

Town of Montville Town Council
Regular Meeting Minutes for January 8, 2018
7:00 p.m. – Town Council Chambers – Town Hall

1. Call to Order
Deputy Chairman Pike 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 Caron, Jaskiewicz, Pike, Pollard, Rogers, and Rogulski. Absent was Councilor McNally, who is on vacation. Also present was Mayor Ronald McDaniel.
4. Special Recognitions/Presentations – *none*
5. Alterations to the Agenda
Motion made by Councilor Jaskiewicz, seconded by Councilor Caron, to amend the agenda as follows:
 - Item 7(a) To Consider and Act on a Motion to enter into Executive Session for the purpose of interviewing candidates for the Building Code Board of Appeals *and Water & Sewer Commission*. Discussions to include members of the Town Council and Mayor Ronald McDaniel.Discussion: None. Voice vote, 6-0, all in favor. Motion carried.
6. To Consider and Act on a motion to approve:
 - a. The Special Meeting Minutes of December 11, 2017 (Candidate Interviews)
Motion made by Councilor Rogers, seconded by Councilor Caron. Discussion: None. Voice vote, 6-0, all in favor. Motion carried.
 - b. The Regular Meeting Minutes of December 11, 2017
Motion made by Councilor Jaskiewicz, seconded by Councilor Rogulski. Discussion: None. Voice vote, 6-0, all in favor. Motion carried.
7. Executive Session
 - a. To Consider and Act on a Motion to enter into Executive Session for the purpose of interviewing a candidates for the Building Code Board of Appeals and Water & Sewer Commission. Discussions to include members of the Town Council and Mayor Ronald McDaniel.

Motion made by Councilor Jaskiewicz, seconded by Councilor Rogulski. Discussion: None. Voice vote, 6-0, all in favor. Motion carried. Invited parties exited Chambers for Executive Session at 7:03 p.m. Deputy Chairman Pike resumed the meeting at 7:14 p.m. No votes were taken during Executive Session.
8. Remarks from the public relating to matters on the agenda with a three-minute limit
Fire Marshal Raymond Occhialini spoke in support of item 16(d) regarding the Volunteer Firefighters' Relief Program. The Agreements were recommended by Almont Associates in their 2012 Public Safety Study and the contracts are necessary to complete the Town's Local Emergency Medical Service Delivery Plan, which has been approved by the Public Safety Commission. In addition, speaking as both the Fire Marshal and a resident of the Town, he spoke against item 16(f) to waive the prohibition of the sale, use, or possession of alcoholic beverages for the 2018 Carnival due to the violence the consumption of alcohol can incite, the fact that the Carnival is for the children of the Town, and the additional funds that would need be expended by the Town. He felt that the Commission should better organize and invest more time and effort into the event to include other forms of entertainment, including food trucks, and in improving the marketing the event to help generate additional funds.

Montville Police Lt. Leonard Bunnell also spoke against item 16(f), citing the negative activities that took place at the Beer Fest during the 1970s. He also expressed his dismay with

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not being contacted by the Commission to provide any input into the matter. The Resolution, as presented, provides them with carte blanche. Should they decide to waive the rule, it must be held within a controlled environment, i.e., the Lebanon Country Fair, and a Policy must be in place and time and effort must be invested to ensure that problems do not arise due to the consumption of alcohol.

Gary Murphy, 1439 Old Colchester Road, Oakdale, spoke strongly against item 16(f) based upon his experience with the Fire Department and the carnage that that he has witnessed over the years due to the consumption of alcohol at such events. He, too, recalled the Beer Fest during which they were forced to utilize the fire hoses in an effort to help control the raucous crowd and the resulting negative publicity. The Carnival, he felt, is not the time or place to serve alcohol. He also spoke in favor of item 16(d), which the Fire Chiefs have been working on over the past two years, meeting with the lawyers, the Mayor, and insurance companies. The item provides a written agreement to the tasks and actions in which the Fire Companies have been and are currently engaged.

9. Communications

- a. Copy of the December 2017 budget report from Ms. Terry Hart, Finance Director
- b. Copy of the legal bills from Suisman-Shapiro for the month of October 2017
- c. Copy of the legal bill from Waller, Smith & Palmer regarding an Ethics Complaint

10. Report from the Town Attorney on Matters Referred – *none*

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

Finance Director Hart reported that the Town received approximately \$25,000.00 last month from the Rossi Corporation, who they have hired to help collect back taxes. Over the past two years, the collection agency has collected approximately \$130,000.00. Any interest and fees associated with the taxes and the collection of the funds are passed on to the payer.

Mayor McDaniel reported on a slow month due to the holidays. He commended the Public Works Department, who has been busy due to the recent storm. Both Deputy Chairman Pike and Councilor Caron concurred, adding that, though the Department was down two trucks, they were able to still do a phenomenal job.

12. Reports from Standing Committees.

- a. Town Administration/Rules of Procedure – Councilor Jaskiewicz – *no report*
- b. Finance – Councilor Pike – *no report*
- c. Public Works/Solid Waste Disposal – Councilor McNally
The Committee elected Councilor McNally as their Chairman and approved the 2018 meeting dates.

13. Reports from Special Committees and Liaison Councilors

- a. Councilor Pike: Board of Education (BOE), Planning & Zoning Commission
At the recent BOE meeting, Assistant Superintendent Laurie Pallin provided a presentation regarding the testing results for third grade to high school level students in comparison to the State and nation. Councilor Pike stated that the scores have accelerated commendably over the past five (5) years and we should all be very proud of our schools.

Two Public Hearings are scheduled to be held tomorrow evening by the Planning & Zoning Commission.
- b. Councilor Pollard: Commission on Aging, Non-Profit Organizations – *no report*
- c. Councilor Rogers: Economic Development Commission, Parks & Recreation Commission, Public Safety Commission, Water Pollution Control Authority (WPCA)
The Economic Development Commission (EDC) is continuing to work on the website, are distributing the revised M-BAP (Montville Business Assistance Program) pamphlet, and discussed inviting the Town Planner to attend their future meetings.

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Congratulations were extended to newly elected Parks & Recreation Commission Chairperson Karen Perkins, Vice-Chairperson Matt Beaupre, and Secretary Danielle Butzgy. The holiday winter wreaths were ordered and hung by the Public Works Department along Route 32 and many favorable comments have been received; Parks & Recreation Director Peter Bushway, the Commissioners, and Public Works Director Don Bourdeau, Jr., and his staff were thanked for their time, energy, and efforts. A well-attended Holiday Parade and a very successful Holiday Home Lighting Contest were held. Appreciation was extended to the Montville Rotary Club for judging the contest and B&D Auto Body, Montville Florist, and Butzgy Insurance Agency for donating the first, second, and third place prizes which were presented to 365 Kitemaug Road (Overall Winner), 1063 Old Colchester Road (Best Classic/Traditional), and 22 New York Road (Most Original).

- d. Councilor Rogulski: Library Committee, Youth Services Bureau and Advisory Board
The Youth Services Bureau held a Montville Green Out! event in remembrance of the tragic shooting at Sandy Hook Elementary School and an Annual End-of-Year Party.
- e. Councilor Caron: Volunteer Fire Fighters' Relief Fund, Social Services
Councilor Caron expressed his appreciation to everyone who has donated to Social Services for those in need. The need is ongoing and all were encouraged to visit and either volunteer their time and/or donate any needed items.

He commended the First Responders for their hard work and urged the Councilors to support item 16(g) regarding the Volunteer Fire Fighters' Relief Program.

14. Appointments and Resignations

- a. To Consider and Act on a Motion to re-appoint Gary S. Allyn to the Public Safety Commission with a term to expire on January 9, 2021.

Motion made by Councilor Caron, seconded by Councilor Jaskiewicz. Discussion: Councilor Jaskiewicz spoke in support of Mr. Allyn's re-appointment based on his extensive amount of knowledge and experience as the Fire Chief for the Town of West Hartford and working for the Federal Emergency Management Agency (FEMA). Councilor Rogulski concurred, but expressed his concern regarding the number of meetings he has missed. Roll Call vote, 3-3. Voting in Favor: Councilors Caron, Jaskiewicz, and Pollard. Voting in Opposition: Councilors Rogers, Rogulski, and Pike. Motion failed.

- b. To Consider and Act on a Motion to appoint Brian Quinn to the Water & Sewer Commission with a term to expire on January 9, 2022.

Motion made by Councilor Rogulski, seconded by Councilor Caron to waive the waiting period for appointments, Rule 14C of the Town Council Rules of Procedure, for the Water & Sewer Commission. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pollard, Rogers, Rogulski, and Pike. Voting in Opposition: None. Motion carried.

Motion made by Councilor Caron, seconded by Councilor Rogulski, to appoint Brian Quinn to the Water & Sewer Commission with a term to expire on January 9, 2022. Discussion: None. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pollard, Rogers, Rogulski, and Pike. Voting in Opposition: None. Motion carried.

- c. To Consider and Act on a Motion to nominate and appoint one of the following candidates to fill a vacancy on the Public Safety Commission with a term to expire on January 9, 2021:

Ray Coggeshall	Victor Lenda, Jr.	Lisa Przybyl	Jim Toner
Stevenson R. Jones	Chuck Longton	Tony Siragusa	

Motion made by Councilor Rogers, seconded by Councilor Caron, to nominate Victor Lenda, Jr. Discussion: Deputy Chairman Pike felt that Mr. Lenda, who he served with on the Montville Law Enforcement Feasibility Committee, is a very qualified individual and

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would be a fine asset to the Commission. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pollard, Rogers, Rogulski, and Pike. Voting in Opposition: None. Motion carried.

15. Unfinished Business – *none*

16. New Business

- a. **Resolution #2018-01. THE TOWN OF MONTVILLE HEREBY RESOLVES** to refund taxes due to overpayments and corrections in the amount of \$6,725.99 (six thousand seven hundred twenty five dollars and ninety-nine cents) as requested by the Tax Collector. (Councilor McNally)

Motion made by Councilor Jaskiewicz, seconded by Councilor Caron. Discussion: None. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pollard, Rogers, Rogulski, and Pike. Voting in Opposition: None. Resolution passed.

- b. **Resolution #2018-02. THE TOWN OF MONTVILLE HEREBY RESOLVES** to retain the law firm of Halloran & Sage, LLP as legal counsel for the Town of Montville with a term of January 2, 2018 through December 31, 2019 and further to authorize the Mayor to Execute the Fee Agreement outlined in the proposal submitted by the law firm. (Councilor McNally)

Motion made by Councilor Rogers, seconded by Councilor Rogulski. Discussion: Councilor Jaskiewicz stated that, traditionally, representatives from each of the law firms have been invited for an interview with the Town Council. He felt that it would behoove them to continue this practice, given the amount of funds the Town would be committing to. While Councilor Rogulski noted that, according to the Town Charter, the Town has two months to appoint a Town Attorney, Mayor McDaniel informed the Councilors that, because the Town Council would be in the process of appointing a Town Attorney, they would not be in violation of the spirit of the Charter should they wish to postpone the appointment to interview the law firms. In addition, it was stated that a Special Meeting might also be scheduled to meet the requirements of the Town Charter. Deputy Chairman Pike provided a brief background of the law firm, adding that both Attys. Matthew J. Willis and Ronald F. Ochsner have been retained by the Planning & Zoning Commission and Water Pollution Control Authority (WPCA) and felt that their prices are competitive. Councilor Rogers concurred. While commending Atty. Ochsner, Councilor Caron felt that the prices were not in question and agreed that it might behoove them to meet with the three law firms before making a final decision. Should the Councilors decide to postpone their decision, no additional firms will be provided with the opportunity to submit a Request for Proposal (RFP). It was confirmed that none of the Councilors have any personal dealings with any of the law firms. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pollard, Rogers, Rogulski, and Pike. Voting in Opposition: None. Resolution passed.

- c. **Resolution #2018-03. THE TOWN OF MONTVILLE HEREBY RESOLVES** to commit \$60,676.71 (sixty thousand six hundred seventy-six dollars and seventy-one cents) to the Education Reserve Fund for fiscal year 2016-2017. (Councilor Pike)

Motion made by Councilor Caron, seconded by Councilor Rogers. Discussion: Deputy Chairman Pike stated that the item pertains to the Town Council's approval of the policy for the establishment of a dedicated, non-lapsing account of up to 1% of its total budgeted amount. Superintendent Brian Levesque stated that there are no specific plans for the funds at this time. The BOE must vote in favor of any proposed expenditures out of the fund and a letter listing/stating the use of the funds and its purpose must be submitted to the Town Council. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pollard, Rogers, Rogulski, and Pike. Voting in Opposition: None. Resolution passed.

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- d. **Resolution #2018-04. THE TOWN OF MONTVILLE HEREBY RESOLVES** that Mayor Ron McDaniel be and hereby is authorized execute the Fire Service Agreements with the Montville, Chesterfield, Mohegan and Oakdale Fire Companies. (Mayor McDaniel)

Motion made Councilor Rogulski, seconded by Councilor Pollard. Discussion: Mayor McDaniel urged the adoption of the Agreements, which formalizes and memorializes the Town's past and current practice and relationship with the Fire Companies. It is a very positive step forward and will also help the Town meet the new State mandate. The appendices delineates the service areas and equipment that the Town holds and is responsible for. As previously stated, both Fire Marshal Occhialini and former Oakdale Fire Company Chief Murphy are in favor of the Agreement. In response to Deputy Chairman Pike, the Agreement is a living document that is valid for five-years unless cancelled by mutual agreement. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pollard, Rogers, Rogulski, and Pike. Voting in Opposition: None. Resolution passed.

- e. **Resolution #2018-05. THE TOWN OF MONTVILLE HEREBY RESOLVES** to set the date of April 23, 2018, at 6:00 PM for a public hearing regarding the General Government proposed Budget for fiscal year 2018-2019 at Montville High School Auditorium and to set the date of April 26, 2018, at 6:00 PM for a public hearing regarding the Board of Education proposed budget for fiscal year 2018-2019 at Montville High School Auditorium. (Councilor McNally)

Motion made Councilor Jaskiewicz, seconded by Councilor Caron. Discussion: None. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pollard, Rogers, Rogulski, and Pike. Voting in Opposition: None. Resolution passed.

- f. **THE TOWN OF MONTVILLE HEREBY RESOLVES** to waive the General Rule regarding the prohibition of the sale, use, or possession of alcoholic beverages at any time or in any form on Town park and recreational areas as stated in the "Rules and Regulations for Camp Oakdale and Fair Oaks School Facilities", dated April 2000, for the 2018 Montville Carnival. (Councilor Rogers)

Motion made by Councilor Rogers, seconded by Councilor Jaskiewicz, to withdraw the Resolution. Discussion: Councilor Rogers stated that, in light of the comments provided by the Fire Marshal, Police Lieutenant, and Former Oakdale Fire Company Chief, he would like to withdraw the Resolution and request that the Parks & Recreation Commission further investigate the request. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pollard, Rogers, Rogulski, and Pike. Voting in Opposition: None. Resolution passed.

- g. **Resolution #2018-06. THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve and adopt Ordinance No. 2006-003, titled "An Ordinance to Amend 'Ordinance 2006-003, Establishing the Volunteer Firefighters' Relief Program of the Town of Montville'" as heard at the public hearing held on Monday, January 8, 2018 at 6:30 p.m. in the Town Council Chambers at Montville Town Hall. (Councilor McNally)

Motion made by Councilor Jaskiewicz, seconded by Councilor Rogers. Discussion: Councilor Caron expressed his support and urged the Councilors to do the same, as did Deputy Chairman Pike, who expressed the importance of rewarding the volunteer firefighters. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pollard, Rogers, Rogulski, and Pike. Voting in Opposition: None. Resolution passed.

- h. **Resolution #2018-07. THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve and adopt the Ordinance, titled "Ordinance for the Conveyance of 335+/- Square Feet of Property Located at 836 Old Colchester Road and Four Easements for the Purpose of Constructing Old Colchester Road Culverts over Fox Brook" as heard at the public

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hearing held on Monday, January 8, 2018 at 6:45 p.m. in the Town Council Chambers at Montville Town Hall. (Councilor McNally)

Motion made by Councilor Jaskiewicz, seconded by Councilor Caron. Discussion: None. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Caron, Jaskiewicz, Pollard, Rogers, Rogulski, and Pike. Voting in Opposition: None. Resolution passed.

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

Lt. Bunnell thanked Councilors for withdrawing item 16(f) and expressed his availability to the Commission to review the Policy with, possibly, the Resident State Trooper in Lebanon.

Gary Murphy also thanked the Councilors for withdrawing item 16(f) and felt that Mr. Lenda would be an outstanding addition to the Public Safety Commission and would encourage others to serve on the Commission (item 14c). He also thanked the Town Council for their positive vote on the approval and adoption of item 16(g).

18. Remarks from the Councilors and the Mayor

Councilor Rogulski thanked everyone for attending and wished everyone a great new year.

Councilor Pollard concurred and announced that a very good friend and boss, Peter Woyasz of Woyasz and Son Funeral Home, recently passed away. She asked that everyone keep him in their prayers.

Councilor Rogers wished everyone a Happy New Year and thanked everyone for coming out in the inclement weather. He also thanked Lt. Bunnell, Fire Marshal Occhialini, and Former Oakdale Fire Company Chief Murphy for their comments regarding item 16(f), adding that the Commission is eager to do this and do it the right way, ensuring the success of the event for the Town and its people.

Councilor Caron also thanked everyone for attending the meeting on this snowy night and thanked them for speaking out about item 16(f). He looks forward to an interesting year and encouraged all of the Councilors to become involved with Social Services. He also expressed his dismay regarding the need for the Department to piggyback upon another 501(c)3 to accept donation because the municipality is not considered a 501(c)3.

Councilor Jaskiewicz wished everyone a safe drive home.

Mayor McDaniel also expressed his dismay with the inability of the municipality to accept donations to keep the food pantry stocked. He thanked the Fire Police and Volunteer Firefighters for their help during the Parade and wished everyone a safe drive home.

Councilor Pike thanked the Mayor for his help this evening and expressed his appreciation to the public for their patience and for attending this evening's meeting. He looks forward to working with everyone this year. He is pleased that Montville is moving over to the right in a smart fashion.

19. Adjournment

Motion made by Councilor Jaskiewicz, seconded by Councilor Rogulski, to adjourn the meeting at 8:07 p.m. Discussion: None. Voice vote, 6-0, all in favor. Meeting adjourned.

Respectfully Submitted by:

Agnes 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 – FORM REPOSITORY – MEETING RECORDINGS**