



TOWN OF LEDYARD

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339

Finance Committee Meeting Minutes

Chairman S. Naomi
Rodriguez

Regular Meeting

Wednesday, January 3, 2024

5:00 PM

Town Hall Annex Building - Hybrid
Format

In -Person Location: Council Chambers, Town Hall Annex Building

Remote Participation is noted below:

Join Zoom Meeting from your Computer, Smart Phone or Tablet:

<https://us06web.zoom.us/j/85330991521?pwd=s52F8bNZkerN9nZTgAjfvJa7axfpko.1>

by Audio Only: Telephone: +1 646 558 8656; Meeting ID: 853 3099 1521; Passcode: 799390

I CALL TO ORDER

the Meeting was called to order by Committee Chairman Councilor Saccone at 5:00 p.m. at the Council Chambers Town Hall Annex Building.

Councilor Saccone welcomed all to the Hybrid Meeting. He stated for the Town Council Finance Committee and members of the Public who were participating via video conference that the remote meeting information was available on the Agenda that was posted on the Town's Website - Granicus-Legistar Meeting Portal.

II. ROLL CALL

Present: Tony Saccone
Jessica Buhle
Tim Ryan

In addition, the following were present:

S. Naomi Rodriguez Town Council Chairman
Carmen Garcia-Irizarry Town Councilor
Fred Allyn, II Mayor
Matthew Bonin Finance Director
Kristen Chapman Executive Assistant to the Mayor
Jim Mand Director of Emergency Management
Claudia Sweeney Registrar of Voters
Diana Mann Registrar of Voters

Peter Testa A&E Services Group, LLC
Matthew Proctor Resident
Destiney Proctor Resident
Roxanne Maher Administrative Assistant

III. RESIDENTS & PROPERTY OWNERS COMMENTS

None.

IV. PRESENTATIONS / INFORMATIONAL ITEMS

None.

V. APPROVAL OF MINUTES

MOTION to approve the following:

- Organizational Meeting Minutes of December 6, 2023
- Meeting Minutes of December 6, 2023

Moved by Councilor Buhle, seconded by Councilor Ryan

VOTE: 3 - 0 Approved and so declared

VI. FINANCE DIRECTOR'S REPORT

Finance Director's Report

Finance Director Matthew Bonin reported on the following: (1) Annual Audit Report for the Fiscal Year Ending June 30, 2023. Mr. Bonin stated that Auditor CliftonLarsonAllen, LLP, issued the Final Audit Report on December 29, 2023, noting that it was due to the State's Office of Policy and Management (OPM) by December 31st. He stated Administrative Assistant Roxanne Maher forwarded the Report to the Town Council for their review in preparation for the Finance Committee's February 7, 2024 meeting, at which time the Auditor would present the Report. He recognized the Finance Department's Staff for their assistance in working to help with completing the Annual Audit Report in a timely fashion. He also recognized Board of Education Finance Director Ken Knight for his assistance; and (2) Fiscal Year 2024/2025 Budget Preparations - Mr. Bonin stated that the Departments proposed budgets were due to the Mayor on January 16, 2024 and that Staff was working to put their budgets into the Munis Financial System.

VII. FINANCIAL REPORTS

VIII. OLD BUSINESS

1. Continued discussion regarding the status and possible changes to Capital Improvement Plan (CIP) and Capital Non-Recurring (CNR) Fund based on the American Rescue Act Funding

(ARPA) and the process to approve ARPA Projects and expend ARPA Funding.

Mayor Allyn, III, explained that the ARPA Funding had to be obligated to a project by December 31, 2024; and that the funding had to be fully Expended by December, 31, 2026.

Mayor Allyn went on to explain that the Federal Treasury definition of “*Obligated Funds*” meant “*An order has been placed for property and services, or contracts, or some awards were made*” by December 31, 2024. He stated just saying that the funds were going to be used for a particular project, was not considered “*Obligated*” and did not meet the Treasury’s definition. He stated once the funding was “*Obligated*” they had about two years to fully expended the funds. He stated if the ARPA Funds were not “*Obligated*” by December 31, 2024 that the funds would have to be returned to the US Federal Treasury. Therefore, he stated that the town needed to make sure they had their projects lined up with contracts in place. He noted the following large ARPA projects:

- ***Ledyard Center Sewer Line Extension Phase I - \$1,200,000.00***
Mayor Allyn stated the contract was in place, noting that work should begin soon, assuming the winter weather was cooperative.
- ***Ledyard Center Sewer Line Extension Phase III- 950,000.00 - High School to Pennywise Lane***
Mayor Allyn stated they were working on the preliminary design work for Phase III.
- ***LED Message Signs - \$70,000-*** Mayor Allyn stated the sign in front of the Gales Ferry Fire Department on Route 12, Gales Ferry, should be in place soon, noting that they recently received the permit. However, he stated that the town was still waiting for approval from the State Department of Transportation (DOT) to use one-square foot of their property to install the Message Sign in Ledyard Center by the Town Green.

Mayor Allyn continued to state that they have to look at projects that have come in under budget so that those funds could be redirected/reallocated to other projects soon. He noted that Councilor Saccone discussed with him the replacement of the Guiderails on Sandy Hollow Road, noting that this was a project in which they may want to redirect the final balances from other projects to. He stated they have been discussing the replacement of Guiderails on Sandy Hollow Road for about ten-years.

Councilor Saccone addressed the need to replace the dilapidated Guiderails on Sandy Hollow Road. He commented on the safety/protection for motorists stating that it would not take much to push through the wooden guiderails. He stated he has been working with Public Works Director/Town Engineer Steve Masalin to obtain the following quotes from the State Bid Contract List:

- \$1.1 million - Wood Guiderails, similar to the type that were on the Merit Parkway.
- \$312,000 - Galvanized Guiderails
- \$390,000 - Rusted Metal Guiderails that would blend into the natural rural setting.

Councilor Saccone stated by adding the remaining funding from other APRA initiatives to the \$225,962.49 *Uncommitted Balance* that they may be able to replace a good

portion of the Sandy Hollow Road Guiderails. He stated that he would like to see this project be considered in the reallocation of the ARPA Funding, rather than give the money back to the US Treasury. He also noted by using the State Bid Contract that they could save time by not having solicit bids for the project. Councilor Ryan stated that he thought the replacement of the Sandy Hollow Guiderails was initially on the ARPA Project's List.

Mayor Allyn stated the replacement of the Sandy Hollow Road Guiderails was on the Capital Improvement Plan (CIP) for many years. He noted that Senator Cathy Osten's efforts to help the town get funding to replace the guiderails did not materialize. Therefore, he stated that they could include the initiative on the ARPA Projects List to be considered in the reallocation of funding from the projects that come-in under budget.

- ***Erickson Park Improvements \$55,000*** - Councilor Ryan questioned the status of the Erickson Park Improvements. Mayor Allyn stated the stone dust path was put down this fall (2023). Therefore, he stated this spring (2024) that Parks & Recreation would need to proceed with the excavation work to create the additional parking spaces and the other improvement work which included installing a retaining wall.

Councilor Ryan addressed the ARPA Projects Spreadsheet dated November 1, 2023 and he requested clarification regarding the following:

- ***Uncommitted Balance: \$225,962.49***
Finance Director Matthew Bonin explained the "*Uncommitted Balance*" was remaining funding from projects that were completed. He noted that the Uncommitted Balance also included funding that was not initially earmarked for a project.

Mr. Bonin explained as an example \$190,000 was earmarked for Youth Mental Health Clinicians. However, he stated to-date that only \$8,499 has been spent. Therefore, he stated this initiative had \$181,5000 remaining that could be reassigned/reallocated to another project.

- ***Committed Remaining: \$2,682,549.72***
Mr. Bonin explained that "*Committed Remaining*" was funding that was earmarked for selected projects. However, he stated it did not mean that the funds have been obligated.

Councilor Ryan requested the following columns be added to the ARPA Projects spreadsheet, noting that the information would be helpful in making informed decisions relative to the reassignment/reallocation of funding from the balance of completed projects:

- Unobligated on Contract
- Projected end value (for services activities)

Councilor Ryan stated for service type of activities that they would need to make sure

that Department's have contracts in place by December 31, 2024 and that the funds would be totally expended by December 31, 2026.

RESULT: CONTINUE

2. Continued discussion regarding potential uses of the revenue received from Public Act No.21-58 "An Act Concerning Solid Waste Management" in accordance with "Resolution Regarding Revenues Received from Beverage Container Surcharges" adopted on June 8, 2022.

Mayor Allyn, III, stated to date the Town has received three Surcharges Disbursements from the State totaling \$52,780 from the sale of the nip bottles in Ledyard. He stated some of the funds were spent to rent a streetsweeper this year, which was one of the permitted uses. He stated the Surcharge Account had a balance of about \$45,000; and that it would continue to grow.

Mayor Allyn went on to note that the previous Finance Committee had been discussing establishing a "Adopt a Highway/Road" Program. He stated the Agenda packet on the meeting portal included a "Adopt a Highway/Road Program" that the Town of Montville would be launching. He stated Montville's Program provided for Non-Profits to conduct roadside clean-ups and they would be paid for their work from the Nip Bottle Surcharge Revenues. He stated the Finance Committee may want to review Montville's Plan and work to have it ready to roll-out this spring (2024) for Non-Profits to earn some money to clean-up roads.

Councilor Ryan, Ledyard Beautification Committee Liaison, noted at their January 2, 2024 meeting that Committee Chairman Jennifer Eastbourne suggested they have a Stakeholder Committee/Ad Hoc Committee, similar to the Committee to Review the Budget Process, to consider: (1) The potential uses of the Nip Bottle Surcharge Revenues; and (2) How the town would prioritize one Non-Profit Group/Organization over another, or whether it would be first come-first serve, etc.

Councilor Ryan stated because the Nip Bottle Surcharge Revenues was essentially in perpetuity unless the State changed the law; or if another law superseded Public Act No.21-58 that this would be a constant revenue stream for the town. He stated the use of the Nip Bottle Surcharge Revenue had a narrow scope which included the following:

- (1) Environmental measures intended to reduce the generation of solid waste;
- (2) Reduce the impact of litter caused by such solid waste, including, but not limited to, the hiring of a recycling coordinator;
- (3) The installation of storm drain filters designed to block solid waste and beverage container debris; or
- (4) The purchase of a mechanical street sweeper, vacuum or broom that removes litter, including, but not limited to, such beverage containers and other debris

from streets, sidewalks and abutting lawn and turf.

Councilor Ryan went on to note another idea was for the Finance Committee to develop a *Rubric* similar to what the previous Finance Committee did to prioritize the use of the American Rescue Plan Act (ARPA) funding. He stated by having a rubric that when they received Applications and Ideas that they could compare them to the rubric. He stated this would provide them with something to fall back on to justify how/why the Nip Bottle Surcharge Revenues were spent.

Mayor Allyn stated that it was his understanding that the Ledyard Beautification Committee was going to be the Committee that would vet the Applications/Organizations/Group/Ideas. Councilor Ryan stated that he discussed this with the Beautification Committee and that he did not get the impression that they saw it that same way, noting that they saw themselves as a *Sponsor*, but not necessarily vetting or being the disseminator of how the funds would be spent. However, he stated he did not know if the Beautification Committee would be opposed to taking on that role.

Councilor Buhle stated that the allocation of funds was the Finance Committee's responsibility. Therefore, she stated that she agreed with the Finance Committee developing a rubric that clearly stated the expectations and requirements. She stated realistically the town was not going to be receiving six Applications a week, noting that they may receive six Applications a quarter.

Councilor Ryan stated ultimately, the approval of the expenditure of the funds would come back to the Finance Committee. However, he stated prioritizing or making recommendations on how the funds were spent could come from anywhere, providing they fit into the four permitted uses provided in Public Act No.21-58 (see list of uses above) . Therefore, he stated a Committee, such as the Beautification Committee as an example, could provide recommendations to the Finance Committee on how the funds should be spent; and then the Finance Committee would include an item on their Agenda to vote on and forward onto the Town Council. He stated the town should have some fidelity on how the Nip Bottle Surcharge Funds were being spent, in an effort to protect the town.

Councilor Saccone questioned whether Councilor Ryan would be willing to discuss these ideas with Beautification Committee Chairman Jennifer Eastbourne. Councilor Ryan stated although the ideas the Finance Committee discussed this evening were not necessarily how they needed to proceed, that he would be happy to have a conversation with Chairman Eastbourne.

Councilor Buhle stated that perhaps the Beautification Committee would be willing to take on managing the safety equipment (vests, cones, bags, etc.). She also noted at their December 6, 2023 meeting the Finance Committee discussed the need to allocate funds from the Nip Bottle Surcharge Revenues to pay for Police presence on busy roads to protect the volunteers who were cleaning up the roads. She suggested the "*Adopt a Highway/Road*" Agreement include some language that would state

that the town was not liable if people get poison ivy, etc. while they were doing roadside clean-up.

Mayor Allyn noted that Montville's draft "*Adopt a Highway/Road*" Agreement included provisions such as age requirements; roads that were not eligible for clean-up because they were too busy, etc. He stated part of their work Ledyard would be to identify roads that they would be comfortable to have people on to clean up; and the roads that were clearly not safe.

The Finance Committee agreed to begin working to develop a rubric to prioritize the uses of the Nip Bottle Surcharge Revenues, noting that the "*Adopt a Highway/Road Clean Up Program*" was just one use of the funds.

RESULT: CONTINUE

3. Any other Old Business proper to come before the Committee.

None.

IX. NEW BUSINESS

1. MOTION to authorize the Mayor to execute a "Subordinate Agreement between the Town of Ledyard and Mr. Matthew Proctor" pertaining to a Home Rehabilitation Loan in the amount of \$32,820.48 for 33 Highland Drive, Ledyard.

Discussion: Mayor Allyn, III, noted that Mr. Peter Testa of A&E Services Group, LLC; who assisted the Town with Administering the Home Rehabilitation Loan Program was attending tonight's meeting remotely; and that Mr. and Mrs. Proctor were also present in-person this evening.

Mayor Allyn provided some background explaining that the *Housing Rehabilitation Revolving Loan Program* provided no interest (0%) loans to qualified residents who meet the income limits for critical home improvements such as heating system, septic system replacements, water connections, and roof replacements, etc. He stated a lien would be placed on the property for those who qualify and receive a Housing Rehabilitation Loan from the Town. He stated when the Housing Rehabilitation Loan was paid back to the Town that those funds would then become available to be loaned to another qualifying resident in need of assistance on a *revolving* basis.

Mayor Allyn stated in 2017 that Mr. and Mrs. Proctor received funding from the *Housing Rehabilitation Revolving Loan Program* to make improvements at their 33 Highlands Drive home. He stated Mr. and Mrs. Proctor were currently looking to refinance their home, noting in a letter dated November 22, 2023 they requested the Town agree to subordinate the Housing Rehabilitation Loan owed to the Town of Ledyard. He stated Mr. and Mrs. Proctor also provided the Property Appraisal that was conducted as part of the refinancing process.

Mayor Allyn went on to explain that the Town had the ability to subordinate the *Housing Rehabilitation Revolving Loan* if they chose to do so. However, he stated that the Town was not required to subordinate the loan, noting that the Town may call-in the loan *On-Demand*, should the property owner *default*; which was defined in the Small Cities Promissory Note as follows:

Default:

- Death
- Sell or remortgage the property
- Transfer title
- The property was no longer their principal place of residence or
- If any of the property which secured the loan was damaged, lost or destroyed.

Mayor Allyn stated he had some reservations about the town authorizing the subordination of the Proctor's *Housing Rehabilitation Loan*, explaining that in doing so in the past, the Real Estate Market took a turn for the worst, and the Town lost everything, explaining that by subordinating the Town would be in second place to be paid back, noting that the Bank was in first place for repayment. Therefore, he stated if the Bank does not get back all of their money (mortgage) that there would be no funding for the second-place loaner (Town). However, he stated to provide some relief for the Proctor's that he would float the idea for the Proctors to meet the Town halfway and pay back half (50%) of the \$32,820.40+/- *Housing Rehabilitation Loan*. He stated that he did not know if this was an option under the *Housing Revolving Loan Rehabilitation Program/Small Cities Promissory Note Agreement* and he asked Mr. Peter Testa of A&E Services Group, LLC, whether the Town could call-in 50% of the loan.

Mr. Peter Testa of A&E Services Group, LLC; stated that Mayor Allyn provided a good description of the *Housing Rehabilitation Revolving Loan Program*; which was initially funded through the State's Community Development Small Cities Grant. He stated it was a zero percent interest deferred payment loan, noting that the original principle amount was the amount that was due at the time of *Default* which was defined above.

Mr. Testa stated the Town could agree to a *Partial Subordination* and call-in 50% of the loan, which would be about \$16,000 +/-, noting that it would be a good compromise, should the Town Council decided to do so. He stated a Mortgage Modification would need to be executed to decrease the *Housing Rehabilitation Revolving Loan* by the repayment amount. He stated the Bank would provide a check and that the Town would provide a release for the amount of the *Housing Rehabilitation Revolving Loan* that was paid down.

Mayor Allyn stated by the Town calling-in 50% of the Proctor's \$32,820.40+/- *Housing Rehabilitation Loan* that the funds (\$16,000 +/-) would become available for another family that needed critical home improvements. He stated there was no

Payment Plan Schedule for the homeowner to repay the loan to the Town, noting that the funds would not come back to the Town until the home was sold or otherwise as noted above under the definition of *Default*.

Councilor Ryan requested clarification, noting that the \$16,000 +/- would be included in the amount that Mr. and Mrs. Proctor were refinancing for their mortgage. Mayor Allyn stated that Councilor Ryan's understanding was correct, explaining that the Town would receive the \$16,000 +/- cash out from the mortgage refinance. Councilor Ryan stated that they had a number of options which ranged from a total subordination to a total pay back. Therefore, he stated that he would like to hear from Mr. and Mrs. Proctor regarding their feelings on the options in that spectrum.

Mrs. Destiney Proctor, 33 Highlands Drive, Ledyard, stated that they were trying to wipe the slate clean from their credit card debt that she and her husband Matthew accrued before they met each other. She stated they were currently nine-years into a twenty-five-year mortgage; noting that the Town would not see repayment of the \$32,820.40 +/- *Housing Rehabilitation Loan* for another fifteen years. She went on to note that they now owe about \$109,000 on their house that was currently valued at \$340,000. Therefore, she stated they were looking to refinance their home through Federal Housing Administration (FHA) for another thirty-years to lower their mortgage payment (6% interest rate) and to pay off the high (27%) interest credit cards. She stated they were Ledyard residents and that they planned to stay in Ledyard, noting that should the Town agreed to subordinate their no interest *Housing Rehabilitation Loan* that the town would not see repayment for thirty-years. She stated by Subordinating the *Housing Rehabilitation Loan* their monthly debt payment would decrease by \$1,500, which would put less pressure on them and would also allow them to put more money into things that need it. She stated by adding 50% of their \$32,820.40 +/- *Housing Rehabilitation Loan* (\$16,000 +/-) to their mortgage refinance would increase their payment. However, she stated the Town would still not see the remainder of the *Housing Rehabilitation Loan* for many years. She stated that they were trying to manage their finances so that they would not default on any of their other obligations, by using the equity in their home.

Councilor Ryan stated he was the last person that would prevent someone from using the equity in their home, especially in the current housing market climate. He thanked Mr. and Mrs. Proctor for choosing to live and for wanting to stay in Ledyard. He stated in reviewing the refinance numbers that Mr. Proctor submitted in his November 22, 2023 letter their new mortgage in the amount of \$223,850 would include paying off their credit card debt. He questioned whether this amount included paying back 50% of their \$32,820.40 +/- *Housing Rehabilitation Loan* (\$16,000 +/-) to the Town. Mrs. Proctor stated the remortgage in the amount of \$223,850 did not include any funding to repay their \$32,820.40 +/- *Housing Rehabilitation Loan*; explaining that the amount was calculated based on the Town Subordinating the *Housing Rehabilitation Loan*. She stated they were required to get the Town Council's permission to move forward. Councilor Ryan questioned whether Mr. and Mrs. Proctor have requested what their refinance mortgage payment would be if they included paying off the \$32,820.40 +/- *Housing Rehabilitation Loan*. Mrs. Proctor

stated that they did not run those numbers.

Councilor Saccone questioned the length of the new mortgage refinance. Mrs. Proctor stated the new refinancing would be the standard FHA thirty-year mortgage.

Councilor Ryan stated although he did not think adding \$16,000 +/- to a thirty-year mortgage would be untenable, that he wanted to be sure Mr. and Mrs. Proctor were going to be okay with the Town calling-in 50% of the \$32,820.40+/- *Housing Rehabilitation Loan* (\$16,000 +/-) before the Finance Committee acted on a *Partial Subordination*. Mrs. Proctor stated ideally the benefit to refinancing their mortgage and subordinating the no interest \$32,820.40+/- *Housing Rehabilitation Loan* was to put them in a better financial position and put more money into their savings, retirement and other things. She stated although it would not be impossible to repay 50% of the no interest \$32,820.40+/- *Housing Rehabilitation Loan*, that they would prefer subordinating 100% of the *Housing Rehabilitation Loan*.

Councilor Saccone questioned whether Mr. and Mrs. Proctor could come back to the Finance Committee with new refinance numbers that included the *Partial Subordination* (\$16,000 +/-). Mrs. Proctor stated if that was what the Town Council decided that they would have to comply.

Councilor Buhle noted adding \$16,000+/- at a 6% interest rate on a thirty-year mortgage would increase the payment by about \$100.00 per month. She went on to state that although she agreed it was a great opportunity for Mr. and Mrs. Proctor to use the equity in their home to help their financial situation, that subordinating 100% of no interest \$32,820.40+/- *Housing Rehabilitation Loan* was a risk for the Town because they do not

know that the \$340,000 appraisal was going to be a forever value for the 33 Highland Drive property; or if Mr. and Mrs. Proctor decided that Ledyard was not their forever home, and they sold their home for \$240,000; that the town would be out the funding that could have been loaned to another family. Therefore, she stated by subordinating 50% of the \$32,820.40+/- *Housing Rehabilitation Loan* the town would be able to offer the loan opportunity to other Ledyard families. Mrs. Proctor stated when they received the \$340,000 House Appraisal that they thought that it was high, noting that the amount they were looking to remortgage was significantly below that amount. She stated that they could add \$100.000 per month to their mortgage, and that she would prefer that the Finance Committee gave them an answer tonight.

Councilor Saccone questioned whether Mr. Testa had any comments regarding the Finance Committee asking Mr. and Mrs. Proctor to come back to the Finance Committee's January 17, 2024 meeting with updated numbers from the Bank that would provide for a *Partial Subordination* and call-in 50% of the loan. Mr. Testa stated it was a wise idea to ask Mr. and Mrs. Proctor to come back in two weeks so that they would know exactly what their additional costs/revised mortgage numbers would be. He stated Mr. and Mrs. Proctor were pulling a fair amount of money out of the property to consolidate their debt, which would put them in a more stable

financial situation. He stated this was a good decision for all involved, explaining that if they did default on a loan that the Town's *Housing Rehabilitation Loan* may be in jeopardy. Therefore, he stated providing a *Partial Subordination* would put the homeowners on more financial ground.

MOTION to Table the

MOTION to recommend the Town Council authorize the Mayor to execute a "*Subordinate Agreement between the Town of Ledyard and Mr. Matthew Proctor*" pertaining to a Home Rehabilitation Loan in the amount of \$32,820.48 for 33 Highland Drive, Ledyard.

Moved by Councilor Ryan, seconded by Councilor Buhle

VOTE: 3 - 0 Approved and so declared

Councilor Saccone stated the Finance Committee would continue to address Mr. and Mrs. Proctor's loan subordination request at their January 17, 2024 meeting.

The Finance Committee thanked Mr. & Mrs. Proctor and Mr. Testa for attending tonight's meeting.

Mr. & Mrs. Proctor and Mr. Testa left the meeting at 5:43 p.m.

RESULT: TABLED

MOVER: Tim Ryan

SECONDER: Jessica Buhle

AYE: 3 Saccone, Buhle and Ryan

2. MOTION to authorize overspending account 10110205-53610 Specialty Approved Counsel through June, 30, 2023.

Discussion: Executive Assistant to the Mayor Kristen Chapman explained that other than the Legal Fees Account that was included in the Town Council's Department Budget for Taxation Issues pertaining to Tribal Matters that all of the Town's Legal Fees resided in the Mayor's Department Budget.

Ms. Chapman went on to explain that Account #10110205-53610 (Specialty Approved Counsel) was used to pay the labor attorney fees, land use attorney fees, tax attorney fees, and other specialty counsel. She stated \$35,000 was included the current Fiscal Year (2023/2024) Budget, which was a \$5,000 increase from the previous year (fy 22/23) and she suggested the legal fees budget be increased again for the coming year, noting that during the Budget Work Sessions they discussed the need to increase the Legal Fees Account.

Ms. Chapman provided an overview of the legal fee expenses to date noting the following:

- Shipman & Goodwin (Labor) \$25,543.00
- Janet P. Brooks (Land Use) \$5,472.50

	• <u>Lloyd Langhammer (Land Use)</u>	<u>\$262.50</u>
Total		\$31,278.00

Ms. Chapman also noted that another \$3,694.50 was encumbered leaving a remaining, unencumbered balance in this account of \$27.50.

Ms. Chapman went on to explain that both the Human Resources Department and the Land Use Department anticipated incurring additional attorney fees for the remainder of the current Fiscal Year 2023/2024 due to on-going matters.

Ms. Chapman suggested for better accountability that separate Legal Fee Accounts be included in the following Department's budgets, in the upcoming Fiscal Year 2024/2025 Budget preparation:

- Human Resources Department Budget - Labor Contracts/Personnel Matters Land
- Use Department Budget - Land Use Matters
- Mayor's Department - Town Attorney

Councilor Ryan asked for the Mayor's input regarding the suggestion to separate the Legal Fee Accounts by Department. Mayor Allyn, III, stated that he believed it was a good idea to separate the Legal Fee Accounts by Department. He provided some background noting that a few years ago they consolidated the Legal Fee Accounts into one Account because the town had a lot of budget accounts lines. However, he stated they now believe that the Legal Fee Accounts should reside within the Departments budgets in which they were supporting. He noted that the Human Resources Department and the Land Use Department would be able to better track/manage their spending/legal expenses by each having their own Legal Fee Budget.

Mayor Allyn stated they town used the following Attorneys:

- Perkins Coie - Washington D.C. for Tribal Matters
- Shipman & Goodwin - Attorney Matt Whitter for General Matters
- Attorney Janet P. Brooks - Litigation - Day to Day Land Use Matters
- Lloyd Langhammer - Tax Attorney

Councilor Ryan stated that he agreed that each Department would have a better understanding of their expected legal expenses. He questioned whether the separate Legal Fee Accounts would be included in the Mayor's upcoming Fiscal Year 2024/2025 Budget. Mayor Allyn stated that the separate Legal Fees would be included in the upcoming Budget Preparation, noting that the separate Legal Fee Accounts would also provide for better transparency.

VOTE: 3 - 0 Approved and so declared

RESULT: RECOMMENDED FOR APPROVAL

MOVER: Tim Ryan

SECONDER: Jessica Buhle

AYE: 3 Saccone, Buhle and Ryan

3. MOTION to appropriate the Connecticut Secretary of the State Early Voting Grant in the amount of \$10,500 to Account# 21010301-56100-G0015 entitled “Registrar - Operating Expenses - Misc. Grants”.

In addition, authorize the Registrar of Voters to expend the Early Voting Grant in the amount of \$10,500 to pay for expenses associated with Early Voting provisions in accordance with Public Act 23-5.

Moved by Councilor Saccone, seconded by Councilor Ryan

Discussion: Registrar of Voters Claudia Sweeney explained that in accordance with Public Act 23-5 every municipality has to create at least one early voting location and had the option to establish more. She also noted that in accordance with Public Act 23-204, the Connecticut Secretary of the State would be providing a grant in the amount of \$10,500 to each municipality for costs related to implementing and conducting early voting, noting that the grant funding would be distributed around the middle of January 2024, contingent upon the municipality providing a detailed list of the intended use of the funds. She noted that the Registrar’s provided a List of their expenses relative to the use of the \$10,500; which was attached to tonight’s Agenda packet on the meeting portal. She explained that they would be purchasing some new equipment, but that most of their expenses would be for staffing, which would be on-going.

Ms. Sweeney noted the following Early Voting Provisions:

- Presidential Election 14 days of early voting (120 hours - 5 staff members)
- General Elections: 14 days of early voting (120 hours - 5 staff members)
- Primaries: 7 days ahead (64 hours - 3 staff members)
- Special Elections: 4 days

Councilor Ryan questioned whether the State would continue to provide grant funding annually to support the on-going costs for the Early Voting. Ms. Sweeney stated that the on-going costs would be mostly to pay for the cost to staff the Early Voting Polling Location for each of the elections. She stated because the Early Voting and Grant Funding was new this year that they did not know what the State was going to do going forward, but that she would expect the Secretary of State could request the funding each year. However, she explained if the State does not provide grant funding that the Registrars of Voters would include those costs in their annual

budget.

Councilor Buhle questioned whether the Registrars expected wage expenses above \$10,500 to support the Early Voting. Ms. Sweeney stated in the backup information she included 216 hours for Early Voting which would cost about \$23,000.

Councilor Ryan noted that this coming year was a President Election; and therefore, he stated that \$23,000 for the Early Voting staffing costs would be on the upper end of the amount that they would typically spend each year, noting that the \$10,500 Grant Funding would only slightly blunts the costs for this year. Ms. Sweeney noted that Councilor Ryan was correct, and she stated that currently they did not know if there would be a Primary Election in Connecticut this year. Councilor Ryan commented that the Early Voting was another unfunded mandate.

Chairman Rodriguez questioned if they did not have a Primary Election this year what the cost for the Early Voting would be. Ms. Sweeney stated the Early Voting staffing costs would be about \$17,368 noting that she budgeted \$5,632 to staff the Primary Election Early Voting Polling Location.

Councilor Buhle noted where she previously lived they offered Early Voting for the entire month, noting that it was very convenient and easy. She stated all she had to do was stop by the County Clerk's Office, complete the ballot and turned it in. She stated that she did not recall there being a special early voting location or election employees being present. Registrar Ms. Sweeney questioned the population of the town where Councilor Buhle voted early. Councilor Buhle stated where she previously lived was County based; and therefore, she did not know the population. However, she stated that she would be interested to learn how other Connecticut towns would be handling their early voting. Ms. Sweeney stated that Ledyard had 10,000 registered voters; noting if 1% chose to do Early Voting that would mean they would need to accommodate about 1,000 voters (parking, ballots, staffing, etc.)

Councilor Ryan stated for the purpose of tonight's motion that essentially this was a pass-thru Grant. He thanked the Registrars for attending tonight's meeting and for the information they provided, noting that he would be interested in seeing how they lay out the early voting expenses in their upcoming Fiscal Year 2024/2024 Budget.

VOTE: 3 - 0 Approved and so declared

RESULT: RECOMMENDED FOR APPROVAL

MOVER: Tony Saccone

SECONDER: Tim Ryan

AYE: 3 Saccone, Buhle and Ryan

4. MOTION to approve the Master Municipal Agreement for Construction Projects between the State of Connecticut Department of Transportation (DOT) and the Town of Ledyard.

Moved by Councilor Ryan, seconded by Councilor Buhle

Discussion: Mayor Allyn, III, explained that every ten years the Connecticut Department of Transportation (CTDOT) required Municipalities to sign a new Master Municipal Agreement for Construction (MMAC) Projects between the State of Connecticut Department of Transportation (CTDOT) and Municipalities. He stated Ledyard received the 130-page Agreement in late December, 2023, noting that they need to have it signed and back to the State by January 21, 2024. He stated the document identified all the terms that Municipalities had to follow when they accepted either Federal or State dollars for construction projects. He stated the revised ten-year term MMAC covered both municipally advertised construction projects, as well as projects advertised by the CTDOT on behalf of municipalities. He stated because the requirements differed, depending on who advertised and awarded the construction contract, the updated MMAC was designed to address each scenario.

Mayor Allyn went on to note that the updated MMAC included standard terms, conditions, and contracting “boiler plate” language that should generally govern all municipal construction projects involving the CTDOT, which were undertaken throughout the ten-year term and addressed things such as Title Six in that they would not be discriminatory in their hiring of sub-contractors, as well as reporting and auditing requirements, etc.

Mayor Allyn went on to explain because Ledyard was a recipient of Federal and State Grants for projects such as the reconstruction/replacement of the dams on Long Pond or the Multi-Use Pathway that they had to have the Master Municipal Agreement for Construction (MMAC) in place.

Councilor Ryan questioned whether there were any significant changes to the Master Municipal Agreement for Construction (MMAC) that they should be made aware of. Mayor Allyn stated CTDOT did not identify any significant changes, noting that they stated they updated some of the terminology and they added some definitions, noting that the rest of the Agreement stayed relatively the same. He noted that the Agreement stated the Mayor was the Party that executed the contracts on behalf of the Town and that if their authorized party was to change that the Town would have to notify the CTDOT in writing as to who the new authorized person would be to sign the contracts.

Councilor Ryan questioned during the past ten-years whether there were any terms of the Master Municipal Agreement for Construction (MMAC) that the Town did not agree with. Mayor Allyn stated that CTDOT did not inform Ledyard of any terms in the existing Master Municipal Agreement for Construction (MMAC) that they did not comply with; therefore, he stated that there was nothing that he was aware of.

VOTE: 3 - 0 Approved and so declared

RESULT: RECOMMENDED FOR APPROVAL

MOVER: Tim Ryan

SECONDER: Jessica Buhle

AYE: 3 Saccone, Buhle and Ryan

5. MOTION to appropriate the proceeds in the amount of \$260,895 from the sale of 332 Colonel Ledyard Highway to the following Accounts:

- \$95,500.00 to Account #21040111-58240 (Building Renovations - Public Works)
- \$110,000.00 to Account #21040101-57315 (Pooled Vehicles - Public Works)
- \$3,193.85 to Account #10110203-56900 (Other Supplies - Administrative Support)
- \$2,201.15 to Account #10110201-58790 (Contingency - Mayor's Office)
- \$50,000.00 to CNR Account #21090305-68290 (Open Space)

Moved by Councilor Buhle, seconded by Councilor Ryan

Discussion: Mayor Allyn, III, provided some background stating that 332 Colonel Ledyard Highway was part of a larger property explaining in 2007 a Developer purchased the 96 ± acre Founders Preserve Property along with some other small adjacent properties. He stated in working to make a residential sub-division the Developer changed the original boundary lines, which put the detached garage that belonged to the house at 332 Colonel Ledyard Highway into the Founders Preserve property. However, he stated the Developer never moved forward with the planned sub-division; and because the Developer did not pay the taxes on the properties, which was about \$277,000, the Town foreclosed on the properties. He went on to explain that because there was a title issue when the town acquired 332 Colonel Ledyard Highway property thru the foreclosure, the town could not sell property at that time, and so they rented-out the home out of necessity for nearly five years. He stated Avalonia Land Conservancy paid for the A2 Survey of the property, which resolved the title and property located at 332 Colonel Ledyard Highway boundary issues, which put the detached garage back on the property with the house. He stated once the property boundaries were corrected the Town held a Public Hearing and a Special Town Meeting that was held on September 27, 2023 the Townspeople approved to sell 332 Colonel Ledyard Highway to Leonard D. Sherman for Two Hundred and Eighty Thousand Dollars (\$280,000).

Mayor Allyn continued by noting after expenses the proceeds of the sale was \$260,895. He stated tonight's motion would allocate the funds to a number of Accounts.

The Finance Committee and Mayor Allyn reviewed the allocation of the \$260,895 as follows:

- **\$95,500.00 to Account #21040111-58240 (Building Renovations - Public Works)**

Mayor Allyn noted this funding would be used to support some much needed

Town Hall renovations which included combining the Tax Assessor and Tax Collectors Offices; relocating the Human Resources Office and the Assistant Finance Director's Office.

Councilor Buhle questioned whether funding had been budgeted for the Town Hall renovation work. Mayor Allyn stated that the renovation work had been budgeted, noting that the allocation of the \$95,500 would reimburse the Account for other capital needs. He stated funding was budgeted to this account every year and was used for building maintenance things such as new windows at the Library.

- **\$110,000.00 to Account #21040101-57315 (Pooled Vehicles - Public Works)**

Mayor Allyn stated the town recently lost seven of their pooled vehicles within a matter of a couple of months, noting that the vehicles had high milage, structural issues and were not safe for the road. He explained in years past the Town was able to purchase used State vehicles with low mileage directly from their assets that had been retired to surplus for a very low cost (between \$1,000 - \$1,500). However, he stated because the State changed to a third-party auction site to sell their surplus vehicles the town now had to purchase used vehicles at a higher cost.

Councilor Saccone questioned whether the town planned to sell the old vehicles on GovDeals.com. Mayor Allyn stated that they would be selling the vehicles using the on-line GovDeals.com auction site.

- **\$3,193.85 to Account #10110203-56900 (Other Supplies - Administrative Support)**

Executive Assistant to the Mayor Kristen Chapman stated as part of the Office Renovations in Town Hall that the need for storage materials were identified, explaining that these funds would be used to purchase filing cabinets and other items required for the Tax Collectors Office.

- **\$2,201.15 to Account #10110201-58790 (Contingency - Mayor's Office)**

Mayor Allyn explained that 334 Colonel Ledyard Highway had been a blighted property for many years. He stated the last time the town placed a Blight Lien (4th blight lien) on the property to pay a third party to clean up the property (mow grass, etc.) that the owner offered the town the deed in lieu of foreclosure, because he did not want to pay the lien. He stated after acquiring the property the town obtained a Demolition Permit for the house that had been condemned by the Building Department. He stated the structure had a small amount of asbestos in the roofing mastic which was removed; and they obtained a Permit to Abandon the Well from Ledge Light Health District, which involved filling the well with gravel. He stated these expenses totaled \$2,201.15 and were paid from the Mayor's Office Contingency Budget. Therefore, he stated this allocation was to reimburse the Account.

- **\$50,000 to CNR Account #21090305-68290 (Open Space)**

Mayor Allyn stated the Open Space Account had a balance of about \$360,000. He stated because the town would be involved with a co-share with Avalonia Land Conservancy to acquire a parcel on Stoddards Wharf Road that putting some funding in the Open Space Account would be a good use of the funds. He stated open space acquisition was good for the town and its residents.

Councilor Ryan questioned how the Mayor determined the Accounts to allocate the \$260,895 from the sale of 332 Colonel Ledyard Highway. Mayor Allyn stated the allocation of the funding was based on reimbursements, needs and replacement costs. He stated that they were not necessarily looking to purchase used or new vehicles, noting that the replacement of the pooled vehicles would be based on the opportunities presented.

VOTE: 3 - 0 Approved and so declared

RESULT: RECOMMENDED FOR APPROVAL

MOVER: Jessica Buhle

SECONDER: Tim Ryan

AYE: 3 Saccone, Buhle and Ryan

6. Any other New Business proper to come before the Committee.

X. ADJOURNMENT

Meeting went into Recess

DISCLAIMER: Although we try to be timely and accurate these are not official records of the Town.