

**Town of Montville Town Council
Regular Meeting Minutes
January 11, 2021, 7:00 p.m.
Town Council Chambers – Town Hall – via GoToWebinar**

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On March 14, 2020, Governor Ned Lamont issued an Executive Order 7B suspending in-person open meeting requirements, and to hold such meetings or proceedings remotely by conference call, videoconference or other technology.

Link: <https://portal.ct.gov/-/media/Office-of-the-Governor/Executive-Orders/Lamont-Executive-Orders/Executive-Order-No-7B.pdf>

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Written comments may not be read in their entirety, but rather similar messages may be aggregated or paraphrased for submission to the Mayor and Council.

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Comments will only be accepted at times designated for public comment by the Chair of the meeting. The Montville Town Council Rules of Procedure, decorum, timeliness and suitability shall be followed and enforced in the same manner as if the meeting were held in person.

1. Call to Order
Chairman May 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 and those residents who have passed away or are struggling with the coronavirus.
3. Roll Call
Present were Councilors Leonard Bunnell, Sr., Billy Caron, Joseph Jaskiewicz, Tim May, Kathleen Pollard, Colleen Rix, and Joseph Rogulski. Also present was Mayor Ronald McDaniel.
4. Special Recognitions/Presentations
 - a. 2020 Audit
Auditors Nikoleta McTigue, Principal, and Matthew Bonin, Director, CliftonLarsonAllen (CLA) Wealth Advisors, LLC, provided a presentation of the town's 2020 Audit.

Basic Financial Statements

An Unmodified Opinion was issued for the basic financial statements; two (2) prior period adjustments, which did not affect the final opinion, were made. One (1) significant deficiency, related to significant audit adjustments, was reported on the town's internal controls over financial reporting.

Federal Single Audit

An Unmodified Opinion was issued on major Federal programs; one (1) significant internal control finding in which the Procurement, Suspension, and Debarment requirement was not followed was found. The Procurement Policy must be updated to include essential elements as outlined in 2 CFR (Title 2 Code of Federal Regulations) of Uniform Guidance.

The town expended \$2.5 million in Federal awards. The town's Highway Planning and Construction Cluster, with a total of \$863,000.00 expended, was tested and an Unmodified Opinion was issued on Major Program Compliance.

State Single Audit

An Unmodified Opinion was issued on major State programs and no significant deficiencies in internal control over compliance were reported.

The town expended \$17.4 million in State awards. The following major programs, totaling \$2.6 million, were tested: Grants for Water Pollution Control, Town Aid Road, Reimbursement for Tax Loss on State-owned Property, and Municipal Grants-in-Aid and an Unmodified Opinion was issued on Major Program Compliance.

Financial Highlights

The net position of the town's governmental activities, excepting its fiduciary activities, is \$82.2 million (\$75.3 million capital assets and \$6.9 million unrestricted funds). The net position of the town's business-type activities, which includes the water and sewer departments, is \$58.7 million (\$47.6 million capital assets and \$11.1 million unrestricted funds).

General Fund

The total Fund Balance is \$16.5 million, an increase of \$400,000.00 from the prior year. Of the \$16.5 million, \$13.3 million is the General Fund Balance of which \$77,000.00 is restricted, \$333,000.00 is Committed for education carryover, \$1.7 million is Assigned to encumbrances (\$920,000.00) and capital appropriation (\$751,000.00), and \$11.2 million is Unassigned.

The Unassigned Fund Balance to Expenditures and Transfers Out has grown steadily over the last five years, balancing out at over 16% over the last two years.

General Fund revenues were \$314,000.00 higher than budgeted while the expenditures were \$1.1 million lower than budgeted. Though the property tax collection rate was higher than the prior-year (98.55% vs. 98.37%), the rate was \$646,000.00 lower than budgeted.

Sewer Department

The total net position of the Sewer Department was \$47.9 million (\$37.5 million in capital assets, \$10.4 million unrestricted with a net pension liability of \$2.1 million)

Water Department

The total net position of the Water Department was \$10.8 million (\$10.1 million in capital assets, \$700,000.00 unrestricted)

Internal Service Fund

The total net position of the Internal Service Fund was \$2.7 million.

Fiduciary Net Position

The Private-Purpose Trust Fund (scholarship) ended the fiscal year with a net position of \$476,000.00 and Agency Funds (student activities, performance bond) reported a total of \$473,000.

Long-term Liabilities

The total long-term liabilities, which includes bonds payable, net pension liability, total OPEB (Other Post-Employment Benefits), and other liabilities, for Governmental Activities totaled \$44.8 million.

The total long-term liabilities for Business-type Activities, which includes bonds payable, net pension liabilities, and other liabilities, totaled \$4 million.

Communications

No new standards were adopted. Several significant estimates, including the Net Pension Liability, Net OPEB Liability, Capital Assets (Useful Lives), Allowance for Uncollectible Receivables, Claims Incurred But Not Reported (IBNR) Liability, and Landfill Post Closure Care Liability, were provided.

There were no disagreements with management and no other accountants were consulted by the management; no difficulties were encountered in performing the audit; no uncorrected misstatements, and; no independence issues were encountered.

A Management Advisory Letter was provided to the management and includes (entity-wide) maintaining documentation of bank reconciliations; drafting a formal Accounting Policies and Procedures document, and; prioritizing, reviewing, and implementing, as needed, the comments provided for the information technology controls, which was provided in a separate report. They also recommended that the town prepare their General Fund budget in accordance with the GAAP (General Accepted Accounting Principles) reconciliation process and that the General Fund netting of transactions be included in the town's reported revenues and expenditures. The letter does not reflect any significant deficiencies or material weaknesses, but are items for consideration to improve the existing internal controls and processes. For the WPCA (Water Pollution Control Authority), the Auditors recommended they review and approve journal entries; provide supporting documentation for expenditures; regularly update the general ledger accounting, and; per the prior year, procurement and reporting.

GASB (Governmental Accounting Standards Board) Standards

There are several new GASB Standards affecting the town that must be implemented in the near future including Statement 84, Fiduciary Activities, which affects the reporting of the private purpose trust funds and agency funds and Statement 87, Leases, which will require that all leases must be entered in the town's financial statements.

Announcement: Merger of BlumShapiro with CLA

As of January 1, 2021, BlumShapiro merged with CLA. As the eighth largest accounting firm in the United States and the largest provider of auditing accounting services in the country, CLA currently serves approximately 3,500 government clients and is the largest accounting firm in the country. Their teams will remain intact and maintain the same offices. The merger will provide the company with more resources and opportunities to better serve their clients.

Questions/Comments

Mayor McDaniel wished to clarify that the town is paying into the pension fund, though the reporting of the town's net pension liability appears to show otherwise. Auditor McTigue confirmed that the town is contributing 100% to the pension plan, as required, but that there is a long-term liability.

The Auditors were thanked for their presentation.

5. Alterations to the Agenda

Motion made by Councilor Jaskiewicz, seconded by Councilor Caron, to remove item 16(d) from the Agenda. Discussion: The item is being proposed for removal so that the matter may be further investigated. Voice vote, 7-0, all in favor. Motion carried.

6. To Consider and Act on a Motion to Approve:
 - a. The Regular Meeting Minutes of December 14, 2020
Motion made by Councilor Rogulski, seconded by Councilor Pollard. Discussion: None.
Voice vote, 7-0, all in favor. Motion carried.
7. Executive Session – *none*
8. Remarks from the public relating to matters on the agenda with a three-minute limit – *none*
9. Communications
 - a. Copy of the December 2020 Financial Report from Terry Hart, Finance Director
 - b. Copy of the legal bills from Halloran & Sage for the month of October 2020
 - c. Copy of the legal bills from Halloran & Sage for the month of November 2020
 - d. Copy of the legal bills from Suisman-Shapiro for the month of November 2020
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 was pleased to announce that a Swearing-In Ceremony was held for the Montville Police Department's 26th Officer.

The Senior and Social Services Department delivered hundreds of holiday meals to the town's homebound seniors and individuals/families in need.

He continues to work with CT DEEP (Connecticut Department of Energy & Environmental Protection) Commissioner Katie Dykes on the drafting of a Solid Waste Management Plan that will encompass all aspects of waste. While Montville recently entered into a ten-year contract to handle their waste and has one of the lowest tipping rates in the State, it is becoming increasingly urgent to create a plan for the future as the MIRA Plant, which handles 30% of the State's waste, in Hartford is scheduled to close in 2022. The current plan involves shipping the waste out-of-state, which is not a sustainable solution. A final report, with legislative recommendations, is expected to be released and will be forwarded to the Councilors. SCRRA (Southeastern Connecticut Regional Resource Recovery Authority) will be providing a presentation in the near future about their plans. A permitted application has been submitted to CT DEEP enabling the town to engage in an Organic/Composting Pilot Program in Stonington, which might help offset some of their costs.

In response to Councilor Caron, the Mayor stated that a COVID-19 banner, linking the viewer to updates and information, is located at the top of their website. While there are funds available to help businesses, the funding that the town has received to date are not directed or eligible to support local businesses. The CARES (Coronavirus Aid, Relief, and Economic Security) funds might be utilized for that purpose but are subject to the State's audit requirements. Those in need of housing and/or heating assistance, and food are referred to TVCCA (Thames Valley Council for Community Action, Inc.), which has received transitional funding from the State.

12. Reports from Standing Committees
 - a. Town Administration/Rules of Procedure – Councilor Jaskiewicz – *no report*
 - b. Finance – Councilor Jaskiewicz
Finance Director Hart reported on the two (2) significant deficiencies that were included in their recent audit. The first deficiency relates to the pension liability, which was significantly overstated in their previous report. The deficiency, which is not a budgetary concern, affects the town's net income/position and is reliant on the way the State, which dictates the amount of funding required by the town, has invested those pensions. As such, it appears that the town has a long-term liability. The second deficiency relates to the receipt of Federal grants and the adoption of a Procurement Policy. She is currently working with the Auditor to update the Policy. A system for the bank reconciliations was implemented

during the Summer and involves a staff member conducting the bank reconciliations and the Treasurer verifying and signing the checks and depositing the funds. A draft of the Accounting Policies and Procedures is also currently in process. She is also working with the Auditor to net a few of the transactions, including the BOE's Non-Lapsing Fund, which is currently included on the Balance Sheet. A separate fund will be established for the Fund.

Councilor Rogulski thanked and commended the Finance Department on the Audit findings. He was disturbed with the WPCA's Audit report in which it appears that none of their findings from the previous year were completed. It was confirmed that the items were addressed, per their meeting minutes.

c. Public Works/Solid Waste Disposal – Councilor Caron

Councilor Caron provided an updated list of the status of the Road Improvement Program. Over \$1 million has been expended to date. The millings and the brush that are currently stored at Camp Oakdale continues to be on the schedule for removal. The property will be cleaned, loomed, and seeded for use by the Parks & Recreation Department.

13. Reports from Special Committees and Liaison Councilors

a. Councilor Bunnell: Public Safety Commission, Youth Services Bureau

Public Safety Commission – The following statistics were reported for the month of October:

Police Department

1,331 Calls for Service:	56 Type I Calls	Source of Calls:	169 Troop E
	19 Arrests		211 Police Department
	1 Juvenile Arrest(s)		87 Walk-Ins
			713 Patrol Officer

Activity has increased for the winter season and Lt. Dave Radford has received correspondence regarding favorable officer activity. As mentioned by the Mayor, the Department's 26th officer was sworn in, bringing the Department to full staffing. The new officer is well-equipped with experience with social services and community policing.

Fire Department

The Fire Department reported 248 Calls for Service of which 163 were Medical EMS (Emergency Medical Services) Calls.

Animal Control Officer

Montville: 11 Impounded, 41 to date for 2020	Salem: 1 Impounded, 7 to date
11 Sold as Pets	
82 Complaints, 419 to date for 2020	7 Complaints, 28 to date

The status of the ACO Facility is being investigated.

Building Department

151 Permits Issued

538 Blight incidents investigated, 349 of which have been abated

The Youth Services Bureau began their new year with the after-school program. The Bureau recognized the efforts of the town's custodial team – Bonnie, Bill, Ron, and Karl – for their commitment to the safety of the town's employees and residents. They have partnered with the American Red Cross to host a Battle of the Badges Blood Drive on April 13. The Bureau recently submitted an application for a \$5,000.00 Grant to help combat the ongoing opioid crisis. If received, it will be their fourth grant.

b. Councilor Caron: Commission on Aging, Social Services

Councilor Caron expressed his appreciation to all of the volunteers who delivered the meals to homebound seniors and those in need during the holidays. He also recognized Director Kathie Doherty-Peck, her staff, and the volunteers who distributed over 400 boxes of food and gift bags to those in need. As the result of the temporary closure of the Church on Route

163 due to a COVID-19 outbreak, the Food Bank will be stationed at the Senior Center. The Director and her staff are busy helping those in need for housing and energy assistance. Due to the pandemic, the needs for Social Services has significantly increased.

c. Councilor Jaskiewicz: Board of Education

Councilor Jaskiewicz commended the Board and the staff as they continue to communicate with the parents and community and deal with the effects of the pandemic.

d. Councilor May: Water Pollution Control Authority, Conservation Commission

The WPCA is currently working on the Cook Tower Replacement Plan.

The Conservation Commission did not meet due to the lack of a quorum. He encouraged any candidates interested in serving on the Commission to contact the Town Clerk's office.

e. Councilor Pollard: Non-Profit Organizations

On behalf of the Homeless Hospitality Center, Councilor Pollard expressed her appreciation to the Mayor and Councilors for their kind donations with which she was able to purchase and donate blankets, baby blankets, hats, scarves, and coffee.

f. Councilor Rix: Economic Development Commission, Parks & Recreation Commission, Planning & Zoning Commission

Councilor Rix reported that two new businesses have opened in town – a re-opening of a gym at a new location and a smoke shop/convenience store.

The Planning & Zoning Commission approved a new workshop/garage to be located on Old Colchester Road and held their election of officers, which will remain the same.

g. Councilor Rogulski: Library Committee, Fire Fighters Relief Fund – *no report*

14. Appointments and Resignations

a. To Consider and Act on a Motion to appoint Sierra Davis to fill a vacancy on the Economic Development Commission with a term to expire on May 12, 2022.

Motion made by Councilor Caron, seconded by Councilor Rix. Discussion: None. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Jaskiewicz, Pollard, Rix, Rogulski, and May. Voting in Opposition: None. Motion carried.

b. To Consider and Act on a Motion to appoint Thomas McCarthy to the Economic Development Commission with a term to expire on January 11, 2025.

Motion made by Councilor Jaskiewicz, seconded by Councilor Pollard. Discussion: None. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Jaskiewicz, Pollard, Rix, Rogulski, and May. Voting in Opposition: None. Motion carried.

c. To Consider and Act on a Motion to appoint Joshua Kobyluck to fill a vacancy on the Planning & Zoning Commission with a term to expire on November 9, 2021.

Motion made by Councilor Caron, seconded by Councilor Bunnell. Discussion: None. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Jaskiewicz, Pollard, Rix, Rogulski, and May. Voting in Opposition: None. Motion carried.

d. To Consider and Act on a Motion to accept the resignation of Sierra Davis from the Housing Authority, effective December 31, 2020.

Motion made by Councilor Caron, seconded by Councilor Bunnell. Discussion: Councilors Bunnell and Caron expressed their regrets. Councilor Caron reported that a copy of the e-mail regarding his conversation with Ms. Davis was distributed to the Councilors, adding that Ms. Davis has expressed her availability to speak with any of the Councilors. He stated that he has reached out to their State Senators and the CHFA (Connecticut Housing Finance Authority) regarding the situation. He stated that the Town Council is able to appoint members to the Housing Authority, but do not have any control over the Authority and are unable to address her concerns. Complaints have also been received by the Mayor and the Social Services Department. He commended Ms. Davis for coming forward and expressing

her concerns. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Jaskiewicz, Pollard, Rix, Rogulski, and May. Voting in Opposition: None. Motion carried.

15. Unfinished Business – *none*

16. New Business

- a. **Resolution #2021-01. THE TOWN OF MONTVILLE HEREBY RESOLVES TO** refund taxes due to overpayments and corrections in the amount of \$3,287.28 (three thousand two hundred eighty-seven dollars and twenty-eight cents) as requested by the Tax Collector. (Councilor May)
- Motion made by Councilor Jaskiewicz, seconded by Councilor Pollard. Discussion: None. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Jaskiewicz, Pollard, Rix, Rogulski, and May. Voting in Opposition: None. Resolution passed.
- b. **Resolution #2021-02. THE TOWN OF MONTVILLE HEREBY RESOLVES TO** approve and adopt the ordinance titled “Ordinance Authorizing the Conveyance of a Non-Exclusive Easement on a Parcel of Land Northerly of the Intersection of Salt Box Circle and Salt Box Lane owned by the Town of Montville” as heard at the Public Hearing held on Monday, January 11, 2021, at 6:30 p.m. in Town Council Chambers at Montville Town Hall via GoToWebinar. (Mayor McDaniel)
- Motion made by Councilor Jaskiewicz, seconded by Councilor Bunnell. Discussion: None. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Jaskiewicz, Pollard, Rix, Rogulski, and May. Voting in Opposition: None. Resolution passed.
- c. **Resolution #2021-03. THE TOWN OF MONTVILLE HEREBY RESOLVES TO** receive funds in the amount of \$235,434.01 from the State of Connecticut as part of the Municipal Coronavirus Relief Fund Program. (Mayor McDaniel)
- Motion made by Councilor Jaskiewicz, seconded by Councilor Bunnell. Discussion: Mayor McDaniel commended the Finance Department who diligently tracked all of the town’s COVID-19 expenses from March to July 2020 and successfully received funding through the CARES Act and FEMA (Federal Emergency Management Agency). Approval of the resolution will allow the town to accept the additional funding of approximately \$49,000.00 for the first period and an additional \$184,000.00 in CARES funds for the remainder of the year for COVID-19-related expenses. The funds were allocated by the State on a per capita basis to the municipalities. The Uncas Health District has inquired about the possibility of allocating 10% of the received funds to the Health District to help cover their COVID-19-related expenses. Per the Auditor and to ensure transparency, a separate account will be established. A list of the distribution of funds will be forwarded to the Councilors. Whether the funds could be utilized to help support the town’s businesses will be investigated. Councilor Bunnell commended the Mayor and the Finance Department for their hard work and efforts to ensure that the town received the proper funding. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Jaskiewicz, Pollard, Rix, Rogulski, and May. Voting in Opposition: None. Resolution passed.
- d. **Resolution #2020-78. THE TOWN OF MONTVILLE HEREBY RESOLVES TO** allocate \$18,477 to the Uncas Health District from the funds received from the State of Connecticut as part of the Municipal Coronavirus Relief Fund Program. (Mayor McDaniel)
- Item was removed from the Agenda.*
- e. **Resolution #2020-79. THE TOWN OF MONTVILLE HEREBY RESOLVES TO** set the date of April 28, 2021, at 6:00 p.m. for a public hearing regarding the General Government proposed Budget for fiscal year 2021-2022 at Montville Town Hall, Town Council Chambers and to set the date of April 29, 2021, at 6:00 p.m. for a public hearing regarding the Board of Education proposed budget for fiscal year 2021-2022 at Montville Town Hall, Town Council Chambers. (Councilor Jaskiewicz)

Motion made by Councilor Rix, seconded by Councilor Pollard. Discussion: The location of the Public Hearings may be moved, based on the status of the pandemic. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Jaskiewicz, Pollard, Rix, Rogulski, and May. Voting in Opposition: None. Resolution passed.

- f. **Resolution #2020-80. THE TOWN OF MONTVILLE HEREBY RESOLVES** to support the “Connecticut Jobs and Revenue Act”. (Mayor McDaniel)

WHEREAS: the Mohegan Tribes and Mashantucket Pequot have been long standing, trusted and good partners to the State of Connecticut contributing over \$8 billion dollars in state revenue since inception of their respective business operations, a portion of which has gone to directly support cities and towns through municipal grants; and

WHEREAS: The Tribes and their gaming enterprises rank among the top ten employers in the state of Connecticut supporting 18,000 jobs (this incorporates gaming, partners, and tribal) and more than \$750 million in payroll and benefits annually; and

WHEREAS: Mohegan Sun and Foxwoods are major economic drivers of tourism in the region and the standard bearers for gaming on the east coast; and

WHEREAS: Connecticut’s gaming market has been directly impacted by the COVID-19 Pandemic, depleting resources to both Connecticut Indian gaming operations, directly impacting Connecticut jobs, resident well-being and revenue streams; and

WHEREAS: Mohegan Sun and Foxwoods are verified and trusted brands both nationally and internationally; and

WHEREAS: We recognize that the Tribes’ success directly correlates with Connecticut’s success given the lucrative revenue sharing compacts in place; and

WHEREAS: We respect and honor the decades-old compact agreements signed between the State of Connecticut and the sovereign Tribal Nations of Mohegan and Mashantucket Pequot.

THEREFORE BE IT RESOLVED: That the Town of Montville calls on the Connecticut General Assembly and the Governor to adopt in regular session the “*Connecticut Jobs and Revenue Act*” providing modernization of the state’s gaming laws and protection of our state’s economic interests.

Motion made by Councilor Caron, seconded by Councilor Jaskiewicz. Discussion:

Chairman May thanked the Mayor for the resolution, adding that the Councilors also sent two letters to their legislators. The bill would, in part, ensure that 100% of the funds would be allocated to the town prior to being appropriated into the State’s PiLOT (Payment in Lieu of Taxes) funds and diluted down to the municipalities. Councilor Caron emphasized that their issues are with the State of CT and not with the tribe, with whom the town has a great relationship. They agreed that the host town, which is directly affected by the casinos, does not receive adequate funding from those funds that the tribes send to the State.

Councilor Caron urged everyone to continue voicing their concerns. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Jaskiewicz, Pollard, Rix, Rogulski, and May. Voting in Opposition: None. Resolution passed.

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

Joshua Kobyluck, 210 Leffingwell Road, Uncasville, thanked the Councilors for appointing him to serve on the Economic Development Commission.

18. Remarks from the Councilors and the Mayor

Councilor Bunnell thanked Mr. Kobyluck for stepping up and helping fill the vacancy on the Economic Development Commission. He also thanked the town’s first responders.

Councilor Caron expressed his sadness at the recent news of the loss of Montville Fire Company’s Deputy Chief Don Kutz and his wife to the coronavirus. He echoed Councilor

Bunnell's appreciation to the town's employees and first responders during these difficult times. He urged everyone to take the time to donate to the town's food bank.

Councilor Rix also expressed her condolences to the Kutz family and friends and congratulated Jeff Rogers who was recently sworn in as the town's Republican Registrar of Voters.

Councilor Pollard echoed Councilors Caron and Rix and extended her condolences to all of the families who have lost their loved ones due to the coronavirus. She also expressed her appreciation to all of the residents for their support of the town.

Councilor Rogulski wished everyone a Happy New Year.

Mayor McDaniel also mourned the loss of Montville Fire Company's Deputy Chief Kutz and his wife. The paid firefighters and police officers have been vaccinated. The Public Works and Wastewater Treatment employees and other essential employees will be vaccinated under Phase 1-B. He also publicly denounced the activities at the Capitol last week. He wished everyone a Happy New Year.

Chairman May also expressed his sadness to hear of the death of Montville Fire Company's Deputy Chief Kutz and his wife as well as other members of the community as the numbers continue to rise. He hopes for a much better 2021.

19. Adjournment

Motion made by Councilor Rix, seconded by Councilor Rogulski, to adjourn the meeting at 8:28 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

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