



# TOWN OF LEDYARD

## Administration Committee

### Meeting Minutes

741 Colonel Ledyard Highway  
Ledyard, CT 06339  
<http://www.ledyardct.org>

Chairman S. Naomi  
Rodriguez

#### Regular Meeting

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**Wednesday, March 12, 2025**

**5:30 PM**

**Town Hall Annex- Hybrid Format**

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In -Person: Council Chambers, Town Hall Annex Building

Remote Participation: Information Noted Below:

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

**<https://us06web.zoom.us/j/82112241077?pwd=G9hYonZPajUpfSm0OFN9e8Sq7nmSvG.1>**

**Or by Audio Only: Telephone: +1 646 558 8656; Meeting ID: 821 1224 1077; Passcode: 665595**

I CALL TO ORDER

II. ROLL CALL

**Present:** Jessica Buhle  
April Brunelle

**Excused:** Kevin Dombrowski

S. Naomi Rodriguez Town Council Chairman  
Carmen Garcia-Irizarry Town Councilor  
Fred Allyn, II Mayor  
Sharon Pealer Resident  
Dan Pealer Resident  
Edwin Murray Resident  
Eleanor Murray Resident  
Cory Watford Resident  
Steve Munger Resident  
Larry Erhart Resident  
Mike Cherry Resident  
Paul Whitescarver Resident  
John Rodolic Resident  
Eric Treaster Resident  
Bill Thorne Resident  
Jacob Hurt Resident  
Roxanne Maher Administrative Assistant

III. RESIDENTS & PROPERTY OWNERS COMMENTS

**Mr. Steve Munger**, 12 Nutmeg Drive, Gales Ferry, stated after all the Town Council Meetings that he has attended, he could not believe that the Administration Committee was still bringing up this ridiculous Ordinance to Fly Third Party Flags on Town Owned Property. However, he stated if they were going to adopt such an Ordinance that they add the following language:

*“That if, when we get sued, that the Town Council that approved the Ordinance will be the ones that are responsible for the legal costs.”*

Mr. Munger continued by providing the following points regarding the proposed Third-Party Flag Ordinance:

- How can the proposed Ordinance state that *“The flagpoles are not intended to serve as a forum for public free expression”*? Mr. Munger stated that was exactly why we flag fly the US American Flag and the State of Connecticut Flag.
- The proposed Ordinance stated that *“The flagpoles are designated as non-public forums”*. Mr. Munger stated that the flagpoles were town property, and were our public forums.
- The proposed Ordinance stated that *“The flags are to be authorized by the Town Council, representing the official sentiments of the Town Council”*. Mr. Munger stated that the flagpoles are not there for the Town Council to express their sentiments.

Mr. Munger questioned whether a nonresident could make a request to the Town Council to fly a Flag, because the proposed Ordinance does not state anything about that. He also noted that based on his reading and understanding of the proposed Ordinance that *“The duration a Third-Party Flag could be flown was at the whim of the Town Council”*. He questioned what that was supposed to mean. He stated as long as there was a war somewhere on earth, the Town Council could fly the flag of whichever faction they chose for the next however many years, or months, or whatever. He stated according to the proposed Ordinance that the Third-Party Flags could be flown for a cause, nation, or group. Therefore, he stated that would mean that Hamas, Palestinians, LGBTQ+; etc., could all fly flags on Town Property.

Mr. Munger went on to state that the bottom line was that the proposed Ordinance was headed for legal trouble. He stated Ledyard Residents paid a decent increase in taxes last year; and it looked the upcoming year was going to be worse. Therefore, he questioned why would the Town even think of risking a lawsuit; whether they thought that there would be a lawsuit or not. He stated by adopting the proposed Third-Party Flag Ordinance, that the Town was risking something they do not have to risk. He stated the only flag in this country that unites everybody in this Town was the one that was flying out there right now.

Mr. Munger continued by noting that the proposed Third-Party Flag Ordinance stated that Commemorative Flags were not permitted. Therefore, he questioned whether that meant that they could not fly a Special Commemorative Flag for the 4th of July.

Mr. Munger stated the biggest reason not to adopt the proposed Third-Party Flag Ordinance was because there was already a Supreme Court decision on this issue. He stated that he read the whole Supreme Court Case noting that the case was brought about because of the flying of a religious flag. However, he stated Ledyard's proposed Third-Party Flag Ordinance stated that religious flags would not be permitted. Therefore, he stated that the proposed Ordinance was already going against the Supreme Court decision. that's already been done. He stated that he knows some like to have a little power when they get in positions. However, he stated any flag the Town Council allowed to be flown, whether it was my flag or your flag that it was always going to be divisive for some people. He stated the Town Council was supposed to make the Town a nice, livable place. He stated by adopting the proposed Third-Party Flag Ordinance that they were making it a divisive place.

Mr. Munger concluded his comments by stating the Town Council has to look at the full picture, and the number one picture was One Flag, One Town, One Country.

**Mr. Daniel Pealer**, 48 Highland Drive, Gales Ferry, stated that he was present this evening to address the proposed ordinance governing the flying of flags on town flagpoles. He stated that he believed that the proposed Ordinance, as currently written, raises several significant legal and constitutional issues that warrant reconsideration. He noted as he noted in his March 11, 2025 in which he covered *Shurtleff v. City of Boston* (2022) and this proposed draft ordinance has been written in a manner to attempt to avoid the issues in that case, that he would focus his comments on the other problems that this proposal runs into.

#### **Attribution and Public Perception**

Mr. Pealer stated that government speech must be attributed to the government in a way that is clear to the public. If a private group proposes a flag and it is displayed on a town flagpole, there was a risk that observers might attribute the message of the flag to the private group rather than the government. He stated that this creates ambiguity about whether the speech represents the government's message or that of a private entity. He stated that courts have been cautious in cases where the line between government and private speech was blurred, as seen in *Matal v. Tam* (582 U.S. 2017), where trademarks were held to be private, not government, speech due to the role of private parties in creating the message.

Mr. Pealer went on to not that it was important to recognize that the town cannot unilaterally declare a flag to be government speech simply by approving its display. He stated that Government speech, by its nature, must clearly convey a message attributable to the government itself. He stated the involvement of private groups in proposing flags, coupled with the temporary and rotational nature of flag displays, undermines the claim that these displays constitute government speech.

**Temporary and Rotational Nature**

Mr. Pealer stated that the nature of the expression matters. He stated that permanent monuments, like those discussed in *Pleasant Grove City v. Summum* (555 U.S. 2009), were inherently government speech because of their enduring presence and the government's long-term commitment to their message. He noted flags, on the other hand, were temporary and rotational symbols that often reflected the sentiments or causes of the moment. He stated that this transient nature makes it less likely for flags to be perceived as embodying a consistent,

long-term government message. He stated the lack of permanence undermines the argument that these displays were purely government speech.

Mr. Pealer stated the proposed Ordinance in Ledyard differs significantly from the situation in *Summum*. He stated the ordinance seeks to govern the display of flags, which were inherently temporary and rotational in nature, unlike permanent monuments. Flags, being transient symbols, were often perceived as expressions of current sentiments, events, or causes. This transient nature differentiates flags from the permanent and enduring nature of monuments, which are meant to convey long-term messages and values.

Mr. Pealer stated the distinction between temporary flag displays and permanent monuments was crucial. He stated that while the government may exercise control over permanent monuments without violating the First Amendment, the temporary nature of flag displays requires a different legal consideration. He stated that the broad discretion granted to the Town Council to approve or deny flag displays based on their subjective determination of "official sentiments" raises the potential for viewpoint discrimination. He stated that this could result in arbitrary and inconsistent decisions, which were not permissible under the First Amendment's requirement for viewpoint neutrality.

Mr. Pealer stated that the flags flown on the flagpole are more akin to the long-winded speaker that Justice Alito described in *Summum*, rather than the permanent monument covered by the case. He noted as Justice Alito wrote, "*Speakers, no matter how long-winded, eventually come to the end of their remarks; persons distributing leaflets and carrying signs at some point tire and go home; monuments, however, endure. They monopolize the use of the land on which they stand and interfere permanently with other uses of public space.*" Mr. Pealer stated that flags, being temporary and rotational, do not monopolize space in the same way that permanent monuments do. Just as a public park can serve as a platform for many orators over time, flagpoles can accommodate a variety of flags, reflecting diverse sentiments without permanently claiming the space.

**Insufficient Standards and Guidelines**

Mr. Pealer went on to state for the proposed Ordinance to credibly establish flag displays as government speech, that it must include detailed, objective, and consistent criteria for approving flags. He noted the current proposed ordinance used language open to subjective interpretation such as "*flags that promote or may encourage*", specifically in Section 2, functionally giving the Town Council broad discretion to determine what flags to approve. He stated that this inherently subjective guidelines weakens the claim of government speech and opens the door to claims of viewpoint discrimination, as private speech could be selectively excluded under the guise of government speech.

Mr. Pealer continued by noting in *Police Department of Chicago v. Mosley*, 408 U.S. 92 (1972), the Supreme Court struck down a Chicago ordinance that prohibited all picketing near schools, except for labor picketing. The stated that the Court held that the ordinance violated the Equal Protection Clause of the Fourteenth Amendment because it discriminated based on the content of speech. He noted that Justice Marshall, writing for the Court, emphasized that "*The Equal Protection Clause requires that statutes affecting First Amendment interests be narrowly tailored to their legitimate objectives.*" The ordinance's

selective exclusion of non-labor picketing failed to meet this requirement, as it did not serve a compelling government interest in a narrowly tailored manner. Mr. Pealer stated that this case illustrated the importance of ensuring that any regulation affecting First Amendment Rights must be both justified by a legitimate objective and crafted in a way that does not unduly restrict free expression. Similarly, he noted that Ledyard's proposed ordinance's broad discretion in approving flags, without clear guidelines, posed a risk of content-based discrimination, which is impermissible under the principles established in *Mosley*.

#### **Risk of Viewpoint Discrimination**

Mr. Pealer stated the proposed ordinance's declaration that flagpoles were non-public forums for government speech does not absolve the Town Council from adhering to constitutional principles. He stated even if the government controls the forum, it cannot engage in viewpoint discrimination. He stated by allowing private individuals and groups to propose flags but retaining discretionary power to approve or deny them, the ordinance risks being a mechanism for suppressing certain viewpoints, rather than a legitimate exercise of government speech. He pointed out that this was inconsistent with the First Amendment's Protections. Further the explicit prohibition of the use of the flagpole to fly religious flags runs afoul of other court decisions such as *Lamb's Chapel v. Center Moriches Union Free School District*, 508 U.S. 384 (1993) and *Good News Club v. Milford Central School*, 533 U.S. 98 (2001) where the court decided that such restrictions are prohibited viewpoint discrimination.

Mr. Pealer stated a pertinent case illustrating the importance of viewpoint neutrality in government regulations is *Frederick Douglass Foundation, Inc. v. DC*, No. 21-7108 (D.C. Cir. 2023). He explained in this case, a federal appeals court found that the city of Washington, D.C., engaged in viewpoint discrimination by selectively enforcing laws prohibiting defacement of public property. He stated that the city allowed Black Lives Matter protesters to paint messages on public streets and sidewalks but arrested pro-life advocates for similar actions. He stated that the court held that "*The First Amendment prohibits the government from favoring some speakers over others. Access to public fora must be open to everyone and to every message on the same terms.*" Mr. Pealer noted that this case underscored the need for government regulations to be applied uniformly and without favoritism towards any particular viewpoint.

Mr. Pealer stated in the *Lamb's Chapel v. Center Moriches Union Free School District*, 508 U.S. 384 (1993), the Supreme Court ruled that a school district violated the First Amendment by denying a church access to school facilities to show a religious film

series while allowing other community groups to use the facilities for various purposes. He noted the Court held that the exclusion of the church's religious viewpoint, via Rule 7 which was a clause functionally identical to the prohibition in the proposed policy, constituted viewpoint discrimination. He pointed out that similarly, in *Good News Club v. Milford Central School*, 533 U.S. 98 (2001), the Supreme Court held that a public school district's refusal to allow a religious club to meet on school premises after hours, while allowing other community groups to do so, constituted viewpoint discrimination. He stated the Court emphasized that the government cannot exclude speech based on its viewpoint, even in limited public forums. He stated that these cases reinforce the principle that viewpoint discrimination was impermissible in any forum where the government allowed speech, which has highlighted the need for the Town Council to ensure that its regulations were applied in a viewpoint-neutral manner.

Mr. Pealer stated in conclusion that the proposed ordinance raises significant legal and constitutional issues that must be addressed. He stated by enshrining the current unofficial "*No Third-Party Flag Policy*" into an official ordinance, the Town Council could ensure clarity, transparency, and legal certainty, while avoiding the potential for viewpoint discrimination and other constitutional issues. He thanked the Administration Committee for their attention on this matter.

**Mr. Edwin Murray**, 26 Devonshire Drive, Gales Ferry, stated that he submitted an Appointment Application to be considered to serve on the Planning & Zoning Commission. He noted that he was present this evening to answer any questions that the Administration Committee may have relative to his appointment.

Councilor Buhle thanked Mr. Murray for attending tonight's meeting, noting that the Administration Committee would address appointments under New Business later this evening.

**Mr. Eleanor Murray**, 26 Devonshire Drive, Gales Ferry, stated that she was coming up to her third year as a Ledyard Resident. She noted that she was present this evening to express her support to establish an Ethics Commission. She stated that Ledyard was one of only twenty towns in the entire State that does not have an Ethics Commission. She stated that she probably represented about 1% or less of the people in town that have read the 15 pages of the proposed Ordinance to Establish and Ethics Commission. She stated that she served on the Second Appeals Committee Level of Kaiser Permanente. She stated that she strongly felt that people have to have a sense that somebody was looking over what was happening in town, they need to know that they have a place to go if they feel something that was not happening properly, and that somebody would look at what they were bringing to them, whether it goes one way or the other. She stated with an Ethics Commission that somebody was going to take a look at it and be concerned about it. Therefore, she stated that she felt very strongly that the town should move forward with the Ethics Commission. Thank you very much.

**Mr. Larry Erhart**, 14 Fawn Drive, Gales Ferry, stated that he appreciated the time and effort of everyone who works in the town, either on committees or any public service, noting that they all try to do a good job. He stated that he recently became

aware of the proposed Ordinance governing the flags. He stated over the last 30 or 40 years he has heard about many different organizations and their flags. He noted that today he dug out all of his flags, noting that he was wearing a flag on his lapel this evening. He stated that he thought the proposed Third-Party Flag Ordinance was a bad idea for the following reasons:

- Flags are emotional because they mean different things to different people.
- As he drives around town he has seen Confederate Flags; Betsy Ross Flags; UConn Flags; and US American Flags; etc. Mr. Erhart stated each flag may mean something to one set of people, but it may mean something different to another set of people. He noted as an example the Timber Flag and Rattlesnake Flag. He stated the “*Don't Tread On Me*” Flag was a good flag, noting that it was the flag of the Libertarian Party. However, he stated that some people see the “*Don't Tread On Me*” Flag as a Militant Flag.

Mr. Erhart stated last June, 2024 State Trooper Aaron Pelletier, was struck and killed by a truck while conducting a traffic stop, noting that it was a terrible tragedy. He stated they wanted to honor the fallen State Trooper with the Thin Blue Line Flag. He stated that he particularly liked the police department, noting that to him the Thin Blue Line Flag was to honor the police. However, he stated some people voted against the Thin Blue Line Flag because they thought it was against Black Lives Matter.

Mr. Erhart stated the proposed Third-Party Flag Ordinance was too vague and too open. He stated if the Town Council was going to write an Ordinance to fly flags on town, property that it should be a simple process; with a designated Flag Pole. He stated Ledyard has a flagpoles at Pfizer Field; at the their baseball and field soccer fields, at Blonders Park and on the Town Green.

Mr. Erhart went on to note that the proposed Third-Party Flag Ordinance stated that only the Town Council could consider requests to display a flag if the request is made by member of the Ledyard Town Council. Therefore, he questioned the reason he could not make a Flag Flying request, and why he had to go through a member of the Town Council. In addition, the proposed Ordinance required that the majority of the Town Council members present must approve the display the requested flag. Therefore, he stated if the Town Council's vote was 4-in favor and 3-opposed that would tell him that there was three people that have a problem with the particular flag. He suggested they make the vote on a request to fly a third-party flag a unanimous decision; noting that was fair to say that everybody was in agreement.

Mr. Erhart also noted that the proposed Third-Party Flag Ordinance referred to flags owned by a private individual, organization, represented a specific historical event, a cause, a nation, or group of people. He stated that he was wearing a Ukrainian Flag which was actually Belarus, not Russia. He stated when he went through the Egyptian Security at the Cairo International Airport the last week of January, 2025 that he was

told to take that pin off and add another pin. He stated because he did not want to be sent to Egyptian Prison he took the flag pins off. He stated although they were not the Transportation Security Administration (TSA), but because he was in a different country; and they had a different set of rules he followed their direction. He stated the bottom line was that the proposed Third-Party Flag Ordinance was opening up a can of worms. He stated that it was his option for the Town to stay out of trouble that they fly the United States Flag, and the State of Connecticut flag. Thank you.

**Mr. Mike Cherry**, 5 Whippoorwill Drive, Gales Ferry, stated that he was present to talk about the following things this evening:

- **Third-Party Flags** - Mr. Cherry suggested the Town look at the Gilbert Supreme Court decision. He also noted in Arizona it was ruled that if you allow one, they have to allow them all for free speech. Therefore, he stated that it was a little different than what Mr. Munger presented during his comments this evening.
- **Ethics Commission** - Mr. Cherry noted that some communication that was submitted for the record was included on the Town Council Communications List, however, it was not included on list for Administration Committee. He noted that he wanted to highlight what Leanne Anderson wrote in her letter in which she clearly stated “*Without an enforceable Code of Ethics and a Dedicated Commission, that there was no mechanism to address Conflicts of Interest, Abuses of Power, or Breach of Public Trust.*” Mr. Cherry stated that he thought the instruction the Administration Committee drafted addressed Conflicts of Interest, and it addressed Financial Gain. However, he stated the draft Ordinance does not address Abuse of Power or Breach of Public Trust. Therefore, he stated the proposed Ordinance to *Establish an Ethics Commission* does not address the question that a lot of people were asking; which was “*Why we need an Ethics Commission*”. He stated that this was just something for the Administration Committee to think about before bringing a proposed Ordinance to a Public Hearing, noting that it appeared that the draft Ordinance was missing some of the things that were in State Statute that came up in 2018 or in 2019. Therefore, he stated that he thought it was worth looking at the draft Ordinance *Establishing an Ethics Commission* again. He stated that he understands that this item has been on the Administration Committee’s Agenda for more than six months, noting that Councilor Buhle and Councilor Brunelle would most likely be drafting the Ordinance, because Councilor Dombrowski has expressed his position on the subject.
- **Appointment Application - Planning & Zoning Commission** - Mr. Cherry stated the he noticed that Mr. Edwin Murray’s Appointment Application to serve on the Planning & Zoning Commission was on tonight’s Agenda. He stated that he has seen Mr. Murray speak at multiple meetings, Public Hearings; Town Council Meetings, and many other different Committee Meetings. He noted that Mr. Murray was not afraid to state his mind; and that he normally has a good opinion; and that he defends his opinion. However, Mr. Cherry stated that he did not always agree with what Mr.

Murray has to say. He noted in reviewing the Mr. Murray's Appointment Application that he noticed that there was not an endorsement from a Town Committee, pointing out on his Application that Mr. Murray stated he was registered as an Unaffiliate; however, he stated that the Connecticut Voter Registration List says that Mr. Murray was a registered Democrat. Therefore, he stated that he believed the Administration Committee needed an endorsement from the Democratic Town Committee before they could act on Mr. Murray's appointment application. Mr. Cherry stated with that being said, that he thought that Mr. Murray would be good, noting that he has seen him in action. He noted the importance of for members of the Committees, Commissions and Boards to always check their bias at the door; and that he trusted that Mr. Murray to do that.

Registrar Judy Johnson was in attendance at the meeting and agreed to check the Voters Registration List to verify Mr. Murray's Party Affiliation.

**Mr. Paul Whitescarver**, 6 Stoddards Wharf Road, Gales Ferry, stated as most probably know, he was the Former Commanding Officer at the New London-Groton Submarine Base. He stated the Submarine Base had a policy to fly the US American Flag, the Connecticut Flag, and the Missing in Action Prisoner of War (MIA POW) Flag. He went on to note that when they attend the Judge Advocate General's Corps (JAG) School for two-weeks, they were specifically instructed that they have to enforce their Flag Policy; as to not to offend anyone on the base, because it's a Federal installation. He stated the point was that they have a great number of constituents in the Town of Ledyard; and the idea was not to offend anyone. He stated one of the best ways to do that was to have a policy that the Town was going to fly two flags. He stated by doing so it would prevent the Town Council and the Mayor from offending anybody. He stated that he was an apolitical guy, and that he would hate to see division anywhere, because it was just not good for the culture and it was not good for Ledyard. He recommended that the Town Council think about that before they go down the path to allow the flying of third-party flags. He stated the easiest way to not offend anyone was to stick to flying the one or two Flags.

**Mr. John Rodolico**, 40 Long Cove Road, Ledyard, stated when he had the privilege to serve as Ledyard's Mayor, he had a policy known as the "*Line Out the Door*" that was when an individual made a request, and he agreed that would there be a line at his door with others making the same demand. He stated in fairness, the answer would be "*Yes*", what was good for one was good for everyone. He stated that he could see a fairness issue with this policy, therefore, we need to be careful with what we approve on the Third-Party Flag issue. He stated when he saw words in the proposed Ordinance like "*non-public forums*", "*official sentiments of the council*", and "*government speech*" that he thought of fairness. He questioned whether the provisions allowed in the proposed Ordinance would truly be fair, equitable, and represent the community; or a decision made by five officials. He stated the proposed Ordinance stated that a request must be made to the Town Council 30-days in advance. He questioned whether that process included requests made by a Town Councilor? He also noted that there was a conflict between Paragraph 2.B and

Section 3 which gives a Town Councilor the ability to by-pass the review process. He recommended adding the words “*in accordance with Section 3*” to the end of Paragraph 2.B. “*All flag requests are subject to FOI requirements which would identify the requester*”. He noted the proposed Ordinance stated that the flag must represent an “*historical event, cause, nation or group of people*” Therefore, he questioned whether Ledyard would be flying the flag of other nations. However, he noted that the proposal would exclude a flag which represented “*a religious movement or creed*”. He stated both of these criteria could be widely interpreted. He questioned whether Ledyard would fly the flag of a foreign nation or people group, but not commemorate our heritage. He stated by these criteria they could not fly a flag with the words of the *Declaration of Independence* or the *Constitution*, or the pledge that each of you take before every meeting. He asked that the Administration Committee to keep in mind that many of the causes they would seek to honor, including civil rights and our freedoms, have their roots in the religious community. He stated that he does not advocate for religious flags or any flags to be flown, but he did that he does object to singling out faith while permitting other extraneous causes. He noted the proposed Ordinance stated that the Third-Party Flag cannot represent a political party, but not that it can’t be political. He stated that was an important distinction, since most flags being considered have a political basis. He stated that the town currently flies two flags, US American Flag and the State of Connecticut Flag. He stated those two flags were universally accepted as representing all our citizens who have pledged to obey the laws and pay the cost of those governments. He stated those two Flags were non-offensive - they speak for all our citizens, and not a few government officials. He stated the proposed Ordinance stated that the flags cannot encourage violence, discrimination, prejudice or racism - and he questioned what about offensiveness.

Mr. Rodolico provided the following suggestion: when he drives through the center of town the last thing he was looking at was what was flying on the Town Hall flag pole. He stated in travelling through town very few people look up at the flag poles. He stated if the Town Council really had an issue that they were seeking to put forward, there are over 5000 homes, nearly 30 churches, and 100’s of businesses around our town and that would receive much more exposure and would truly express a representative and fair measure of our citizens thoughts. He stated for the reasons he presented this evening, he was opposed the proposed Ordinance because it was: Unnecessary, Government Overreach, and of Questionable Legality. Thank you.

**Ms. Sharon Pealer**, 48 Highland Drive, Gales Ferry, stated that she was present this evening to express her opposition to the following two proposed Ordinances that were on tonight’s Administration Committee Agenda: (1) *Ordinance Establishing an Ethics Commission*; and (2) *Ordinance to Fly Third-Party Flags*. She stated that both of the proposed Ordinances were unnecessary, and not in the best interest of the town, long term. She stated that both of the proposed Ordinances open the town up for expensive lawsuits. She stated with a budget, being presented for a vote, that called for a 3.15 mils increase for taxpayers who were already strapped with paying, if not the highest mill rate in the region; it was the second highest. She stated that the proposed Third-Party Flag Ordinance was poorly written with the exclusions; noting

that the preset was part of the ordinance. She stated that it was exclusionary, not inclusive, noting that it sets the Town Council members up as being both Judge and Jury, over which groups were represented, and which ones were excluded, with no concern over who may be outright offended.

Ms. Pealer went on to address the proposed Ordinance Establishing an Ethics Commission. She stated that an Ethics Ordinance may be something that other towns have, but other towns were not Ledyard. She stated that Ledyard does not have a business or industrial tax base to share the burden of their taxes. She stated as her parents always said, “*Just because your friends are jumping off a bridge, do you need to follow?*”. The incentive for the Ethics Ordinance was something in the past, and it was fairly obvious that the need has not come up as often, or the push to have one would have come up more often; as has already been said regarding this subject. She suggested the Administration Committee read the previous meeting minutes comments, noting that they cannot find someone in violation of a law or ordinance that did not exist when the act was performed. She asked that they keep in mind that attorneys were expensive, or one would have been requested to draft a Flag Ordinance, noting if they had worked with the Town Attorney that they would have been aware of all the pitfalls that the proposed Ordinance falls into. Thank you.

**Mr. Jacob Hurt**, 6 Nugget Hill Drive, Gales Ferry, attending remotely via Zoom, stated as we gather tonight, they had the following big things on their minds:

- ***Presidential Administration and Congressional Administration*** in Washington D.C. was using the powers of its government and the powers available to actively persecute the LGBTQ+ Community. Mr. Hurt stated that he would not for a moment want to be in those people's shoes.
- ***Federal Government Budget*** - Mr. Hurt stated that they were also looking at a situation where we do not even know if the Government was going to be funded. He stated even if it was, the Administration still tried to deny the funds getting to where they were supposed to go.
- ***Ethics Commission*** - Mr. Hurt stated that the Ledyard's Planning and Zoning Commission just has the most controversial Land Use Application in our collective memory that gave rise to some serious ethical concerns and exposed the fact that we do not have an Ethics Commission, and we probably should. He thanked those who spoke out in support of the Ethics Commission, and he noted that he agreed with them. He stated that he supported the Administration Committee's efforts to get an Ethics Commission established, because it was time to make sure that ethics concerns were fairly aired and resolved, and that we have strong oversight for the ethical conduct of the elected officials in this town; and for anybody else under whom that ordinance would fall.
- ***Third Party Flag Ordinance*** - Mr. Hurt stated for those complaining

#### IV. PRESENTATIONS / INFORMATIONAL ITEMS

## V. APPROVAL OF MINUTES

MOTION to approve the Administration Committee Minutes of February 12, 2025

## VI. OLD BUSINESS

## 2. Discussion and possible action to create an Ethics Commission for the Town of Ledyard.

Councilor Buhle stated as many of you know, being a Town Councilor was not a paid position, and because she had several other things that she does to pay her bills that she did not have the time since their February 12, 2025 meeting to give the time and attention needed to work on the proposed *Ethics Commission Ordinance*. She went on to note her past statements in which she stated that she felt strongly that an *Ethics Commission* was necessary, because the time to create an *Ethics Commission* was when she had people telling her that the town did not need one. She stated that they could not make someone follow the rules of the *Ethics Commission* after they already broke them. Therefore, she stated the time to enact the rules was before somebody breaks them. She stated if they think that nobody has been unethical, then the time to establish a *Code of Ethics* and *Ethics Commission* was when nobody has been unethical. She stated that there was going to be people that think that they have already seen unethical behavior, however, she stated that they could not retroactively apply an *Ethics Commission*; or a *Code of Ethics* to address those instances. However, she stated that they could set a standard of what they expected for ethical behavior for in this town, and without putting words to a page and an ordinance in a book, and saying, "*This is the law of our Town*". She stated that setting the standard of what the ethics were for their town with a code of ethics was not a partisan issue.

Councilor Buhle went on to note that *Establishing an Ethics Commission* has become a partisan issue for our town. She stated she did not think it was too much to expect ethical behavior from our Elected Officials, from our Committee, Commission and Board Volunteers and from our Town Employees, noting that it was a no brainer. However, she stated that she wanted to make sure that the Ordinance they write does not end up with myriad lawsuits against the town. She stated that they need to make sure that complaints are founded in truth, and that investigations were fair, honest, and complete; and that accusations without basis do not ruin somebody's career, life or future. She stated all these things were extremely important; and for a lack of a better phrase, that they were not pushing through an ordinance just to make it happen.

Councilor Buhle continued by acknowledging that she understood that those who were proponents of *Establishing an Ethics Commission* that it feels like drafting an *Ethics Commission Ordinance* has been going on for a really long. However, she stated that this was not something that they could get done in two weeks, because it deserved a lot more attention than that. She also stated that she wanted to make sure that when they were ready to push a proposal forward they would be submitting the best version of the Ordinance to the Town Attorney for their legal review; so they were not wasting the Town Attorney's time or wasting taxpayer funds.

Councilor Brunelle stated that she had a Quality Assurance background, and that she finds it upsetting that when they try to bring forward a basic *Ethics Commission* that people were against it. She addressed the importance to hold everyone accountable to the rules, regulations, and guidelines. She state that Ethics in itself was not bad. She stated that every organization or form of civilization needed to have some form of rules. She stated just because we do not currently have a *Code of Ethics* does not excuse the fact that we should have one, and that we do need one. She stated an *Ethics Commission* was a form of fairness which was what they want in a community. She stated it as a matter of right versus wrong, noting that the *Code of Ethics* was like guidelines and bylaws, so that everything could run smoothly. Therefore, she stated not to have an *Ethics Commission* was absurd. However, she stated that they needed to make sure their *Ethics Commission* was a good one, a fair one, a just one.

Councilor Buhle stated that the Administration Committee would continue to work on drafting a proposed *Ordinance to Establish an Ethics Commission*.

**RESULT:** CONTINUE

**2.** Discussion and possible action to draft an Ordinance regarding the raising of Unofficial-Third-Party Flags on Town Property.

Councilor Buhle thanked Councilor Brunelle for drafting the proposed Ordinance regarding the *Raising of Unofficial-Third-Party Flags on Town Property* and she asked her to provide an overview of the proposal.

Councilor Brunelle stated at she drafted the proposed Ordinance by pulling a lot of the language from other community's ordinances. So if it was badly written, that she guessed that everybody writes bad ordinances; and that was okay.

Councilor Brunelle stated that she wanted to address some comments that she heard this evening regarding the flying of Third-Party Flags. She stated that she felt strongly that the Town Council should be able to have a Flag Ordinance, noting the reason the Town needed a Flag Ordinance was so they could fly the Pride Flag and other flags to show support for our community. She stated as the Town Council that they want to show support and to show that Ledyard was a welcoming community. She stated that flying other flags should not be offensive to people. She stated what was offensive was when you were not welcoming someone into the community.

Councilor Brunelle went on to state that she has heard that the proposed Flag Ordinance was ridiculous. She stated that it was not ridiculous, noting that it was an ordinance to try to be a helpful and a welcoming to a community that was right now under attack. She stated that Red, White, and Blue does not stand for everybody. She state the LGBTQ+ Community's right to marriage was under attack right now, and they were not being treated equally; and women were in trouble of losing some of their rights.

Councilor Brunelle stated that she was an American; and she wanted to serve her country, noting that she loved her country. She stated that she had many family members that fought in wars, stating that one family member almost died because he threw himself on a grenade to save his country. Therefore, she stated that she felt strongly for this country. However, she stated that right now our country does not cover everybody equally; and that was okay, because we have our laws. She stated our people keep fighting for justice, keep fighting for rights, and keep fighting for equality. She stated because she did not expect things to be perfect, was the reason she was here.

Councilor Brunelle stated that she never liked politics; however, she stated the reason she ran to serve on the Town Council was because people in this community needed to step up. She stated that she loved to see people come up and talk, even if she did not agree with them because they were doing something.

Councilor Brunelle stated that she strongly agreed with the proposed Flag Ordinance because all the LGBTQ+ Community hears was hate; all they hear was oppression. She stated that people tell the LGBTQ+ Community to just shut up and go away; and that they were ridiculous! She stated that she has been told that she was divisive because she wanted to welcome those people. She stated flying the Pride Flag should not be divisive or offensive, noting the LGBTQ+ Community exists. However, she stated that sadly these were the reasons they have to keep moving forward.

Councilor Brunelle addressed residents comments that “*The flying of Third-Party Flags was a public forum*”; however, she stated that it was not a public forum, that was why the proposed ordinance was written the way it is. She stated that it was not a Public Forum; it was the Town Council's Forum. She stated all of those laws versus laws, and this one versus that one, who said they had to fly the religious flags. She stated if they read the law it was a problem because they did not have this written down. So that was why they had to fly the religious flag; and why they had to “*Fly One; Fly All*”, because they did not have this in place, and that was why we are doing this so that we do not open that up.

Councilor Brunelle continued by stating like the *Ethics Commission*; it needed to be written first before the problems. She stated that they write an ordinance so that it was fair; and so they do not offend people. She stated that she could not sit here and say that because we want to show that we welcome the LGBTQ+ Community that they would be offending people. She stated that it would be like saying, I know somebody who wanted to put up a Breast Cancer Pink Ribbon; that they would be offending all the other cancer patients. Councilor Brunelle stated “*No, you're not.... You're not*”. She stated some people might have colon cancer, or stomach cancer, noting that her Mom died from lung cancer; but that she was still going to support someone who had breast cancer.

Councilor Brunelle stated all the comments she has heard regarding the proposed

*Ordinance to Fly Third Party Flags* were just excuses to show their biases and that they just do not want to be welcoming; and that was because there was a lot of LGBTQ+ people in this community. She stated these people were too afraid to come forward; they were too afraid to say anything because they were being told to “*Shut up! You're ridiculous. Go away. It's easier if you don't exist*”. However, she stated that she did not agree with that, and if flying the flag could save one life, it was worth it. She stated flying the flag could help one person stop crying in a corner and from feeling like they were a loser; when they could be the next greatest thing for this country. She stated that was what why they proposed the Flag Ordinance, noting that everybody was special, everybody was different, everybody was unique; and she loved everyone in this community; and that she wanted to welcome everyone in this community.

Councilor Brunelle noted residents comments that said the proposed *Flag Ordinance* was anti-religion; however, she stated that they were not. She stated that she just attended a nice program for Black History Month in a church, noting that none of them were anti- religion. However, she stated that there was a time and places for stuff like that, noting

that Religion was welcomed; Freedom of Speech was welcome, Free Expression was welcome, and that Our Rights should be welcomed. Therefore, she stated “Yes”, you may not agree with her and that was fine, because she did not agree with a lot of the residents who have spoke, and that was fine. However, she stated the she was super thankful for everybody that comes forward and talks, because it was important because they do not ever hear the opposing person's thoughts and comments. She stated that she did not sit here and actually think about what they were saying and feeling. She questioned how they were going to understand anybody in this world, how they think, or how they feel, noting to understand other viewpoints that the world needed more of this; not just more of who cares. She stated that everything was hard, but that does not mean that it was wrong. She stated, “*Just because everybody was jumping off a bridge does not mean that you have to follow*”. She stated that the proposed *Flag Ordinance* was the same, noting that because it might be hard, and because everybody else was telling you things that you do not agree with. Therefore, she stated that she had to stick to her gut; and stick to who she was; which was that she wanted to be welcoming to people of this community, for everyone in this community, and not just a select group. She stated that she was not picking just one group over the other group; but that she just wanted to be able to express kindness to people who were under attack right now, noting that they needed that support, whether residents liked it or not, because they were part of this community, they pay taxes, they were helping the community; and that was all she had to say. Thank you.

Councilor Buhle stated while Councilor Brunelle was talking that she pulled up her exact comments that she made during a Town Council meeting nine months ago, today and she read them as follows:

*“With the Community Relations Committee's focus on mental health over the last few years she wanted to say that it was s extremely important for us to embrace and support our LGBTQ+ Community and Youth. She noted that according to the Trevor Project, a nonprofit dedicated to LGBTQ+ Youth Suicide Prevention that 41% of LGBTQ+ young people ages 13 to 24 seriously considered attempting suicide in the past year. Including roughly half of transgender and non-binary youth. Additionally, only one-third of LGBTQ+ young people experience parental acceptance with one-third experiencing rejection, and one-third not disclosing their identity until they are adults. She stated that LGBTQ+ Young Adults who report high levels of parental rejection were eight times more likely to report attempting suicide. She stated while we cannot control whether LGBTQ+ youths were accepted at home by their parents that we can create safe spaces and events that show our town is welcoming and supportive. She stated just over one in three transgender and non-binary youth found their home to be gender affirming but 52% found their school to be affirmative. She state that the Trevor Projects Research consistently finds that LGBTQ+ young people report lower rates of attempting suicide when they have access to LGBTQ+ affirming spaces. She stated that she could go on reading statistics about why this is important all night; but people were not statistics, and there were absolutely members of our community who need to know we are an affirming, supportive community. We must be more than a town for all seasons, but a town for all people”.*

Councilor Buhle stated what she found interesting was they have a community of people who have told her that the world was not about her, and that she was a “Snowflake” when she was not; and that her feelings of being offended were not valid, and that some people just had delicate feelings, and yet the people who said all those things were offended about a flag.

Councilor Buhle stated that she was supportive to a group that commits suicide at a higher rate than almost anybody else. Therefore, she stated that if there was a flag up there, and there was a child in our community who was struggling with their identity and was feeling that this world did not accept them, and thought that they were better off dead than being in Ledyard, or were being told that they were not welcome here; that she hoped they were listening. She stated every single comment that said they would rather not have a flag, because it was offensive, means that you are offensive, and you may not think that was how it comes off; whether or not they thought that.

Councilor Buhle stated the legal parts was all of that matters. However, she stated when they use the word offensive and divisive; that every person she know who was LGBTQ+ does not want to be divisive, they just want to be friends, they just want to hang out together and do normal things and live a normal life. However, she stated the hardest part of that stage was during their youth and their growth of becoming a

person. She stated the people she knows who were the most comfortable in their LGBTQ+ lives have been LGBTQ+ for 10+ years. They have dealt with all of that trauma before, and now there were coming out on the other side of feeling comfortable within themselves. She stated when they were 14, 15, 16, 17, 18, 19, 20-year-olds in our town, who were coming into the town, and seeing these comments, and feeling unsupported; that something as simple as flying a flag, noting that it does not have to be in front of the Town Hall, they could put it at the Town Green, could make a difference in their lives. She stated that there were other town property options that could tell somebody this community loves you, and we want you to be here.

Councilor Brunelle stated that she was happily married as a Cisgender woman to a Cisgender man, and that she was very content, and that she would never look at a flag and be upset by it, because it did not encompass her. She stated that realistically, there were other communities that may want to fly flags that she did not fit into, and she was find with that. She stated that she was a big enough person to move past that and look at the bigger picture. She stated that we need to be a town for all people; and all people means people who love differently than you do, who live differently than you do; and people who look differently than you do.

Councilor Buhle stated that obviously, they were not ready to move the proposed Flag Ordinance forward, noting that there were some suggestions that were valid.

**RESULT:** CONTINUE

3. Any other Old Business proper to come before the Committee  
None.

VII. NEW BUSINESS

1. MOTION to reappoint the following members to the Cemetery Committee for a three (3) year term ending April 26, 2028:

- Mr. William Vidal, III, (D) 183 Spicer Hill Road, Ledyard (Regular Member)
- Mr. Vincent Godino (D) 1906 Center Groton Road, Ledyard (Alternate Member)

Moved by Councilor Buhle, seconded by Councilor Brunelle  
Discussion: None.

Administrative Note: the terms of Cemetery Committee Members Ms. Jessica Stately and Ms. Kimlyn Marshall would also be expiring on April 26, 2025. However, the Committee did not endorse their reappointments due to attendance records.

**VOTE: 2 - 0 Approved and so declared**

**RESULT:** RECOMMENDED FOR APPROVAL  
**MOVER:** Jessica Buhle

**SECONDER:** April Brunelle

**AYE:** 2 Buhle and Brunelle

**EXCUSED:** 1 Dombrowski

2. MOTION to reappoint Mr. Charles Duzy ( R) 4 Harvard Terrace, Gales Ferry, to the Housing Authority for a five (5) year term ending March 31, 2030.

Moved by Councilor Brunelle, seconded by Councilor Buhle

Discussion: None.

**VOTE: 2 - 0 Approved and so declared**

**RESULT:** RECOMMENDED FOR APPROVAL

**MOVER:** April Brunelle

**SECONDER:** Jessica Buhle

**AYE:** 2 Buhle and Brunelle

**EXCUSED:** 1 Dombrowski

3. MOTION to appoint Mr. James Harwood (D) 10 Eska Drive, Ledyard as a Regular Member of the Planning & Zoning Commission to complete a three (3) year term ending December 31, 2026 filling a vacancy left by Mr. Whitescarver.

Moved by Councilor Buhle, seconded by Councilor Brunelle

Discussion: Councilor Buhle stated that she served on the Conservation Commission with Mr. Harwood, noting that he was well rounded, knowledgeable, and brings a lot to the table.

Administrative Assistant Roxanne Maher stated that Mr. Harwood has been serving as an Alternate Member on the Planning & Zoning Commission. She stated with Mr. Whitescarver's resignation that the Commission has requested that Mr. Harwood be moved to a Regular Member.

**VOTE: 2 - 0 Approved and so declared**

**RESULT:** RECOMMENDED FOR APPROVAL

**MOVER:** Jessica Buhle

**SECONDER:** April Brunelle

**AYE:** 2 Buhle and Brunelle

**EXCUSED:** 1 Dombrowski

4. MOTION to appoint Ms. Rebecca Watford ( R) 429 Colonel Ledyard Highway, Ledyard, as an Alternate Member to the Historic District Commission to complete a five (5) year term ending December 6, 2028 filling a vacancy left by Mrs. Parkinson.

Moved by Councilor Brunelle, seconded by Councilor Buhle

Discussion: Councilor Buhle stated that Ms. Watford had previously been a caretaker of the Nathan Lester House, noting that she has some experience and background with the Historic Commission District Commission.

Councilor Brunelle stated if there was no relevant conflict arising from Mrs. Waterford being the caretaker of the Nathan Lester House and with serving on the Historic District Commission that they should move her name forward.

**VOTE: 2 - 0 Approved and so declared**

**RESULT:** RECOMMENDED FOR APPROVAL

**MOVER:** April Brunelle

**SECONDER:** Jessica Buhle

**AYE:** 2 Buhle and Brunelle

**EXCUSED:** 1 Dombrowski

5. MOTION to appoint Mr. Edwin Murray (U) 26 Devonshire Drive, Gales Ferry as an Alternate Member of the Planning & Zoning Commission to complete a three (3) year term ending December 31, 2025 filling a vacancy left by Mr. Harwood.

Moved by Councilor Buhle, seconded by Councilor Brunelle

Discussion: Councilor Buhle stated that she had some reservations with Mr. Murray's appointment noting that she has seen some of his online content. She noted during Residents Comments earlier this evening Mr. Cherry stated that Mr. Murray was good at providing opinions, and that he was well versed; even if Mr. Cherry disagreed with the Mr. Murray's opinions. However, she stated that she had concerns with any biases that may come into play. Therefore, she stated that she was somewhat indecisive.

Councilor Brunelle stated that she understood Councilor Buhle's comment.

The Committee discussed the following options: (1) Move Mr. Murray's Appointment Application forward to the Town Council to discuss further; (2) Review his Application again and make a decision this evening; or (3) Table the Motion to clarify Mr. Murray's Party Affiliation relative to whether they needed to wait for an endorsement from his respective party and revisit this item at their April 9, 2025 meeting

Mr. Murray stated that the mistake has been correct, explaining that the Voter Registration List still had him registered as a Democrat; but that he was an Unaffiliated. Therefore, he stated that he completed the paperwork this evening to change his party affiliation to Unaffiliated. He asked if the Administration Committee had any questions that he could answer for them this evening.

The Committee noted that they did not have any questions for Mr. Murray this evening; and they thanked him for attending tonight's meeting.

**VOTE: 0 - 2 Motion Failed**

**RESULT:** MOTION FAILED

**MOVER:** Jessica Buhle

**SECONDER:** April Brunelle

**NAY:** 2 Buhle and Brunelle

**EXCUSED:** 1 Dombrowski

6. Discussion and possible action to draft a resolution establishing a Sustainable CT Ad-hoc Committee.

Councilor Buhle stated that she added establishing a Sustainable CT Ad-hoc Committee to tonight's agenda because when she ran to serve on the Town Council that one of her goals was for the Town to obtain a Sustainable CT Certification.

Councilor Buhle stated during the March 6, 2025 Fiscal Year 2025/2026 Budget Work Session they briefly discussed obtaining a Sustainable CT Certification explaining that the Program had some strict requirements in the certification process, which required the Community to complete certain things within the last three-years. However, she stated that Ledyard has already done a number of Sustainable CT Projects that would have qualified for the Certification, such as purchasing all the streetlights from Eversource and converting them all over to LED bulbs, which was done several years ago, therefore, she stated that those projects could not be used toward their certification process, because they were not done within the last three years.

Councilor Buhle went on to explain that there were many sustainable opportunities that the town could, noting that one of her favorite's things was to save the town money and bolster economic development; and things to protect our watersheds; which was extremely important.

Councilor Buhle stated that Ledyard and North Stonington were currently Sustainable CT Certified Towns; and that our current point of contact was Land Use Director Elizabeth Burdick. She stated that she talked with Ms. Burdick before adding the discussion to establish a Sustainable CT Ad Hoc Committee to tonight's agenda, noting that they discussed the best approach to facilitate this initiative. She stated that East Haddam, East Lyme, and Stonington were Sustainable CT committees, and had Ad Hoc Committee to help them create goals and achieve the certification. Therefore, she stated this was on tonight's Agenda for discussion.

Councilor Brunelle stated that she was definitely for having a Sustainable CT initiative. She noted at a CCM Class that she spoke to someone about whether Ledyard was already a Sustainable CT Community and that she learned that they were. She stated that it would be worthwhile to establish an Ad Hoc Committee because they would want to save money, and to also help bolster more tax revenue from businesses, noting that she did not see any downside.

Mayor Allyn, III stated as everybody knows, the town was very minimally staffed. Therefore, he stated that he did not believe they had the capacity to staff another Committee, Commissioner Board at least right now.

Councilor Buhle questioned whether the town could look into using a Staff Consultant or perhaps look into to using a Sustainable CT Fellow through Southeastern Connecticut Council of Government (SCCOG). She noted that it was her understanding that the Fellows were supposed to start in April or May, and would be available until late August or early September.

Mayor Allyn provided some background noting that Ledyard began the Sustainable CT Certification some time ago; however, he stated the initiative was derailed due to other time demands. He stated as Councilor Buhle mentioned this evening that Ledyard had already undertaken all the LED Streetlight turnovers; and a couple of other projects, which cannot be counted. Therefore, he stated that they would need to develop a new slate of Goals and Projects

Councilor Buhle stated that it would be interesting consider what they could; questioning whether the Multi-Use Pathway and the Food Waste Progrm could count toward their Sustainable CT Certification.

Councilor Buhle went on to note that last year Councilor Garcia-Irizarry showed her a presentation regarding the Sustainable CT Program that she had discussed with one of the SCCOG Fellows. She stated that she forwarded the Sustainable CT Program Presentation to the Administration Committee, noting that it included the contact information for the Program. She stated that she was going to ask Councilor Garcia-Irizarry to help with this initiative. She stated that even if we do not qualify for the Sustainable CT Certification, that if they picked ten small projects that could help to reduce the town's energy expenses or improve the quality of life for the residents in our town, that it would still be worth the effort; especially because grant funding was available to assist with many of the projects.

Councilor Buhle concluded by stating that she would work with Administrative Assistant Roxanne Maher to draft a Resolution for a Sustainable CT Ad Hoc Committee. She also noted that they would need to consider the membership of the Ad Hoc Committee stating that she thought having representatives from other town commissions such as the Economic Development Commission (EDC) and Conservation Commission; as well as some members of the public would be helpful.

**RESULT:** CONTINUE

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

None.

#### IV ADJOURNMENT

Councilor Buhle moved the meeting be adjourned, seconded by Councilor Brunelle.

**VOTE: 2 - 0 Approved and so declared,** the meeting was adjourned at 6:32 p.m.

Respectfully submitted,

Jessica Buhle  
Committee Chairman  
Administration Committee

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