



TOWN OF LEDYARD

CONNECTICUT
TOWN COUNCIL

Chairman S. Naomi Rodriguez

MINUTES
LEDARD TOWN COUNCIL – REGULAR MEETING
WEDNESDAY, FEBRUARY 14, 2024; 7:00 PM
HYBRID FORMAT
VIDEO CONFERENCE VIA ZOOM

DRAFT

- I. CALL TO ORDER – Chairman Rodriguez called the meeting to order at 7:00 p.m. at the Council Chambers, Town Hall Annex Building.

Chairman Rodriguez welcomed all to the Hybrid Meeting. She stated for the members of the Town Council and 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. PLEDGE OF ALLEGIANCE

- III. ROLL CALL –

Attendee Name	Title	Status	Location
April Brunelle	Town Councilor	Present	In-Person
Jessica Buhle	Town Councilor	Present	In-Person
Carmen Garcia-Irizarry	Town Councilor	Present	In-Person
Kevin Dombrowski	Town Councilor	Excused	
Gary Paul	Town Councilor	Present	In-Person
S. Naomi Rodriguez	Town Councilor	Present	In-Person
Tim Ryan	Town Councilor	Present	In-Person
Tony Saccone	Town Councilor	Present	In-Person
Gary St. Vil	Town Councilor	Present	In-Person

- IV. INFORMATIONAL ITEMS/PRESENTATIONS

Martin Luther King Jr. Essay Scholarship Recipients Ledyard High School Students Mackenzie Hope and Felix Adrian Beltre.

Chairman Rodriguez stated for tonight’s presentations that she was honored and so proud to recognize Ledyard High School’s Dr. Martin Luther King, Jr. Scholarship Recipients: Mackenzie Hope and Felix Adrian Beltre. She stated on the evening of October 19, 2023, at the Mystic Marriott, the Dr. Martin Luther King Jr., Scholarship Fund held its annual awards ceremony. This program recognizes greatness in high school seniors by awarding students scholarship money who live and work in the ways of Dr. Martin Luther King’s legacy. The Ledyard Town Council was honored to have Mackenzie Hope and Adrian Beltre here this evening to read their winning essays. Chairman Rodriguez invited Adrian Beltre to come up to the podium to read his essay.

Mr. Adrian Beltre read his essay as follows:

“In today's modern society, we live in a country that values its weapons more than the lives of innocent children. We live in a country where kids consistently wake up with the unnerving thought, "Is today the day that my school is going to be shot up next?" We live in a country where we can only feel anticipation towards another mass shooting, with true shock becoming rare to find, where teachers plan escape routes more than learning activities. Will it ever end? That is what I am thinking about. That is what my entire generation is thinking about. That is what the families of what would have been the Class of 2024 in Sandy Hook, Connecticut along with other families from Uvalde, Nashville, and countless other areas are thinking about.

This June I will be graduating from Ledyard High School ready to officially start my life full of opportunity. All I will hear is the cheering from the families, see the bright smiles from my classmates, and feel the diploma resting in the grasp of my hands, but what I will be truly

experiencing is nothing but pure guilt. I'll be thinking about the families of the Sandy Hook victims who were robbed of the joyful experience of seeing their child graduate in 2024. I'll be thinking about victims of these repeated tragedies and how they won't be able to take pictures with their graduates, nor brag about how much they love their child and how proud they are of them. I'll be thinking about the future, where millions of other families of school shooting victims will never see their child graduate with the uncertainty of which family's child will fall next to gun violence if we only send thoughts and prayers. This is not what America stands for.

So, where do we go next? We as a society can change this future, it doesn't have to be full of anticipation anymore. We must actively support and fund Organizations working to end gun violence. We must vote at the local, state, and national levels for candidates that will work tirelessly to place stricter gun laws into effect while drafting our own bills to be sent to our local legislators. Gun violence must end now, for the sake of our future and future generations.

Chairman Rodriguez invited Ms. Mackenzie Hope to the podium to read her essay.

Ms. Mackenzie Hope read her essay as follows:

“Florida’s refusal to implement Advanced Placement (AP) African America History has raised concerns about the state’s commitment to diverse narratives. Because what is African American History if it was not American History. Finding a solution to this problem, can teach about equity and equality in an educational setting from the beginning stages and early years of life. Florida’s resistance to this course of study perpetuates a void in students understanding of African American experiences. This decision hinders progress towards an inclusive environment. Governor Ron DeSantos’s statement about *Critical Race Theory* teaches kids to hate their country and each other is very misguided, because *Critical Race Theory* provides an important lenses to examine systematic racism and its impact. Promoting a more comprehensive education that acknowledges the complex realities of our society. Dr. King accurately noted “*Nothing in all the world is more dangerous than sincere ignorance and conscientious stupidity*”. Efforts should be made by teachers, policy makers, and community members to raise awareness about the importance of inclusive education, highlighting the significance of the contributions of African Americans throughout history to avoid any of this ignorance. Community organizations and schools can collaborate to develop and promote curriculum frameworks that incorporate African American History and to the broader narrative of American History. Florida’s refusal of African American History necessitates a change, it means engaging in meaningful dialogue, challenging misconceptions, and advocating for more comprehensive education. As Dr. King said: “*The time was always right to do what is right*”. Florida must reassess its stance and take steps toward more inclusive education, that is where we go from here.”

The Town Council and audience applauded the students for a job well done.

Chairman Rodriguez stated that the Ledyard Town Council was so proud of both the students, and she recognized that their families were immensely proud of them as well. She stated that their essays were outstanding and that they definitely deserved the recognition and scholarships. She thanked both Mr. Beltre and Ms. Hope for serving their community in many different ways and that she knew they both had bright futures ahead. She thanked the Students for coming out tonight, noting that the Town Council applauded them.



Due to technology issues with the Owl, the Town Council recessed the meeting:

Entered into Recess at : 7:16 p.m.

Came out of Recess at 7: 28 p.m.

Chairman Rodriguez called the meeting back to order at 7:28 p.m. and thanked everyone, especially those attending remotely via Zoom, for their patience's as they worked to get the equipment back on-line

V. RESIDENTS AND PROPERTY OWNERS

Ms. Betsy Graham, 72A Long Pond Road, South, Ledyard, thanked the Town Council for the opportunity to address them this evening. She stated that she was representing the *Lantern Hill Valley Association (LHVA)* to appeal to the Town to ask that they include Five Thousand dollars in the upcoming Fiscal Year 2024/2025 Budget to be used toward funding a \$15,000 PILOT Program to develop a *Sustainable Boat Launch Monitoring Program at the Long Pond State Boat Launch*. She stated that the *Lantern Hill Valley Association* has also made the same request to the Town of North Stonington.

Mrs. Graham provided some background explaining that Long Pond and Bush Ponds were valuable public resources shared by both the towns of Ledyard and North Stonington. She stated that the Connecticut Department of Energy & Environmental Protection (DEEP) has maintained the Public Boat Launch on Long Pond for over 70 years. She stated in the 1600-1700s the stream which flowed through the three Lantern Hill Valley glacial kettle ponds was dammed, making our lakes. She stated the stream that joined these ponds, now known as Whitford Brook, became the border of four towns as it flows south to the Mystic River. The LHVA has owned the primary dams at Long Pond and Bush Pond for over fifty years; and the McKee Farm Trust owned a dike on the east side of Bush Pond.

Ms. Graham continued by noting in 2016 the CT Agricultural Experiment Station (CAES) identified an aggressive aquatic invasive plant in the Connecticut River, which was now being referred to as the *CT River Hydrilla*. She stated using Deoxyribonucleic Acid (DNA) typing that the CT Agricultural Experiment Station (CAES) identified that the plant was a new Hydrilla Clade, or subtype. She stated that the CT Agricultural Experiment Station (CAES) was working with the Army Corp of Engineers to see if there was an herbicide that would be effective in slowing/stopping the plant's rapid growth. The plant was an aggressive grower, outcompeting all aquatic plant life, noting that it grows in shallow to deep waters, deoxygenating the water it was growing within, impacting fish and all aquatic life. The plant was also tolerant of salty waters, and was being found as far south as Essex and as far north up to Agawam, Massachusetts. She stated locally there was a real worry that the Hydrilla might spread the entire length of the Connecticut River, noting that initially, it was thought to only be a concern only locally, however, in the past few years it has been found to be a serious concern for all Connecticut lakes and rivers because boats have been transporting Hydrilla fragments between these water bodies.

Mrs. Graham went on to state that there were at least six lakes that have Hydrilla, noting among those was the Amos Lake which was in our backyard, as it was only 5-miles from Long Pond. She stated this past fall (2023) Hydrilla was discovered near the Long Pond State Boat Launch during an Aquatic Plant Survey. She noted that the CT DEEP Fisheries believe there was a strong correlation with boaters involved in tournaments on the Connecticut River who also attend tournaments held in local lakes, consequently transporting Hydrilla fragments between these water bodies. Therefore, she stated the Lantern Hill Valley Association (LHVA) and the Residents of Long Pond and Bush Pond were very concerned about the environmental and financial impacts the introduction of Hydrilla would have on our lakes.

Mrs. Graham stated in February, 2024, with the support of the Alliance for the Mystic River Watershed, they submitted a CT Aquatic Invasive Species (AIS) Grant Application to support a *Boat Launch Outreach Program*. She stated the Program offered educational materials and volunteer examinations for invasive plants or animals on boating and fishing equipment of each boat launch user, which included motorboat or paddle craft, entering or

leaving the water, or fishing from the shore. The Program required Volunteers to attend a two-hour *Invasive Investigator Program* conducted through the CT DEEP Boat Launch Program to learn how to approach boaters, engage them, and help them learn about the best boating practices. The Volunteers would also learn about the identification of aquatic invasive plants in a one-hour Invasive Plant Workshop offered through the Invasive Aquatic Plant Department of CAES.

Mrs. Graham went on to explain in submitting their CT Aquatic Invasive Species Grant Application that Lantern Hill Valley Association (LHVA) developed a Program that would provide coverage on weekend and holidays from mid-June to mid-September, with two five-hour shifts, staffed by two people working together each day. The Program would be made up of both volunteers and a core of paid staff to work alongside the volunteers, with a coordinator. She noted that they planned to reach out to the numerous volunteers of the Alliance for the Mystic River Watershed who expressed interest in water quality, to our community organizations, youth groups, and fishing groups to explain what and why we were going to be at the *Long Pond State Boat Launch* and how they could support and benefit from the project.

Mrs. Graham explained that the goal of the Program was to present information about Best Boating Practices to the public, noting that their boating behaviors could either have a positive or negative impact on the ecology of all our water bodies; and that it was up to us to protect them. She stated although the *Boat Launch Outreach Grant Program* was a startup program; that the Lantern Hill Valley Association's Plan was to develop *Sustainable Boat Launch Monitoring Program at the Long Pond State Boat Launch*; whether it be this year or next year. She stated that there may be hiccups along the way, but that she believed by having boat launch monitors on-site that it would send a message to the public that we care, and it would generate caring in return. She stated that it was essential for the welfare of our lakes to develop this community-wide endeavor. She concluded by thanking the Town Council for their time this evening, and she offered to answer questions.

Chairman Rodriguez questioned whether the \$5,000 CT Aquatic Invasive Species (AIS) Grant Application was different from the *Boat Launch Monitoring Program* at the Long Pond State Boat Launch. Mrs. Graham explained that the State collected about \$400,000 from the Boat Registration Fees, which included an additional \$5.00 for the Aquatic Invasive Species (AIS) Program, to offer grant funding to lake associations, and municipalities that were struggling with any component of invasive plants, noting that the grant funding could be used for: (1) Outreach – to educate the public about invasive plants; (2) Control or Management – this was typically herbicide treatments; or (3) Research. Ms. Graham stated the Aquatic Invasive Species (AIS) Grant they applied for was only good for one year; and if received the Lantern Hill Valley Association would use the funds to start the *Boat Launch Monitoring Program* this summer. However, she stated that the Association wanted the Boat Launch Monitoring Program to be sustained, which was the reason she has come to the Town Council to perhaps have an opportunity to speak with the Finance Committee to consider including \$5,000 for *Boat Launch Monitoring Program* in the Town's General Fund Budget for next year (Fiscal Year 2024/2025).

Chairman Rodriguez noted that the Lantern Valley Hill Association received grant funding in the past and she questioned how those funds were used. Mrs. Graham stated the Lantern Hill Valley Association was a volunteer-based group, noting that their membership fee was \$25.00. She stated in 2020 they received a combined total of \$2,200 from the Towns of Ledyard and North Stonington to conduct the first Aquatic Plant Study.

Councilor Ryan stated that Mrs. Graham indicated that the Aquatic Invasive Species (AIS) Grant was a one-time allotment, therefore, he questioned whether they could reapply each year for the Grant, noting that the Lantern Hill Valley Association wanted the *Boat Launch Monitoring Program* to be an on-going program. Mrs. Graham stated that the Lantern Hill Valley Association could reapply, however, she stated that there were a lot of lake associations that apply for these grant funds. She stated the Grant awards ranged from \$10,000 - \$75,000, noting that some larger lakes such as Candlewood Lake located in Fairfield and Litchfield county were always applying for the Aquatic Invasive Species (AIS) Grant, therefore, the

\$400,000 can be quickly used up. She stated that the Lantern Hill Valley Association with the Alliance for the Mystic River Watershed's support submitted an Aquatic Invasive Species (AIS) Grant Application that was just under \$15,000. She noted that there were also other grant opportunities such as the Community Foundation of Southeastern Connecticut who provide funding for environmental initiatives. She stated because the receipt of grant funding was always uncertain, that the Lantern Hill Valley Association thought that it would make sense to try to secure some funding that was definitive. She stated because they were just beginning the *Boat Launch Monitoring Program* that they were not sure how it would work, noting that some lake associations have hired boat monitors staffing, because they did not have enough of a volunteer base.

Councilor Ryan noted that Mrs. Graham stated that she has submitted the same \$5,000 request to North Stonington, therefore, he stated if both towns (Ledyard and North Stonington) were to allocate the funds that the Lantern Hill Valley Association would still have a \$4,000 deficit. Mrs. Graham stated that the Lantern Hill Valley Association was also doing some fundraising efforts and hoped that perhaps other organizations such as the Lions may provide some funding to support the *Boat Launch Monitoring Program*. She stated the Lantern Hill Valley Association was working to apply for a 501(c)3 to be recognized by the Internal Revenue Services (IRS) as being tax-exempt, and hoped that by next year they would have obtained the 501(c)3 status, noting that having a 501(c)3 status would change what they would be able to do. Councilor Ryan stated when Mrs. Graham attended the Finance Committee that the details that she discussed this evening along with other information would be helpful such as: (1) Does the grant funding need to be spent right-away; (2) Was there an expiration date as to when the funding needed to be spent; (3) Does the grant funding need to be used for specific purposes, other than what she presented this evening. He thanked Mrs. Graham for bringing this information to the Town Council's attention.

Councilor Saccone questioned the process should the Boat Monitor find a boat or equipment that was contaminated. Mrs. Graham stated the *Invasive Investigator Program* would teach the Boat Monitors how to approach boaters, engage them, and help them learn about the best boating practices. She stated that if they found invasive fragments that they were supposed to take them off the boat/equipment and put them on the ground way above the waterline in a pile where they would defecate. However, she stated if a boat owner said the Volunteer Boat Monitor could not look at their boat, even if they saw a plant on the boat, that they would have to step back. She stated there was a \$90 fine for transporting invasive plants, noting that the State had about 12 – 15 paid volunteers that visit boat launches. However, she noted that the State's volunteers would most likely be at the bigger, more popular lakes and would not be visiting Long Pond in Ledyard. Therefore, she stated that the state was counting on volunteers to help get the message out, noting that if no one was inspecting the boats that they could not educate the boaters about the invasive plants or impose the fine. She stated ideally having a boat washdown station, as they do in the Adirondacks, would be the best approach. However, she stated they were having a problem in Connecticut with figuring out how boat washdown stations would work.

Chairman Rodriguez thanked Mrs. Graham for her presentation this evening; and she referred the Lantern Hill Valley Association's appeal for the Town to include \$5,000 in the upcoming Fiscal Year 2024/2025 Budget to be used toward funding a \$15,000 PILOT Program to develop a *Sustainable Boat Launch Monitoring Program at the Long Pond State Boat Launch* to the Finance Committee.

Mr. Eric Treaster, 10 Huntington Way, Ledyard, stated he was present this evening to express his concerns regarding New Business Item #2 on tonight's Agenda for which the Town Council would presumably intend to "*acknowledge*" increases in the Building Permit Fees.

Mr. Treaster noted the following four concerns with acknowledges the new Building Permit Fees:

(1) ***Underlying Premise:***

Mr. Treaster stated the rationale provided for the Permit Fee increase was that the current fees no longer accurately reflected today's prices. However, he stated that this

was not true because the cost or price of operating the Town's Land Use Department was unrelated to the number of Building Permits it issued.

(2) ***Amount of the New Fee:***

Mr. Treaster stated the current permit fee was *\$10.26 per \$1,000 of construction value*. However, he stated that home values tend to increase each year, which would mean that the amount of the Building Permit Fees collected by the Town would increase by the same percentage. He noted as an example that the Building Permit Fee on a \$300,000 new house was currently \$3,078.00. Next year, assuming a 5% increase in home values due to inflation, the value of an equivalent new house would be about \$315,000, and the amount collected by the Town would be \$3,232.00 under the existing Fee Structure, providing an increase of \$154.00 without changing the Fees.

Mr. Treaster went on to state that the proposed Building Fee for new construction would increase from \$10.26 per \$1,000 of value to \$15.00 per \$1,000 of value. Therefore, he stated the 50% increase would increase the current \$3,078.00 fee on a \$300,000 house to a 4,725.00 fee next year for an equivalent house, which would be a 46% year-over-year increase. He stated that a 46% increase in government fees would cause several unintended consequences.

Mr. Treaster stated that people buy less of something when that something becomes more expensive. He stated builders require a reasonable return on their investment risk, cost, and effort, and that some builders may find that development in Ledyard would be too costly and decide to build elsewhere. The fee increase could mean less new construction and less tax revenue coming into the town coffers, harming all taxpayers.

(3) ***Fee increase would cause many projects, such as sheds, decks, and kitchen remodeling, to be built without a permit.***

Mr. Treaster stated that improvements must have a building permit to be taxed, and if they were not taxed; they would not generate tax revenue. He questioned whether the Town Council was sure that a 50% increase in the Building Permit Fee Rate would increase town revenue, noting that he would suggest the opposite. He stated that the Building Permit Fees should be as low as possible to encourage as many Building Permits as possible, which would result in job creation, town development, and increased tax revenues.

(4) ***Town Charter:***

Mr. Treaster stated under the Town Charter, the Town Council had the authority to establish and impose fees, but it does not have the authority to acknowledge fees proposed by others. He noted specifically, the first paragraph of Chapter III; Section 4 of the Town Charter stated: *"...the legislative power of the Town shall be vested exclusively in the Town Council..."* He noted that the keyword was ***"exclusively."*** stating that the Town Council cannot transfer its authority to anyone, including town employees.

Mr. Treaster went on to note that the second paragraph of Chapter III; Section 4 stated: *"...Town Council shall have the power to enact, amend, or repeal ordinances."* He stated that the Town Charter does not give the Town Council the authority to *"acknowledge"* changes to an existing ordinance. He stated if the Town Council wanted to change the Fees that the Town Council, and no one else, must amend the ordinance.

Mr. Treaster continued by stating that most importantly, the last sentence of Section 4 stated: *"..Town Council may fix the charges, if any, to be made for services rendered by the Town..."* He noted that this provision meant that the Town Council was required to establish the fees for services rendered by the Town. He stated that the Town Council has no authority to *"acknowledge"* fees that they did not establish.

Mr. Treaster concluded his remarks by urging the Town Council not to acknowledge the receipt of the amended ordinance; but to instead use their legislative power under the Town Charter to

amend the ordinance and to adopt Building Permit Fees that would be in the best interest of all town residents.

Chairman Rodriguez thanked Mr. Treaster for his comments.

IV. COMMITTEE COMMISSION AND BOARD REPORTS – None.

VI. COMMENTS OF TOWN COUNCILORS

Councilor Paul thanked everyone for their coordinated efforts to get the Owl back up and running this evening.

Councilor Brunelle wished everyone a Happy Valentines Day!; and thanked all those who were attending tonight's meeting, instead of being with their loved ones.

Councilor Ryan stated for those who have kids in school that he wanted to wish everyone a nice February break and a Happy Presidents' Day (Monday February 19, 2024). He stated they were expecting to have good weather; and that he hoped everyone would be safe and return to their daily schedules well rested.

Councilor Saccone recognized the passing of Mr. Mike McKernin (Turtle). He stated that Mr. McKernin was a long standing- life member of the Ledyard Center Fire Company, noting that Mr. McKernin was known from here to California. Councilor Saccone stated that he attended the Fire Academy with Mr. McKernin and when they would walk into a local establishment that folks would shout out Mike's name. He stated Mr. McKernin was an outspoken Fire Chief for the Ledyard Center Fire Department, noting the many great years he served the Town.

Councilor Buhle Welcomed Home the Sailors of the USS California, who returned to their families today after a 180-day deployment.

Councilor St. Vil thanked Chairman Rodriguez for inviting the Martin Luther King Jr. Scholarship Recipients Ledyard High School Students Mackenzie Hope and Felix Adrian Beltre to read their winning essays at tonight's meeting. He stated it reminded him of what President Barack Obama said:

"America is a constant work in progress, what gives each new generation purpose is to take up the unfinished work of the last and carry it further, to speak out for what is right, to challenge an unjust status quo, and to imagine a better world".

Councilor St. Vil stated seeing the young folks come today and share their ideas and perspectives reinvigorates President Obama's statement in his mind and in his heart.

Councilor Garcia-Irizarry stated recently she met with Southeastern Connecticut Resource Recovery Recycling Authority (SCRRRA) Director David Aldridge to discuss composting as a way to reduce the amount of solid waste going to the landfills, and in an effort to find solutions that would mitigate the disposal of trash issues that the State was experiencing since the July, 2022 closing of the East Harford MIRA Facility (Materials Innovation and Recycling Authority) causing 30 Municipalities to find other facilities. She stated that SCRRRA has been working toward building Eastern Connecticut's first *Commercial-Scale Food Scrap Compost Facility* which would process about 5,000 tons of waste. She stated on January 25, 2024, the Town of Preston's Planning and Zoning Commission approved SCRRRA's Compost Facility site plan. She went on to report that in addition, the United States Department of Agriculture (USDA) USDA recently announced that SCRRRA was selected to receive funding through the Composting and Food Waste Reduction (CFWR) Program. She stated the goal of removing the food scraps from the waste stream would help to reduce the amount of solid waste tonnage going to the landfills and help to reduce the tipping fees that municipalities pay. She suggested the Town Council invite Southeastern Connecticut Resource Recovery Recycling Authority (SCRRRA) Director David Aldridge to a Town Council meeting to give a presentation regarding the new Compost Facility.

Councilor Garcia-Irizarry went on to state that she and Councilor Buhle were talking about the meeting minutes and that they wanted to thank Administrative Assistant Roxanne Maher for her work in transcribing the minutes. She stated the minutes that Ms. Maher prepared were detailed and thorough. She stated none of the minutes that she received from other Committees and Commissions were as detailed or as good as the minutes Ms. Maher prepares.

Chairman Rodriguez wished everyone a Happy Valentines Day! She thanked everyone for attending tonight's meeting and volunteering their time to the community; and to the Town of Ledyard.

VII. REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

MOTION to approve the Regular Meeting Minutes of January 24, 2024
Moved by Councilor Buhle, seconded by Councilor Ryan

VOTE: 8 – 0 Approved and so declared

IX. COMMUNICATIONS

Chairman Rodriguez stated a Communications List has been provided on the meeting portal for tonight's meeting and she noted there were referrals listed.

X. COUNCIL SUB COMMITTEE, LIAISON REPORTS

Administration Committee

Councilor Garcia-Irizarry stated the Administration Committee met earlier this evening and addressed the following: (1) Proposed “*An Ordinance Establishing a Farmers Market for the Town of Ledyard*”; and (2) Several new appointments and reappointments. She noted these items would be included on the Town Council's February 28, 2024 Agenda.

Community Relations Committee

Councilor Brunelle stated the Community Relations Committee met on January 17, 2024 and addressed the following: (1) Black History Month Activities/Contest – Councilor Brunelle stated that Councilor St. Vil was handling the Essay and Poster Contests at the schools; and that a Poetry Slam would be held at Lucille's Restaurant in Ledyard Center on Monday, February 19, 2024.

Finance Committee

Councilor Saccone stated the Finance Committee met on February 7, 2024. He stated in addition to the one item on tonight's Agenda the Committee also discussed the following: (1) Public Act No.21-58 “*An Act Concerning Solid Waste Management*” in accordance with “*Resolution Regarding Revenues Received from Beverage Container (Nip Bottles) Surcharges*”- Councilor Saccone stated the Finance Committee continued to discuss the Surcharge Revenues the Town has been and would continue to receive from the State and ideas on how to use the funds; (2) American Rescue Plan Act (ARPA) Funding Project List – Councilor Saccone stated the Committee agreed to be prepared to review the List of ARPA Projects for the reallocation of surplus funds from completed ARPA Projects for the consideration and prioritization of “*Add-On Projects*”; (3) Annual Audit Fiscal Year Ending June 30, 2023 – Councilor Saccone stated the Town's Auditors CliftonLarsonAllen, LLP attended the Finance Committee meeting to deliver their report. He stated the Town received a good report and that the Auditors made one recommendation.

Land Use/Planning/Public Works Committee

Councilor St. Vil stated the LUPPW Committee met on February 5, 2024 and discussed the following: (1) Blight Report Updates; (2) Spicer Homestead relative obtaining a historic designation; and (3) Building Permit Fees – Councilor St. Vil stated the LUPPW Committee discussed the proposed revisions to the Building Permit Fee Schedule with Director of Planning & Development Juliet Hodge. He stated that the Committee approved to forward the Building Permit Fee Schedule to the Town Council for their acknowledgement later this evening.

Ledyard Housing Authority

Councilor Paul stated the Ledyard Housing Authority met on February 5, 2024 and discussed the following: (1) Renovation Project – Councilor Paul stated the renovation work to all of the apartment units have been completed. He noted that there were a few Punch List items and warranty issues that were being addressed; (2) Meeting Venue – Councilor Paul stated the Housing Authority issued a survey to the tenants asking them how they would like the Board to conduct their meetings. He stated the following three choices were presented: (1) Kings Corner Manor Community Room with audio (voice) recording using loaned equipment from the Town, when the equipment was available; (2) Purchase Zoom to use at

the Kings Corner Manor Community Room for a cost of \$1,900+/- and the purchase of a laptop computer to live stream and record the meeting; or (3) Move the meetings to the Town Hall Annex and use the Zoom the town has to live stream and record the Meetings. Councilor Paul stated that the Ballots need to be returned by February 20, 2024; and would be counted on March 4, 2024, noting that tenants could only vote for one choice. He stated the rents collected provided the Housing Authority's money, noting that they do not receive any subsidies. Therefore, the Board was looking to obtain the tenants input relative to the cost of implementing each of the meeting options.

Permanent Municipal Building Committee

Councilor Brunelle stated the PMBC met on February 6, 2024 and received presentations regarding the Juliet W. Long School Heating and Ventilation (HVAV) System from the following Bidders: (a) Friar; (b) HF Lense; (c) Russell & Davidson; (d) Silver Petrucelli & Associates. She stated two Bids were disqualified for the following reasons: one Bidder did not follow the two-envelope stipulation; and the other Bidder did not seem to understand the scope of the project. She stated because there was a significant difference in the cost between the remaining two Bids the PMBC has requested clarification.

Gales Ferry Fire Company

Councilor Saccone stated the Digital Sign that was purchased with American Rescue Plan Act (ARPA) Funding was installed in front of the Gales Ferry Fire Department on Route 12, Gales Ferry. He stated the sign would be used to post messages for Emergency Management such as Millstone Nuclear Drills, Impending weather/storms, Road Closures due to accidents or other events, and the Fire Company's business. He stated it was a Town Sign, noting that the message could be changed very quickly, noting that four people were authorized to change the message on the sign, using an App on their cellphone.

Chairman Rodriguez questioned whether the Digital Sign in front of the Gales Ferry Fire Company could be used to notify residents about town of referendums, and other important town events. Mayor Allyn, III, stated "Yes" explaining that the sign would be used for municipal purposes such as emergency situations like evacuation routes and to alert the public of issues that Councilor Saccone noted. He stated the sign could also be used for referendum votes, budget votes, etc. He stated per the Department of Transportation (DOT) the sign could not be used for commercial purposes.

Ledyard Center Fire Company

Councilor Saccone stated the Ledyard Center Fire Company was awaiting the delivery of their new Tanker. He stated the Tanker would hold 3,000 gallons of water, explaining where they do not have fire hydrants in town that the Fire Departments needed to supply the water.

Economic Development Commission

Councilor Buhle stated the EDC met on February 6, 2024 and discussed the following: (1) Opening of Bark & Barley, Gales Ferry – Councilor Buhle stated that they held a soft opening on Saturday, February 10, 2024 noting that she attended the event and it went great; and (2) Route 12 Corridor Study – Councilor Buhle stated the Study would be funded using American Rescue Plan Act (ARPA) Funding and was needed to later apply for grant funding to make improvements to the Route 12 Corridor.

Inland Wetlands & Water Courses Commission

Councilor St. Vil stated the IWWC met on February 6, 2024 and acknowledged the receipt of a "Notification of a Timber Harvest" at 101 Sandy Hollow Road.

Planning & Zoning Commission

Councilor St. Vil stated the Planning & Zoning Commission cancelled their February 8, 2024 meeting. However, he noted that the Applicant for the excavation work at the former Dow-Styrenics Site on Route 12, Gales Ferry, has withdrawn their Application. The Planning & Zoning Commission would resume their meetings in the Council Chambers, Town Hall Annex Building.

Board of Education

Councilor Garcia-Irizarry stated the Board of Education has held a number of meetings including a Public Hearing regarding their proposed Fiscal Year 2024/2025 Budget. She stated most of the Board of Education's proposed 6.85% increase was contractual and was related to salaries. She stated due to the snowstorm the Board of Education's February 13, 2024 meeting was rescheduled to February 15, 2024.

XI. MAYOR'S REPORT

Mayor Allyn, III, reported on the following: (1) Fiscal Year 2024/2025 Budget Preparation – Mayor Allyn stated he conducted Budget Meetings with the Department Heads in January. He stated based on the General Government's proposed budget numbers, as they stand right now, that they were looking at a 1.18 mil tax increase, without the Board of Education's proposed budget increase of 7.25%. He stated this was his least favorite time of year to be in Town Hall because he was cutting all of the Department's budgets. However, he stated that they still had a long way to go with working on the upcoming budget; (2) State Biannual Budget – Mayor Allyn stated Governor Lamont has made a few adjustments to the second year of the State's Biannual Budget. He stated if approved by the Legislature that Ledyard would receive an additional \$280,000 as follows: (a) \$110,000 for Education Cost Sharing (ECS); and (b) \$130,000 for Motor Vehicle Tax Reimbursement. Mayor Allyn explained when a Municipality's mil rate exceeded the State's Motor Vehicle Tax Cap that the State reimbursed the town for the amount that was over the amount; (3) ARC of Eastern Connecticut Neighborhood Assistance Act (NAA) Program - Mayor Allyn stated the Town of Ledyard received a thank you letter from the ARC of Eastern Connecticut for our part in assisting them to apply for and successfully receive the Neighborhood Assistance Act (NAA) Program. He stated the NAA award was in the amount \$26,872.00, which was comprised of donations from Eversource and Jewett City Savings Bank, and allowed ARC to replace all the windows at their Group Residence located at 1671 Center Groton Road, Ledyard, where ARC provided assistance to people with intellectual and developmental disabilities. He explained that the Neighborhood Assistance Act (NAA) Program provided a tax credit to businesses that make donations to nonprofits for energy assistance related projects that were approved by their local governments. He stated as part of the NAA Application process the nonprofit was required to apply to the town in which the project would be done, and all the Town had to do was hold a Public Hearing and endorse the project. He stated that he was pleased the Ledyard was able to help ARC and its residents who reside at 1671 Center Groton Road; (4) Southeastern Connecticut Council of Governments (SCCOG) Legislative Committee January 29, 2024 Meeting – Mayor Allyn stated he Chaired the meeting at which ten State Senators and State Representatives along with fifteen Municipal Leaders were present. He stated although SCCOG had about eight items on their Legislative Agenda that because the State's Session was going to be a Short Session this year, Senator Cathy Osten suggested they select their three top issues. Therefore, Mayor Allyn stated the three items SCCOG put forward were: (i) Increase the Heating Assistance Funding – Mayor Allyn stated last year the State had \$30 million left in heating assistance funding that had not been distributed by the end of the Legislative Session, which people could have used. Therefore, he stated that SCCOG asked the Legislature to immediately address the heating assistance funds at the beginning of the Session on February 7, 2024. He stated the Legislation would be considering appropriating \$13 million for heating assistance; and that SCCOG hoped that the Legislature would act soon, so that the heating assistance funds could be distributed to those in need during the heating season; (ii) Continued improvements to reduce barriers to sharing services between municipalities; and (iii) Increasing capacity at Bristol and Lisbon Waste to Energy facilities. These two facilities were designed for a 2nd incinerator and that the need was present; (5) February 13, 2024 Snowstorm – Mayor Allyn stated yesterday's snowstorm was only the

second snowfall this season. He stated because the Public Works Department had one plow that failed, others had to pick up additional routes. He also noted that there were a number of power outages due to downed trees on Gallup Hill Road. He stated that Public Works worked quickly with the tree crews and with Eversource to get the power back on; (6) Ledyard Interchurch Emergency Assistance Fund (LICEAF) February 8, 2024 Meeting – Mayor Allyn stated LICEAF approved one grant for energy assistance; (7) Two Bid Openings – Mayor Allyn stated the following bid openings took place this week: Housing Rehabilitation Revolving Loan; and Bid #2024-03 for the Nathan Lester House Exterior Rehabilitation; (8) Fiscal Year Ending June 30, 2024 Annual Audit – Mayor Allyn stated as Councilor Saccone noted during his Finance Committee report earlier this evening, the Town’s Auditors CliftonLarsonAllen, LLP attended the Finance Committee’s February 7, 2024 meeting to deliver their report. He stated the Auditors issued an Unmodified Opinion on the basic financial statements, which was the best opinion available. He stated there were no internal control issues, no material weaknesses, and no new deficiencies identified. In their Management Letter, CLA recommended the town change from tracking capital assets like large trucks and fire apparatus on Excel spreadsheets, to a capital asset tracking software instead. Mayor Allyn stated there would not be a big difference in the results between using the Excel spreadsheet or a capital asset tracking software, except that the capital asset tracking software would cost the town \$10,000 - \$20,000 to implement; (9) School(s) Consolidation Improvement Projects (Middle School & Gallup Hill School) Grant Funding – Mayor Allyn noted he met with Senator Osten and the Department of Administrative Services (DAS) to discuss the release of the next Progress Grant Payment in the amount of \$8 million. He explained that the State indicated that they would release the \$8 million thirty-days after they received the final body of evidence for the project that Colliers Project Leaders has been working to prepare. He stated Colliers Project Leaders had more than 1,100 paid invoices ready to be included in the town’s submittal packet to the State. He explained after the State released the last Progress Payment in the amount of \$8 million; that the next and final step would be for the State to conduct their Project Audit before they released the 5% hold back; (11) American Library Association Grant Application - Round II – Mayor Allyn noted at their November 8, 2023 meeting the Town Council authorized the submission of Round II of the Library Grant. He stated the award notifications were expected soon, noting that the \$20,000 would be used to purchase a new circulation and reference desk for the Bill Library designed to meet ADA requirements and better serve individuals with disabilities.

Questions to the Mayor - None.

XII. OLD BUSINESS – None.

XI. NEW BUSINESS

General Items

1. MOTION to reject the Agreement between the Ledyard Board of Education and the Ledyard Administrators’ Association, Ledyard, Connecticut for the period of July 1, 2024 through June 30, 2027; in accordance with CGS 10-153d(b).

Moved by Councilor Buhle, seconded by Councilor St. Vil

Discussion: Chairman Rodriguez provided some background regarding tonight’s motion. She noted that the Ledyard Administrators Association (LAA) negotiated their contract with the Board of Education’s Negotiation Committee last year, 2023. She explained per Connecticut General Statute 10-153d(b) that *“Within thirty days prior to the date on which the local or regional board of education is to commence negotiations, such board of education shall meet and confer with the board of finance in each town or city having a board of finance, with the board of selectmen in each town having no board of finance and otherwise with the authority making appropriations therein. A member of such board of finance, such board of selectmen, or such other authority making appropriations, shall be permitted to be present during negotiations pursuant to this section and shall provide fiscal information as may be requested by the board of education”*.

Chairman Rodriguez stated in 2023 Superintendent Hartling/Board of Education gave notification about the LAA Negotiations to former Town Council Chairman Dombrowski. She stated Chairman Dombrowski then notified the Town Council's Finance Committee to see if they would like to observe the LAA Negotiations. No action was taken, and an observer was not sent. She explained per state statute the Town Council can, or cannot send an observer, noting that it was the Town Council Chairman and/or the Finance Chairman's prerogative to decide.

Chairman Rodriguez continued by stating that the LAA Negotiations finished in 2023 and the contract was signed at the very first newly elected Board of Education Members meeting on December 19, 2023. She stated new Board of Education Chairman Alex Rode signed the letter to Town Council on January 22, 2024; noting the new LAA Contract was submitted and stamped on January 25, 2024 at the Town Clerk's office.

Chairman Rodriguez stated in conducting town business going forward, the Town Council respectfully requests that these types of notifications be provided in writing to ensure there was a record of such notification, and to provide transparency relative to the opportunity for a member of the Town Council, as the appropriation authority, to be present and provide fiscal information during the process. She stated as elected officials working to make fiscally responsible decisions to provide great schools and services to our residents, that we must be mindful that in negotiating labor contracts with our dedicated staff, that we were also committing our taxpayers' dollars.

Chairman Rodriguez stated for this particular motion a "yes" vote was actually a "no" vote and a "no" vote was actually a "yes" vote. Therefore, she explained: (1) To reject the contract the Town Council would vote "yes"; (2) To approve the contract the Town Council would vote "no"; and (3) If the Town Council does not act at all then the contract would automatically be approved and go into effect within thirty days of the filing date of the contract. She stated because the LAA Contract was filed in the Town Clerk's Office on January 25, 2024 the Town Council had until February 25, 2024 to act on the contract. She stated the reason she included the LAA Contract on tonight's agenda was because she wanted to provide transparency relative to the Town Council's participation in the process and to put on record whether the Town Council agreed with the contract; or that they did not agree with the contract.

Superintendent of Schools Jason Hartling, attending remotely, thanked Chairman Rodriguez for explaining the oddity of the Motion. He stated Ledyard was fortunate to have a great group of Administrators. He stated the Board of Education and Team of Administrators worked hard to come to an agreement that had the best interest of the town and to acknowledge the administrators. He stated the Board of Education supported the LAA Contract and they hoped that the Twon Council would support the contract as well. He stated the details of the contract were in the January 22, 2024 Transmittal Letter, noting that he would be happy to answer questions.

Councilor Ryan stated he talked with former Board of Education Members who were involved in the negotiation process. He stated they gave him confidence that the LAA Contract was a compromise between the needs of the Administrators Association and the Town.

By way of background the terms of the LAA Contract were as follows:

Salary

- A total Salary increase of 9% over the three-year contract period:
- Year 1- total negotiated increase 3%
- Year 2- total negotiated increase 3%
- Year 3- total negotiated increase 3%

Insurance

- Year 1- .5% increase Employee share would be 20.5%
- Year 2- .5% increase Employee share would be 21%
- Year 3- 0% increase Employee share would be 21%

VOTE: 0 – 8 Motion Failed

RESULT:	MOTION FAILED 0 - 8
MOVER:	Jessica Buhle, Town Councilor
SECONDER:	Gary St. Vil, Town Councilor
AYES:	Brunelle, Buhle, Garcia-Irizarry, Paul, Rodriguez, Ryan, Saccone, St. Vil
EXCUSED:	Dombrowski

Land Use/Planning/Public Works Committee

- MOTION to recommend the Town Council acknowledge proposed revisions to Appendix pertaining to Ordinance #300-003 “*An Ordinance Establishing Permit Fees for New Construction, Alternation, Removal, Demolition or Other Building Operation in the Town of Ledyard*” as presented in the draft dated January 23, 2024.

DRAFT: 1/23/2024

Ordinance #300-003

APPENDIX
TOWN OF LEDYARD
PERMIT FEE AND INSPECTION FEE SCHEDULE
NEW CONSTRUCTION, ALTERATION, REMOVAL, DEMOLITION OR OTHER
BUILDING OPERATIONS

BUILDING PERMITS & TRADE PERMITS **FEES**, WHICH INCLUDE ELECTRICAL PLUMBING AND MECHANICAL

~~Ten Fifteen Dollars (\$15.00) (\$10.00)~~ per Thousand Dollars (\$1,000), or part thereof, of estimated value based on the present cost of material and labor. **Fee includes the State Education fee of .26 per \$1,000 of construction value.**

CERTIFICATE OF OCCUPANCY:

Ten Dollars (\$10.00) (For Additions/New Homes/New Bathrooms or Bedrooms/Detached Garages/Sheds > 200sf - Added to the initial Building Permit Fee at time of submission.)

DEMOLITION PERMITS:

For Residential structures, Two Percent (2%) ~~Ten Dollars (\$10.00) per Thousand Dollars (\$1,000.00), or any part thereof,~~ of value computed on the Assessor's fair market value of the structure to be demolished.

For Commercial or Industrial structures Five Percent (5%) of value computed on the Assessor's fair market value of the structure to be demolished.

APPLICATION FEES WILL NOT BE REFUNDED REGARDLESS OF PERMIT STATUS OR OUTCOME

Acknowledged by the Ledyard Town Council on: _____

S. Naomi Rodriguez, Chairman

Revision: Appendix Acknowledged May 23, 1990; Acknowledged on October 28, 2020

History:

2024:

Paragraph 1: Increased Fee ~~\$10.00~~ to \$15.00

Added: “*Fee includes the State Education fee of .26 per \$1,000 of construction value.*”

Added New Paragraph: “*Certificate Of Occupancy*”

Demolition Permits Paragraph: Added the following language: “*For Residential structures, Two Percent (2%)*” “*For Commercial or Industrial structures Five Percent (5%) of value computed on the Assessor's fair market value of the structure to be demolished.*”; “*Application fees will not be refunded regardless of permit status or outcome.*”

Moved by Councilor Buhle, seconded by Councilor St. Vil

Discussion: Councilor Buhle stated that Ordinance #300-003 “*An Ordinance Establishing Permit Fees for New Construction, Alternation, Removal, Demolition or Other Building Operation in the Town of Ledyard*” prescribed the Establishment of Permit Fees. She also noted that per Section 3.1 of the Building Code that the Building Official was authorized to establish, by approved rules, a schedule of unit rates for buildings and structures of all use groups and types of construction as classified and defined in Articles 1, 3 and 4 of the Building Code.

Councilor Buhle went on to state as a member of the Land Use/Planning/Public Works Committee and a member of the Finance Committee that she learned that the increase in the Building Permit Fees would enable the Building Department to upgrade their software to allow residents to submit and pay for Permit Applications on-line making the process easier for residents and contractors, while also streamlining the workflow approval process for employees. She also stated that Ledyard has not increased their Building Permit Fees in five-years, and she noted in the past when they raised their fees that other towns followed suite and raised their fees as well. Therefore, she stated that Ledyard was not increasing their fees to an unreasonable amount.

Building Official Seumas Quinn, attending remotely, explained that stated the on-line Permit software would make the process more accessible for residents, noting that they would not be limited to only Town Hall business hours to apply for Building Permits.

Councilor St. Vil explained the Building Permit Fee Schedule included the following three components: (1) Increase the Building Permit Fees; (2) Provide a tool that the Building Department could use to identify appraisals that were not in-line with the actual building project; and (3) Demolition Permit was being modified from \$10.00 per \$1,000 to 2% of value computed on the Assessor's fair market value of the structure to be demolished.

Building Official Mr. Quinn stated that he agreed with Councilor St. Vil's comments, noting that the Building Department wanted to make sure that people were being honest when they pull permits. Therefore, he stated using a square footage-based system would provide a good guide for all staff.

Councilor Ryan acknowledged Mr. Treaster's comments (see above VI. Residents And Property Owners) stating that he also had concerns about keeping Ledyard affordable and making sure that Ledyard was not pricing themselves out of the market. However, he stated based on the history Mayor Allyn, III provided at the February 7, 2024 Finance Committee meeting, that it seemed like Ledyard started at the middle of the pack five-years ago and as time has gone on that the municipalities around us have increased their Building Permit Fees in the same manor, putting Ledyard at the bottom once again. Therefore, he stated the Building Official's revised Fee Schedule provided in the draft dated January 23, 2024 would put Ledyard back into the middle of the pack, noting that it would not make Ledyard the most affordable place to build, however, it does not put them out of reach for anyone who was planning to build new construction.

Councilor Ryan continued by providing clarification regarding the process, explaining that the Town Council was not acknowledging Ordinance #300-001 “*An Ordinance Establishing Permit Fees for New Construction, Alternation, Removal, Demolition or Other Building Operation in the Town of Ledyard*”; but that they were acknowledging the Appendix to the Ordinance, which was the Fee Schedule. He went on to explain the reasons the Building Permit Fee Schedule was an Appendix was: (1) To allow the Building Official to update the fees from time to time in accordance with the State Building Code, and (2) As an Appendix they would not have to go through the expense of holding a Public Hearing. He stated the Ordinance was initially established in 1970 as Ordinance #17; and he noted with the Town Council's 2017-2019 Ordinance Update Initiative that Ordinance #17 took on the new number of #300-001; and the Fee Schedule was removed from the Ordinance itself and attached as an Appendix. He stated tonight's motion was not transferring power to the Building Official, noting that the power had been transferred when the Ordinance was initially adopted. Therefore, he stated that the Town Council's action this evening was to acknowledge the Building Permit Fee Schedule.

Councilor Garcia-Irizarry noted Mr. Treaster's comment (see above VI. Residents and Property Owners) pertaining to the assessed value of the home. Building Official Mr. Quinn stated the Building Permit would be based on the construction cost to build the structure, and not the assessed value of the home. He explained by using square footage of the structure that

it would help keep people honest when applying for the Building Permit. He noted that it would provide a *checks and balance* noting that it would eliminate someone from saying that a house that cost \$150,000 to build was only going to cost \$80,000 to build. He went on to note that in addition to the Building Permit that other permits pertaining to the electrical, mechanical, and plumbing would also be required.

Councilor Garcia-Irizarry requested clarification with regard to the assessed value of a home, noting that it was her understanding that the Town only conducted a revaluation to assess property every five-years, not every year, as Mr. Treaster alluded to. Mayor Allyn stated that the Town conducted a revaluation every five-years. However, he stated the assessed value of a property did not have anything to do with the construction cost to build a new structure. He also noted that the numbers Mr. Treaster mentioned in his examples were inherently flawed. He stated most builders come in with a construction cost of \$110,000 - \$150,000; noting that no one comes in with a construction cost of \$350,000. He continued by addressing Mr. Treaster's comment regarding things such as sheds not obtaining a Building Permit. Mayor Allyn stated if someone bought a shed from Home Depot, Lowes, Klotter Farms, Carefree Sheds, etc. that the companies would not deliver the shed without an approved Building Permit. Building Official Mr. Quinn noted a shed under 200 square feet (16X12) would only require a Zoning Permit and Ledge Light Health District approval if it had septic and a well. He stated anything over 200 square feet would require a Building Permit.

Councilor Buhle addressed Mr. Treaster's comment (see above VI. Residents and Property Owners) pertaining to making Ledyard unaffordable. She noted the background information provided with the Building Official's new Building Permit Fees indicated that the fees were to offset the costs of the Building Department, noting that they were not generating more revenue than it costs to operate the Department. However, she stated when the town chooses not to raise fees to cover what that Department costs to operate, that they were then making a determination for the taxpayers to take on that burden. Therefore, she stated by adjusting the Building Permit Fee Schedule that they were saying that those using that program were paying for that burden, not the taxpayers.

VOTE: 8 – 0 Approved and so declared

RESULT: APPROVED 8 - 0
MOVER: Jessica Buhle, Town Councilor
SECONDER Gary St. Vil, Town Councilor
AYES: Brunelle, Buhle, Garcia-Irizarry, Paul, Rodriguez, Ryan, Saccone, St. Vil
EXCUSED: Dombrowski

XV. ADJOURNMENT

VOTE: Councilor Buhle moved to adjourn, seconded by Councilor Paul 8- 0 Approved and so declared. The meeting adjourned at 8:29 p.m.

Transcribed by Roxanne M. Maher
Administrative Assistant to the Town Council

I, S. Naomi Rodriguez, Chairman of the Ledyard Town Council, hereby certify that the above and foregoing is a true and correct copy of the minutes of the Regular Town Council Meeting held on February 14, 2024.

S. Naomi Rodriguez, Chairman