favor: Councilors Jones, McFee, and Buebendorf. Voting in Opposition: Councilors Caron, Jaskiewicz, Longton, and Tanner. Motion failed.

Roll call vote for original motion to approve the terms and conditions of employment for the Administrative Assistant to the Mayor, 5-2. Voting in Favor: Councilors Caron, Jaskiewicz, Longton, Tanner, and Buebendorf. Voting in Opposition: Councilors Jones and McFee. Resolution adopted.

- j. Resolution #2013-14. THE TOWN OF MONTVILLE HEREBY RESOLVES to approve the funds necessary to implement the written agreement, and the terms of the written agreement, between the Town of Montville –and- Montville Police Union, AFSCME, Council 15, Local 2504 for the period of July 1, 2012-June 30, 2016. (Councilor Buebendorf)**

Motion made by Councilor Longton, seconded by Councilor Jones, Discussion: Councilor Buebendorf expressed that this was a fair contract. Roll call vote, 7-0. Voting in Favor: Councilors Caron, Jaskiewicz, Jones, Longton, McFee, Tanner, and Buebendorf. Voting in Opposition: None. Resolution adopted.

- k. Resolution #2013-15. THE TOWN OF MONTVILLE HEREBY RESOLVES to approve the settlement of pending litigation in C.A. NO.: 3:12-CV-01051 (MRK) as outlined in executive session. (Councilor Buebendorf)**

Motion made by Councilor Longton, seconded by Councilor Tanner, Discussion: Councilor Buebendorf noted that the plaintiff in this case is Mr. Tom McNally. Roll call vote, 7-0. Voting in Favor: Councilors Caron, Jaskiewicz, Jones, Longton, McFee, Tanner, and Buebendorf. Voting in Opposition: None. Resolution adopted.

- l. Resolution #2013-16. THE TOWN OF MONTVILLE HEREBY RESOLVES to approve the settlement of pending litigation in KNL-CV-10-6002576-S as outlined in executive session. (Councilor Buebendorf)**

Motion made by Councilor Jones, seconded by Councilor Longton, Discussion: Councilor Buebendorf noted that the plaintiff in this case is Mr. Richard Lenda. Roll call vote, 6-0-1. Voting in Favor: Councilors Caron, Jones, Longton, McFee, Tanner, and Buebendorf. Voting in Opposition: None. Voting in Abstention: Councilor Jaskiewicz. Resolution adopted.

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

Tony Siragusa, 39 Hillcrest Drive, Uncasville, spoke with regards to the motions made during the discussion. A motion should be made, then seconded, then the motion may be amended or withdrawn and a new motion made. A motion should not simply disappear. He also inquired as to whether the public has the opportunity to review the contracts and legal settlements that were discussed during Executive Session and, subsequently approved.

18. Executive Session — none.

19. Remarks from the Councilors

Councilor Jones expressed her appreciation to Mr. Bourdeau and the Public Works crew for a great job in dealing with the blizzard over the weekend.

Councilor McFee is happy to see the end of the Safety Zone issues. He is pleased and impressed with the estimated costs of the town-wide trash pick-up. A .45 mill increase to provide the town with trash-pick up will save those residents who pay for trash pick-up over \$200.00 a year resulting in a savings of almost one mill and will also likely amount to a savings for those who purchase the stickers at the transfer station when the cost of gas is

added into the equation. He also commented on the upcoming Public Hearing regarding the “Ordinance Regulating Peddlers, Vendors and Solicitors”. He has researched the ordinances of the surrounding local towns and discovered that Montville is, next to Norwich, the second most lenient town for vendors. The towns of Waterford, East Lyme, Stonington, and Ledyard are more restrictive.

Councilor Longton, remembering the blizzard of 1978 when he was locked in for a week and a half, expressed his appreciation to Mr. Bourdeau and all who work with him for their awesome efforts. His ability to be able to get into his car the next day and drive away was incredible. In response to Mr. Siragusa and Councilor Jones, he stated that he would have been inclined to vote in support of sending the Resolution to the Town Administration Committee should the entire Committee not have been present during the Executive Session, but to do so would have been redundant and delayed the issue.

Councilor Caron also expressed his gratitude to Mr. Bourdeau and his crew as well as the Police Department, Emergency Management, Volunteers, and the public for their patience during the storm.

Councilor Jaskiewicz – none.

Councilor Tanner thanked Mr. Bourdeau again for an outstanding job for clearing the streets helping to get the children to school while other school districts remained closed.

Mayor McDaniel thanked everyone for all of their patience.

Councilor Buebendorf thanked the Mayor and all those involved with Emergency for their work and time spent during blizzard. In response to Mr. Siragusa, she agreed with him regarding the length of time spent in Executive Sessions. She has been working hard to avoid the public having to sit for an extended period of time during the Executive Sessions, but was unable to find a way around it this evening. She acknowledged and apologized to all who patiently waited. With regards to the contracts and legal settlements, she stated that all of the information is public and he may make an FOI request to view the documents. Councilor Buebendorf encouraged the Town Administration Committee to review the rules for the Town Council and verify the proceedings. She extended a special thanks to Ms. Hart for taking the minutes in lieu of the Recording Clerk who was unavailable due to the re-scheduling of the meeting.

20. Adjournment

Motion made by Councilor Longton, seconded by Councilor Tanner, to adjourn the meeting at 8:35 p.m. Discussion: None. Voice Vote, 7-0, all in favor. Motion carried.

Respectfully Submitted by:

Agnes Miyuki, Recording Secretary for the Town of Montville

AN AUDIO RECORD OF THE MEETING IS ON FILE IN THE MONTVILLE TOWN CLERK’S OFFICE