



TOWN OF LEDYARD

741 Colonel Ledyard Highway
Ledyard, Connecticut 06339

Finance Committee Meeting Minutes

Chairman
Kevin J. Dombrowski

Regular Meeting

Wednesday, August 16, 2023

5:00 PM

Town Hall Annex Building - Hybrid
Format

In -Person: Council Chambers, Town Hall Annex Building

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

<https://us06web.zoom.us/j/87874013450?pwd=T3ILVklNQVlVakQzOE5tSElPeHl0Zz09>

by Audio Only: Telephone: +1 646 558 8656; Meeting ID: 878 7401 3450; Passcode: 479240

I CALL TO ORDER

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

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

II. ROLL CALL

Present: Councilor Andra Ingalls
Councilor Tim Ryan

Excused: Councilor Bill Saums

In addition the following were present:

Naomi Rodriguez - Town Councilor

Fred Allyn, III, Mayor

Jason Hartling, Superintendent of Schools

Wayne Donaldson, Board of Education Director of Facilities & Grounds

Ed Lynch, Chairman, Water Pollution Control Authority

Vincent Godino, Chairman, Historic District Commission

Dave Murphy, Southeastern Connecticut Council of Governments (SCCOG)

Roxanne Maher, Administrative Assistant

III. RESIDENTS & PROPERTY OWNERS COMMENTS

None.

IV. PRESENTATIONS / INFORMATIONAL ITEMS

None.

V. APPROVAL OF MINUTES

MOTION to approve the Finance Committee Minutes of July 19, 2023.

Moved by Councilor Ingalls, seconded by Councilor Ryan

VOTE: 2 - 0 Approved and so declared

VI. FINANCE DIRECTOR'S REPORT

Finance Director Matthew Bonin noted that he would address the items as they come up on tonight's agenda.

Finance Director's Report

VII. FINANCIAL REPORTS

Financial Reports

Finance Director Matthew Bonin stated the following Financial Reports were attached to the Agenda on the meeting portal:

- Revenue Year-to Date Report- June 30, 2023

Mr. Bonin stated the Revenue Report does not include year-end numbers. He stated he hoped to have a good idea of the Year-End-Balance by the end of September, 2023.

- Expenditure Year-to Date Report- June 30, 2023

Mr. Bonin stated the last check run for the Fiscal Year 2022/2023 would be done next week. He stated there were still a number of journal entries that need to be made which included the following:

- ✓ Credit Card transactions thru June 30, 2023.
- ✓ Accrual for Year-End Payroll.
- ✓ Accounts Receivables .

Mr. Bonin stated because the Board of Education has had some turnover in staff that he did not know where the Board of Education was relative to closing out the Fiscal Year 2022/2023 Budget.

Councilor Ryan stated that he looked forward to seeing the final numbers for Fiscal Year 2022/2023 once all of the adjustments have been made.

VIII. NEW BUSINESS

1. MOTION to adopt a proposed “An Ordinance Establishing Tax Relief for Certain Modified Handicap Accessible Vehicles” as contained in draft dated July 31, 2023.

DRAFT: 7/31/2023

Ordinance #200 - _____

AN ORDINANCE
ESTABLISHING TAX RELIEF FOR
CERTAIN MODIFIED HANDICAP ACCESSIBLE VEHICLES
IN THE TOWN OF LEDYARD

Be it ordained by the Town Council of the Town of Ledyard: “*An Ordinance Establishing Tax Relief for Certain Modified Handicap Accessible Vehicles in the Town of Ledyard*” is hereby enacted.

Section 1: Authority

Pursuant to provisions of Chapter 203 of the Connecticut General Statutes § 12-81c “Municipal option to exempt certain motor vehicles”.

Section 2: Purpose

Individuals who have permanent legal residence in the town defined as those who occupy that property as their principal residence at least 183 days of each year, and who individually or jointly own a motor vehicle for the use of a disabled person as described herein, may receive a town tax exemption on the amount of taxes assessed on said motor vehicle provided that the requirements of this Ordinance are met.

Section 2: Definitions

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (a) Adaptive Control Devices: Includes, but shall not be limited to, any mechanical or electrical devices added to a standard motor vehicle to enable an individual with

mobility restrictions to control the accelerator, foot brake, turn signals, dimmer switch, steering wheel and/or parking brake.

- (b) Motor Vehicle: A vehicle that has been altered, reconfigured or has undergone mechanical or structural changes that permit a person with a disability to safely drive such vehicle or ride as a passenger therein. Motor Vehicle shall include, but shall be limited to, vehicles equipped with hand controls, hoists, lifts and other adaptive control devices.

Section 3: Eligibility

Any individual who is a resident with disabilities or parent or guardian of a person with disabilities and owns a motor vehicle described herein shall be eligible for exemption of the personal property taxes for one said motor vehicle.

Section 4: Exemption

The town hereby ordains, pursuant to Connecticut General Statute § 12-81c, that an exemption from personal property taxation for the following:

- (a) Any ambulance-type motor vehicle that is used exclusively for the purpose of transporting any medically incapacitated individual, except for any such vehicle used to transport any such individual for profit; and
- (b) Any property owned by nonprofit ambulance company; and
- (c) Any motor vehicle owned by a person with disabilities or owned by the spouse, parent or guardian of such person, which vehicle is equipped for purposes of adapting it use to the disability of such person.

Section 6: Application

Applications for benefits under this program shall:

- (a) Be made on forms provided by the Assessor Office of the town; and
- (c) Be filed each year with the Assessor's Office of the town between October 1 and November 1 to obtain a tax exemption for the next fiscal year.
- (d) This program shall be applicable to the assessment year commencing with the grand list of October 1, 2023 and thereafter until modified or repealed.

Section 7 . Severability.

If any section, or part of a section, of this Ordinance shall be held by a court of competent jurisdiction to be invalid, such holding shall not be deemed to invalidate the remaining provisions hereof.

Section 8. Effective Date

In accordance with the Town Charter this ordinance shall become effective on the twenty-first (21st) day after such publication following its final passage.

Adopted by the Ledyard Town Council on: _____

Kevin J. Dombrowski,-Chairman

Approved / Disapproved on: _____
Fred B. Allyn, III, Mayor

Published on:

Effective Date: _____
Patricia A. Riley, Town Clerk

Background: This Ordinance was enacted in response to a resident’s appeal for relief from personal property tax for Modified Handicap Accessible Vehicles that complied with and was in accordance with Connecticut General Statutes § 12-81c “*Municipal option to exempt certain motor vehicles*”.

Moved by Councilor Ingalls, seconded by Councilor Ryan

Moved by Councilor Ingalls, seconded by Councilor Ryan

Discussion: Councilor Ryan provided some background explaining at their July 26, 2023 meeting a resident appealed to the Town Council to consider adopting an Ordinance to provide a tax exemption for Handicapped Accessible Vans in accordance with Connecticut State Statutes 12-81c. He stated they appreciated the resident bringing this information to the Town’s attention, noting that neighboring towns have adopted similar Ordinances.

Councilor Ryan continued by stating the proposed “*An Ordinance Establishing Tax Relief for Certain Modified Handicap Accessible Vehicles*” presented in draft dated July 31, 2023 was well written, noting that it clearly outlined the eligibility.

Councilor Ingalls stated that she agreed with Councilor Ryan that the “*An Ordinance Establishing Tax Relief for Certain Modified Handicap Accessible Vehicles*” was well written. She stated in reading the proposal that she thought thru some scenarios and that she found the proposed Ordinance addressed all of the things that she could think of.

Councilor Ingalls stated the resident who brought the available tax abatement to the Town Council's attention was purchasing a Modified Handicapped Accessible Van which cost about \$90,000. She noted that Tax Assessor Adrianna Hedwall reported that the loss of tax revenue would be about \$2,000. Councilor Ingalls stated a tax loss of \$2,000 was not significant for the Town but would be a significant savings for a family. Therefore, she stated providing a tax abatement for Modified Handicapped Accessible Vehicles was a good idea. She concluded by noting the Administration Committee would also review the proposed Ordinance at their August 23, 2023 before it would move forward to a Public Hearing and on to the Town Council for action.

Councilor Ryan noted that the \$2,000 tax abatement was based on the appraised value of the vehicle noting that because the taxes would be based on the assessed value of the vehicle that the loss of tax revenue would be less than the estimated \$2,000.

Councilor Rodriguez questioned the limited time frame to submit Applications noting the draft *Assessor Tax Abatement Form* only allowed Applications to be submitted between September 1st - October 1st. Councilor Ryan stated although he could not speak for the Tax Assessor that he would think that Applications regarding motor vehicle tax exemptions could be submitted anytime during the year, but to receive a tax benefit that the Application would need to be on-file in the Tax Assessor's Office no later than October 1st ; so that it could be included in that year's Grand List calculation. He stated if Applications were received after October 1st they would not be eligible for the tax abatement for that year. However, he stated that they could obtain clarification from the Tax Assessor regarding the open Application period.

VOTE: 2 - 0 Approved and so declared

RESULT: RECOMMENDED FOR APPROVAL

MOVER: Andra Ingalls

SECONDER: Tim Ryan

2. MOTION to waive the reading in its entirety the "Resolution Amending The Resolution Entitled "Resolution Appropriating \$6,725,000 For Various School Improvement Projects; And Authorizing The Issue Of Bonds And Notes In The Same Amount To Finance Said Appropriation" To Increase The Appropriation And Borrowing Authorization To \$8,550,000".

Moved by Councilor Ingalls, seconded by Councilor Ryan

Discussion: Board of Education Director of Facilities and Ground Wayne Donaldson provided some background, explaining at the time of their original Grant request in the amount of \$6,725,000 for the Various School Improvement Projects was submitted, the State was not funding any Heating Ventilation/Air Condition (HVAC) projects. He stated they recently learned that the State has decided to reopen the bids

for Grants to include HVAC Systems sometime later this month. He stated they anticipate the Application Period would be open for 30-60 days, but to begin the Grant Application process the State required the Town Council to act on the three resolutions noted in the Motion presented this evening.

Mr. Donaldson went on to note Ledyard's original Grant Application in the amount of \$6,725,000; approved by the townspeople at a Referendum of February 22, 2022; included the following: replacement of the roofs at the Central Office, Gales Ferry School, and Juliet W. Long School; the installation of solar equipment at Gales Ferry School and Juliet W. Long School; upgrades to the Building Management Systems (BMS) at Gales Ferry School; and the electrical, and *HVAC upgrades at the Juliet W. Long School*, which was a split system.

Mr. Donaldson continued by stating to comply with the State's Grant that they had to redesign *HVAC upgrades at Juliet W. Long School* explaining that it would be a full air conditioning system with outdoor CO2 monitoring, outdoor intake, and a Building Maintenance System (BMS), which was the same system that was installed at the Gallup Hill School and the Middle School, opposed to the split system which recirculated the existing air inside the building. He stated the cost for the HVAC system has now come in at \$2.2 million, which was higher than the original proposal that was included in their 2022 Grant Application. Therefore, he stated the Town's Matching Funds would need to be increased from the previously budgeted \$400,000 to \$845,000. He went on to explain that the State also passed Legislation that would allow Federal and Other Grant Funding to qualify as the town's matching funds.

Mr. Donaldson explained the Board of Education applied for the Heating Ventilation/Air Condition (HVAC) Grant for the Juliet W. Long School last year, noting that the open Grant Application period had a limited timeframe to prepare and submit the Grant Application, noting that the Applications were due December, 2022. He stated the Board of Education received notification from the State late on a Friday afternoon that the Ledyard's HVAC Grant Application for the Juliet W. Long School was approved. However, he explained the State questioned whether the Town had approved the \$845,000 local matching funds to support the project. He stated, as he previously noted, because the Town only approved \$400,000 for HVAC as part of the original project (\$6,725,000 for the Various School Improvement Projects), they could not accept the Grant, noting due to the limited time that they would not be able to obtain the town's approval for the additional \$445,000 to support the local town's match in two-hours (before the close of business that day). He stated because the State recognized the timing involved to obtain the town's approval, that they recommended the Board of Education reapply for the HVAC Grant for the Juliet W. Long School. He stated tonight's request was to begin the Grant Application process, noting to apply for the Grant that the additional \$445,000 (total \$845,000) would have to be in-place.

Councilor Ryan noted the additional \$445,000 to support the redesigned HVAC System for the Juliet W. Long School would double the amount that was already approved by the townspeople at the February 22, 2022 Referendum. Mr. Donaldson

stated the total cost of the HVAC project/installation at the Juliet W. Long School was \$2.2 million. Councilor Ryan noted the State Grant was providing \$1.38 million toward the project and he questioned the funding source for the town's additional \$445,000 local match.

Councilor Ryan went on to state that he did not have an issue with the Motion being considered this evening which was to authorize the work associated to support the Grant Application, noting the Motion was not providing authorization to spend the additional \$445,000. However, he stated they did not want to again be in a position where the State was willing to approve the Grant Funding; and the town not having the local matching funds in-place. He questioned the timeline to submit the HVAC Grant Application in this is most recent round. Mr. Donaldson stated the Grant Application would be opened sometime in August and would most likely be open for 30-60 days.

Councilor Ryan noted the original \$6,725,000 for the Various School Improvement Projects that were approved thru Bond Authorization Resolutions. Therefore, he questioned the process to increase the dollar amount by \$445,000. Finance Director Matthew Bonin explained that the Bond Resolution authorized the Town Council to change the scope of the project within the \$6,725,000 that was approved by the townspeople. He stated if more funding was needed the town would have to go back through the town's approval process to increase the original bond appropriation, regardless of funding source. He explained that the Bond Authorization needed to be for full amount of the Projects. Councilor Ryan requested clarification, noting that if they could not contain the cost of the Projects to original \$6,725,000; as approved by the Townspeople on February 22, 2022, that they would have to hold another Referendum. Mr. Bonin stated that was correct.

Superintendent of Schools Jason Hartling stated the Town Council had the ability to modify the dollar amount of the Project and to allocate funds, as long as they were within a certain percentage. He also stated the Town Council had the ability to allocate American Rescue Plan Act (ARPA) Funding, which could be a funding source that could be used for the Juliet W. Long HVAC project; and it would not have to go to a Referendum.

Mayor Allyn, III, addressed the funding noting that Chapter VII, Section 9 of the Town Charter stated:

“Any resolution making a non-budgeted appropriation of less than one (1) percent of the current tax levy shall become effective after approval by the Town Council, provided that the Director of Finance certifies that there are available unappropriated general fund resources in excess of the proposed appropriation.

Such appropriations shall not exceed accumulatively two (2) percent of the current tax levy in the current fiscal year.

Any appropriation in excess of the limitations in Section 9 above shall become effective only after it has been approved by resolution of the Town

Council and adopted at a Town meeting by a majority vote of the qualified voters present and voting.

Any resolution making a non-budgeted appropriation of more than one (1) percent of the current tax levy, but less than five (5) percent for any purpose, any resolution authorizing the issuance of bonds or notes or other borrowing of less than five (5) percent of the current tax levy, except notes in anticipation of taxes to be paid within the fiscal year in which issued, and any sale or purchase of real estate or interest therein shall become effective only after it has been approved by the Town Council and adopted at a Town meeting by a majority vote of the qualified voters present and voting at such meeting.

Councilor Ryan addressed the language of the Motion, and he questioned the following:

- The reason the town would reject a Grant; and.
- The purpose of tonight's Motion, noting that it did not include the additional funding to support the Juliet W. Long HVAC Project.

Board of Education Director of Facilities and Grounds Wayne Donaldson stated the wording of the Motion was provided and required by the State. He explained as part of the Grant Application the Board of Education had to include the Town Council Meeting Minutes in which they authorized the funding. Councilor Ryan stated that this three-part Motion (resolutions) was not authorizing the additional funding needed to support the HVAC Project at the Juliet W. Long School. Mr. Donaldson stated that he had a copy of the Town Council's January 12, 2022 Minutes in which they approved the Bond Resolution authorization for the funding in the amount of \$6,725,000 for the Various School Improvement Projects, which included \$400,000 for the Juliet W. Long HVAC System. However, he stated the Town Council needed to now approve funding for the balance to facilitate the HVAC System per the updated design (\$2.2 million).

Councilor Ingalls noted that the Town Council could:

- Authorize the Ledyard Board of Education to apply to the Commissioner of Administrative Services; and to accept or reject a grant for the Juliet W. Long School HVAC project.
- Authorize the preparation of at least the schematic drawings and outline specifications for the Juliet W. Long School HVAC project.
- Assign the Juliet W. Long School HVAC project to the Permanent Municipal Building Committee.

Councilor Ryan stated if the Town Council approved the three-part Motion

(resolutions) as presented this evening that the Board of Education could not apply for the HVAC Grant until the Town Council authorized the additional funding to support the project at the Juliet W. Long School, noting that he would think that the Grant Funding was needed to pay for the preparation of the schematic drawings. Therefore, he did not understand the reason they were being asked to act on these motions at this time, without knowing/identifying the funding source.

Mr. Donaldson stated all the required authorizations did not have to be approved at the same Town Council meeting. He stated this three-part Motion (resolutions) could wait until the Town Council was ready to approve the funding for the Project. However, he explained by approving the Motion as presented this evening that it would allow him to begin to prepare and upload the documentation into the State's Grant Application Website. He stated he would have to submit the Grant Application three times, one submittal for each of the three resolutions.

Superintendent of Schools Mr. Hartling explained that the critical juncture was the funding related to executing a HVAC Project that they have been discussing for several years. He noted that the State required very specific language that has held them up in their Grant Applications in the past.

Mr. Hartling stated he and Mr. Donaldson met with Councilor Saums to discuss this HVAC Grant opportunity. Councilor Ryan stated that he saw Councilor Saum's August 2, 2023 email regarding the three-part Motion (resolutions). However, he stated in reading the email that he did not know if Councilor Saums appreciated that the Motion would be presented to the Finance Committee without the additional funding source in-place; unless the Board of Education was planning to complete the Juliet W. Long HVAC Project within the original \$6,725,000 funding authorization. However, he stated based on tonight's discussion, he did not think that was the Board of Education's plan.

Mr. Hartling stated the funding and management of the Board of Education's Capital Projects were all done on the town-side of the government and thru the Permanent Municipal Building Committee (PMBC). He stated the Board of Education does not have the funding to allocate to the Project, nor did they allocate the original \$6,725,000 funding, noting that these were town-based projects. He stated the Grant Application process can become confusing because as Superintendent of Schools he was the Board of Education's Representative; and that he was the only person who could apply for these types of Grants. He stated although he did not want to speak for Councilor Saums' that he thought tonight's conversation would revolve around the ways they could fund this project to allow the town to receive the matching grant and move this project forward, noting that they have been discussing the HVAC project for the Juliet W. Long School for three-years.

Councilor Ryan stated he would be happy to have a conversation regarding the funding source to support the HVAC Project at the Juliet W. Long School. However, he stated at this juncture he did not see what this three-part Motion (resolutions)

would do for the Board of Education, since Mr. Donaldson could not anything until the funding was identified and authorized. He stated he did not disagree with the Project, but that he wanted to make sure they had everything in order so when they do submit their Grant Application that they would not be dealing with any *unknowns* or *gaps* in their Application that would cause the Town not to be successful in receiving the Grant, once again.

Councilor Ingalls asked Mr. Donaldson to explain how moving this three-part Motion (resolutions) forward to the Town Council, without having the funding approval in-place, would be a benefit to him. Board of Education Director of Facilities and Grounds Wayne Donaldson explained there were a lot of steps to the Grant Application; and he stated by having this three-part Motion (resolutions) approved he could download the Minutes into the State's Grant Application Website, so that everything would be ready to go. He stated the only other documentation he would have to download would be the Town Council Minutes when they approve the additional funding. He stated by approving the Motion presented this evening, that it would allow him to get everything else in-place and into the State's Grant Application Website.

Mr. Hartling stated the Application process for these Grants were onerous, noting the amount of time due to the significant amount of pieces that have to be processed and put in-place, between the Board of Education approvals, the Town Council approvals/minutes, and the Permanent Municipal Building Committee, etc. He stated Mr. Donaldson was trying to fit all this work into schedule so they do not miss out on a Grant opportunity for the town, while also working to manage the District's School Facilities. Mr. Hartling stated based on the Finance Committee's discussion this evening that he did not see the Town Council approving this Motion without having the funding in-place. Therefore, he suggested they not act on the Motion this evening.

Councilor Ingalls stated if the Finance Committee moved this request forward to the Town Council for action at their August 23, 2023 meeting it would allow Mr. Donaldson to start the Grant Application Process, while the town was working to figure out the funding source/approval process. She stated in presenting this three-part Motion (resolutions) to the Town Council that the Finance Committee was saying that they agreed the HVAC Project at the Juliet W. Long School was worthy, and they were agreeing to continue to figure out the funding. In the meantime, she stated by approving this three-part Motion (resolutions) it would allow the Board of Education to get the ball rolling with the Grant Application.

Councilor Ryan noted that the State required the specific language of the three-part Motion (resolutions) presented this evening. He stated they would be approving the Motion with the understanding that *it was constituting the preparation of the Grant Application, and not actually submitting the Application until the funding was authorized by the Town Council.*

Councilor Ingalls stated if the Town Council does not approve the funding then the Grant Application would not be submitted.

Councilor Ryan and Councilor Ingalls agreed to approve to forward this three-part Motion (resolutions) to the Town Council for approval with the minutes reflecting that *the wording in the Motion was required by the State; but the understanding was that all the Finance Committee was authorizing at this time was the preparation of the Grant Application, not the actual submittal of the Grant Application, until such time the funding was approved by the Town Council.*

Councilor Ryan asked Mr. Hartling and Mr. Donaldson if the Town Council approved this Motion with the understanding noted in the Minutes (see above) whether it would be enough to get the Grant Application started. Mr. Hartling and Mr. Donaldson stated “Yes”.

VOTE: 2 - 0 Approved and so declared

Councilor Ryan thanked Mr. Hartling and Mr. Donaldson for attending tonight’s meeting.

Mr. Hartling and Mr. Donaldson left the meeting at 5:35 p.m.

RESULT: RECOMMENDED FOR APPROVAL

MOVER: Andra Ingalls

SECONDER: Tim Ryan

3. MOTION to grant a Bid Waiver to Utility Financial Solutions, LLC (UFS) 185 Sunset Meadow Court, Michigan, in the amount of 13,000 to conduct a Water Services Study regarding Financial Projection, Cost of Services and Rate Design.

Moved by Councilor Ingalls, seconded by Councilor Ryan

Discussion: Water Pollution Control Authority Chairman Ed Lynch stated Groton Utilities was interested in purchasing Ledyard Water System. He explained in considering a merger between Groton Utilities and Ledyard that would provide a benefit to the customers, that Groton Utilities suggested both the Ledyard Water Pollution Control Authority (WPCA) and Groton Utilities (GU) conduct a Cost-of-Service Study. He stated this work would begin with a Financial Study and a Projection specific to the Revenue Requirements for the WPCA’s Water and Sewer Systems, noting that the WPCA would be required to pay for the cost of an external consultant to (Utility Financial Solutions, LLC) to do the Study. He stated because the Cost-of-Service Study would require a signification time commitment from the Town’s Finance Department to support this initiative, the WPCA pushed the Study into September, to minimize any impact on the Finance Department relative to the Town’s Annual Audit work. Finance Director Matthew Bonin stated the Annual Audit work was scheduled to take place during September- October.

Mr. Lynch explained the reason for doing this Cost of Services Study was: (1) To determine if the WPCA was adequately charging for the cost of water service; (2) To help to determine whether a merger between Groton Utilities and Ledyard would provide any benefit to the customers; and (3) To provide data to help the Town of Ledyard determine if a merger made sense.

Mr. Lynch went on to explain once the Study has been completed Groton Utilities would work with the WPCA to develop a Rate Structure and Rate Track to meet the revenue requirements for both the long-term and short-term. He stated the rate structure was not intended to make the WPCA profitable, however, he the rate structure could make the water operations more cost effective, which would stave off future rate increases.

Mr. Lynch stated the reason the WPCA has requested a Bid Waiver to Utility Financial Solutions, LLC., was because this company was currently doing the same type of review for Groton Utilities, so they were familiar with both Groton Utilities' and the Ledyard WPCA's business models for providing water to customers. He noted the cost of services proposal from Utility Financial Solutions, LLC for both water and sewer utilities was attached to the Agenda on the meeting portal. He concluded by stating at this time the WPCA was only looking to conduct the study for water service at a cost of \$13,000. He stated the WPCA had this funding in their Capital Account to pay for the Study.

Mr. Lynch went on to state although he was neutral on the idea to consider a merger between Groton Utilities and Ledyard, that other WPCA Members thought it may be worth conducting the Study and to look into whether they could save the Ratepayers money. He stated currently Ledyard was purchasing water from Groton Utilities and that Groton Utilities also handled the billing for Ledyard. He stated the only thing the WPCA does was from a management aspect relative to what projects they would like to put together. He stated the WPCA does not add a lot of cost to what the Ratepayers pay. However, he stated a merger may allow Groton Utilities to reduce their raw water costs, service costs, and operational costs. He stated the billing software Ledyard used, Continental Utility Solutions, Inc., (CUSI), was expensive to run. He stated perform a conversion to Groton Utilities' billing software would be a one-time cost about \$100,000.

Councilor Ryan questioned if they decided to merge Ledyard with Groton Utilities whether Ledyard would be required to pay the \$100,000 for the billing software conversion. Mr. Lynch stated Groton Utilities would absorb the Billing Software conversion.

Mr. Lynch stated should Groton Utilities make an offer, or if Ledyard decided not to do the merger, that either way, it would be helpful for Ledyard to have the information that would come from the Study relative to having a Rate Structure and Rate Track to meet the revenue requirements for both the long-term and short-term.

Councilor Ingalls noted the threshold to solicit bids was \$15,000; therefore, she stated the \$13,000 for Utility Financial Solutions, LLC (UFS) to conduct the Study was under the dollar amount required to request a Bid Waiver.

Finance Director Matthew Bonin pointed out Section 3 of Ordinance #200-001 “*Purchasing Ordinance for the Town of Ledyard*” as noted below:

Section 3: Competitive Bidding Process

The following cost ranges determine the action needed in regard to competitive bidding for proposed expenditures on construction projects, equipment, supplies, and professional services, with the exception of legal services. The dollar amounts refer to a total amount, per vendor, per fiscal year:

Less than \$4,999 No bids required; no quotes required; assumes buyers will seek lowest available cost.

\$5,000 - \$14,999 Three (3) quotes required or a bid waiver from Town Council. Written record of quotes or Town Council bid waiver action to be attached to electronic purchase order.

\$15,000 + At least three (3) proposals required through an open and advertised competitive bid process for construction projects, equipment, supplies, and professional services other than legal services.

Bid awards shall be determined by assessing the best interest of the Town in terms of the scope of work, qualified bidders’ overall approach to the project or service, past performance, and cost. The bid shall be awarded to the lowest qualified bidder if it is in the best interest of the Town.

If fewer than three bids are received, a bid waiver approved by the Town Council shall be requested prior to award of the bid.

The Town may use other entities’ bid awards that were arrived at through a competitive bid process in lieu of the Town’s own competitive bidding process. The Town Council shall, by resolution each year, determine the list of entities whose bid awards are eligible for use by the Town of Ledyard.

Mr. Bonin went on to explain if they do not get three quotes that a Bid Waiver would be required.

Councilor Ingalls stated although the information Mr. Lynch provided was thorough and well put together that Bid Waivers always causes her to pause. However, she stated that she understood the rationale that Groton Utilities was using Utility

Financial Solutions, LLC (UFS) to conduct their Study; and that the Company was familiar with both Groton Utilities and Ledyard systems; and that this was a company they trusted.

Councilor Ryan stated he thought conducting the Water Services Study regarding Financial Projection, Cost of Services, and Rate Design was a responsible course of action. He stated the funding was coming from the WPCA Capital Account, which had sufficient funding; and therefore, he would support the WPCA's Bid Waiver request to use Utility Financial Solutions, LLC (UFS).

VOTE: 2 - 0 Approved and so declared

Councilor Ryan thanked Mr. Lynch for attending tonight's meeting.
Mr. Lynch left the meeting at 5:45 p.m.

RESULT: RECOMMENDED FOR APPROVAL

MOVER: Andra Ingalls

SECONDER: Tim Ryan

4. Discussion and possible action regarding the Historic District Commission's project in the amount to rebuild the retaining wall of the race and reset the steps to divert water away from the building and to make them safe for foot traffic at the Up-Down Sawmill (project cost \$25,000).

Moved by Councilor Ryan, seconded by Councilor Ingalls

Discussion: Historic District Commission Chairman Vincent Godino provided some background information noting that the Commission hired a Historical Structural Engineer using Grant Funding they received to evaluate the 19th Century Historic Up-Down Sawmill that was built in 1869, noting that it was the only known operational Mill of this type in the State. He stated the Report identified and ranked the retaining wall of the race and the steps as critical issues that needed to be addressed to divert water away from the building and to preserve the structure.

Mr. Godino went on to explain in July 2023, the Historic District Commission contacted three stone mason contractors, all of whom were qualified to do the work at the Up-Down Sawmill; based upon their extensive experience with these types of dry-stone structures. He stated subsequently, the Historic District Commission sent all three contractors a scope of work document that described the work to be included in a bid for the job. He stated the Town received proposals from the three vendors as follows: \$25,000, \$34,660, and \$38,000.

Mr. Godino went on to state that the Historic District Commission held a Special Meeting on July 31, 2023 and voted to request a Bid Waiver from the Town Council to Kenneth Geer Stonewall Construction in the amount of \$25,000 to rebuild the retaining wall of the race and to reset the steps to divert water away from the building

and make them safe for foot traffic at the Up-Down Sawmill. He stated American Rescue Plan Act (ARPA) has been designated for this project.

Councilor Ingalls stated the information Mr. Godino provided was awesome noting it was thorough and well put together. However, she stated it sounded like they received three quotes, and that the Historic District Commission selected Stonewall Construction who was the low bidder and qualified for the work. Therefore, she questioned the reason a Bid Waiver was being requested.

Mr. Godino stated his understanding of the process was that if the cost was over \$15,000 that it had to be an *Advertised Competitive Bid*. However, he explained because the Historic District Commission did not expect the cost to come in over that threshold they only solicited proposals from three qualified stone contractors who had experience working on these types of historical structures. Therefore, he stated the Commission has requested a Bid Waiver.

The Finance Committee stated they were satisfied with the information provided and that they would support the Bid Waiver request.

Finance Director Matthew Bonin pointed out Section 3 of Ordinance #200-001 “*Purchasing Ordinance for the Town of Ledyard*” stated the following:

Section 3: Competitive Bidding Process

The following cost ranges determine the action needed in regard to competitive bidding for proposed expenditures on construction projects, equipment, supplies, and professional services, with the exception of legal services. The dollar amounts refer to a total amount, per vendor, per fiscal year:

Less than \$4,999 No bids required; no quotes required; assumes buyers will seek lowest available cost.

\$5,000 - \$14,999 Three (3) quotes required or a bid waiver from Town Council. Written record of quotes or Town Council bid waiver action to be attached to electronic purchase order.

\$15,000 + At least three (3) proposals required through an open and advertised competitive bid process for construction projects, equipment, supplies, and professional services other than legal services.

Bid awards shall be determined by assessing the best interest of the Town in terms of the scope of work, qualified bidders’ overall approach to the project or service, past performance, and cost. The bid shall be awarded to the lowest qualified bidder if it is in the best interest of the Town.

If fewer than three bids are received, a bid waiver approved by the Town Council shall be requested prior to award of the bid.

The Town may use other entities' bid awards that were arrived at through a competitive bid process in lieu of the Town's own competitive bidding process. The Town Council shall, by resolution each year, determine the list of entities whose bid awards are eligible for use by the Town of Ledyard.

Mr. Bonin continued by explaining that because the Historic District Commission only obtained quotes and they did not seek bids through ***an open and advertised competitive bid process***; that they did not follow the process provided in Ordinance #200-001.

Mr. Godino stated because these repairs were critical to divert the water away from the building to prevent the potential of a near term collapse of the race retaining walls and to repair the stone steps to the lower level to make them safe, that he believed the Town Council had the authority to grant a bid waiver, when an emergency type of safety situation arises. He noted the importance to have these repairs done soon noting that the Historic Up-Down Sawmill season was scheduled to open in October, and because these safety issues have been brought to their attention. He stated Mr. Geer was willing to rearrange some of his other projects to work on the Sawmill so that it would be safe to open this Fall. He stated should the race wall collapse that they would have to shut the Sawmill down.

Mr. Godino continued by addressing the cost and the delay involved to prepare bid specifications and advertise to request Bids, noting that he doubted that they would receive additional proposals from qualified contractors.

Councilor Ryan stated that they were not questioning whether the quotes the Historic District Commission received were not good, in terms of what they were getting for the money. He stated they also understood that the Commission was comfortable with Stonewall Construction and that they were the lowest proposal. However, he stated the town had a Purchasing Ordinance that they had to abide by.

Councilor Ingalls stated in good faith the Historic District Commission went out and obtained three quotes, because they thought the project was within the right financial threshold; and that they were surprised to learn that the cost of the work was higher than they anticipated. Therefore, she questioned whether they would be forced to go back through the formal bid process. She stated what constituted an emergency situation may differ between people.

Mayor Allyn, III, commented on the importance to follow the town's procedures for several reasons, which included the use of America Rescue Plan Act (ARPA) federal funding for the project. He stated that he fully appreciated the work Mr. Godino has done; and that he did not know what they could do to fast track the Request for Proposals (RFP) process. He stated because three qualified contractors have already provided proposal that their cost estimates were now public, noting that this could pose a challenge.

Councilor Ryan questioned the time involved to solicit Request for Proposals. Mr. Godino stated that he already had the specifications for the project; however, he stated it would take some time to add qualifications to the package; otherwise, he stated they could receive a number of proposals from contractors who were not qualified to work on these types of historic structures. He also stated that it would take some time to review all of the proposals received to determine which contractors met the qualifications required. Finance Director Matthew Bonin stated the Bid would need to be open for two weeks. Mr. Godino stated all this work takes time, and therefore, they would not be able to have these critical repairs done before they opened the Sawmill this year. He stated for safety that he would have to block off the area with Caution Tape, to keep visitors from using the stairs and the bridge, noting that they have been put on-notice by a professional historical engineer that there were problems. Mayor Allyn suggested that timbers could be used to block of the area of concern at the Sawmill.

Councilor Ryan stated they all agreed that something needed to be done. However, he stated they have to take the time to properly handle the matter in accordance with the town's procedures, being mindful not to set a precedent that might cause issues down the road.

The Finance Committee asked the Historic District Commission to follow the town's process provided Ordinance #200-001 "*Purchasing Ordinance for the Town of Ledyard*" which required them to solicit Bids for construction services that cost \$15,000+ through an *open and advertised competitive bid process*. Mr. Godino noted that the Historic Up-Down Sawmill season was scheduled to open in October and that the area was a safety concern.

The mover and the seconder agreed to withdraw the motion.

The Finance Committee stated they appreciated the work Mr. Godino has done on the project for needed repairs at the Up-Down Sawmill; noting that the were sorry they did not have better news for him.

Mr. Godino left the meeting at 6:04 pm.

RESULT: WITHDRAWN

5. MOTION to adopt the proposed "Resolution Adopting The Hazard Mitigation And Climate Adaptation Plan Update, 2023-2028" as presented in the draft dated August 2, 2023.

Res: #006-2023/AUG 23

RESOLUTION
ADOPTING THE HAZARD MITIGATION
AND CLIMATE ADAPTATION PLAN UPDATE, 2023-2028
CERTIFICATE OF ADOPTION

TOWN OF LEDYARD - TOWN COUNCIL

WHEREAS, the Town of Ledyard has historically experienced severe damage from natural hazards and it continues to be vulnerable to the effects of those natural hazards profiled in the plan (e.g. flooding, extreme heat, droughts, severe storms such as thunderstorms and winter storms, dam failures, wildfires, and earthquakes) resulting in loss of property and life, economic hardship, and threats to public health and safety; and

WHEREAS, the Ledyard Town Council approved the previous versions of the Hazard Mitigation Plan in 2005, 2012, and 2018; and

WHEREAS, Southeastern Connecticut Council of Governments, of whom the Town of Ledyard is a member, has determined that climate change is affecting the frequency and severity of some hazards and therefore elected to expand the Hazard Mitigation Plan Update to become a Hazard Mitigation and Climate Adaptation Plan Update; and

WHEREAS, committee meetings were held and public input was sought in 2022 regarding the development and review of the Hazard Mitigation and Climate Adaptation Plan Update; and

WHEREAS, the Plan specifically addresses hazard mitigation and climate adaptation strategies and Plan maintenance procedures for the Town of Ledyard; and

WHEREAS, the Plan recommends several hazard mitigation actions that will provide mitigation for specific natural hazards that impact the Town of Ledyard, with the effect of protecting people and property from loss associated with those hazards while adapting to the effects of climate change; and

WHEREAS, Southeastern Connecticut Council of Governments has developed and received conditional approval from the Federal Emergency Management Agency (FEMA) for its Hazard Mitigation and Climate Adaptation Plan Update under the requirements of 44 CFR 201.6; and

WHEREAS, adoption of this Plan will make the Town of Ledyard eligible for funding to alleviate the impacts of future hazards;

NOW THEREFORE BE IT RESOLVED:

1. The Plan is hereby adopted as an official plan of the Town of Ledyard;
2. The respective officials identified in the mitigation strategy of the Plan are hereby directed to pursue implementation of the recommended actions assigned to them;
3. Future revisions and Plan maintenance required by 44 CFR 201.6 and FEMA are hereby adopted as a part of this Resolution for a period of five (5) years from the date of this Resolution.
4. An annual report on the progress of the implementation elements of the Plan shall be presented to the Town Council.

Adopted by the Town Council of Ledyard, Connecticut on: August 23, 2023

Fred Allyn, III, Mayor

Kevin J. Dombrowski, Chairman

IN WITNESS WHEREOF, the undersigned has affixed his/her signature and the corporate seal of the Town of

Ledyard this ____ day of _____, 2023. _____
Patricia A. Riley, Town Clerk
(Seal)

BACKGROUND: SCCOG 2023- 2028 Hazard Mitigation and Climate Adaptation Five-Year Plan was approved by the Federal Emergency Management Agency (FEMA).

The Plan was developed with input from Southeastern Connecticut Council of Government Member Municipalities along with Consultant, Resilient Land & Water, LLC.

This was the fourth iteration of this Plan for Southeastern Connecticut.

The adoption of the Plan will enable SCCOG Member Municipalities to apply for and receive “Pre-disaster” funds from FEMA, from the following programs:

- Hazard Mitigation Grant Program
- Building Resilient Infrastructure and Communities
- Flood Mitigation Assistance

The Plan would also act as a guide for planning and funding for other projects either undertaken with municipal funds or other grants. Most recently, there have been many other grant opportunities for Resilience/Hazard Mitigation Projects.

The final step in the adoption of the Hazard Mitigation And Climate Adaptation Plan Update, 2023-2028 was for Member Municipalities to adopt the Resolution as provided. Moved by Councilor Ingalls, seconded by Councilor Ryan

Moved by Councilor Ingalls, seconded by Councilor Ryan

Discussion: Mr. Dave Murphy, Director Resilience Engineering Resilience Land and Water, stated the Region has had a Hazardous Mitigation and Climate Adaption Plan in-place for twenty-years. He stated during the past year he has worked with Southeastern Connecticut Council of Government (SCCOG) to update the Region’s Five-Year *Hazard Mitigation Planning Effort*, noting they added some new Actions and the following two hazards:

- Extreme Heat
- Extreme Drought

Mr. Murphy stated the Plan was approved by Federal Emergency Management Agency (FEMA) in July of this year. He explained that this was the fourth iteration of the Plan for Southeastern Connecticut, noting that the development of the Plan was a

joint collaboration with SCCOG Member Municipalities and their staff.

Mr. Murphy continued by stating the final step to implement the Plan was for each Municipality to adopt the proposed “*Resolution Adopting The Hazard Mitigation And Climate Adaptation Plan Update, 2023-2028*” for the town to eligible to apply for certain grant funding. He explained that the Plan should act as a guide for planning and funding for projects undertaken either with municipal funds or with other grant funding. He noted most recently a number of other grant opportunities have become available for resilience/hazard mitigation projects.

Councilor Ryan questioned, other than adopting the Resolution, whether the Plan required any additional obligations from the Town. Mr. Murphy stated the Plan included about 15 - 20 Optional Actions for each of the Municipalities to undertake using FEMA Funding. He stated there was no obligation to implement any of them.

Mayor Allyn, III, noted that Ledyard has undertaken one of the Plan’s Optional Actions which was to replace the Lantern Hill Road Bridge over the Whitford Brook and the culvert systems. Mr. Murphy explained the replacement of the Lantern Hill Road Bridge and the culvert systems was a good example, where Ledyard was eligible to apply for and receive FEMA Funding for these projects because they had Hazardous Mitigation and Climate Adaption Plan in-place.

VOTE: 2 - 0 Approved and so declared

Mayor Allyn and the Finance Committee thanked Mr. Murphy for attending tonight’s meeting.

Mr. Murphy left the meeting at 6:06 p.m.

RESULT: RECOMMENDED FOR APPROVAL

MOVER: Andra Ingalls

SECONDER: Tim Ryan

AYE: 2 Ingalls and Ryan

EXCUSED: 1 Saums

6. Vote upon the following:

"Shall the Town of Ledyard sell the town-owned residential property located at 332 Colonel Ledyard Highway to Leonard D. Sherman for Two Hundred and Eighty Thousand Dollars (\$280,000)?"

Moved by Councilor Ryan, seconded by Councilor Ingalls

Discussion: Mayor Allyn noted at their July 26, 2023 meeting the Town Council authorized him to sign a Listing Agreement with REMAX Realtor in Gales Ferry to sell the residential house located at 332 Colonel Ledyard Highway that the Town acquired through a foreclosure in June 2017. He explained because there was a title issue regarding the boundary line the Town did not have a clear title at that time;

and has been leasing the house for about \$15,600 in rent per year, until they could get the title issue resolved, at which time the town had planned to dispose of/sell the house.

Mayor Allyn stated with the site plan and survey regarding the former 96.52 ± acres Founders Preserve property complete, the boundary lines have been corrected, so that the detached garage was now within the property boundary lines of 332 Colonel Ledyard Highway, and therefore, the property was ready to be sold. He also noted that the Planning & Zoning Commission conducted an 8-24 Review regarding the sale of the property at their August 10, 2023 meeting.

Mayor Allyn continued by noting that there were a dozen showings of home, and they received two offers from interested Buyers. He stated both parties were aware that there were competing offers. He stated Mr. Sherman substantially increased his offer to \$280,000; and the other party kept their offer at \$235,000, noting there were no cash buyers. He stated the terms were generally equal with conventional financing and with substantial money down. He stated the interested buyer wanted to have inspections of the property done; however, Mayor Allyn stated that Mr. Sherman was aware that the inspections (home inspection, well inspection, sewage inspection) were for informational purposes only, and that the Town was not going to make any repairs to the property, noting that the property needed work.

Mayor Allyn went on to explain the smaller parcel to the north of the Founders Preserve property was part of 334 Colonel Ledyard Highway. He stated the Town also acquired this property thru a foreclosure, noting that the house was condemned based on its condition and that the town has obtained a demolition permit. He stated that he has been reporting on these properties at previous Town Council Meetings, (January 25, 2023; March 8, 2023; April 12, 2023; April 26, 2023; May 24, 2023; June 14, 2023, July 26, 2023).

Mayor Allyn concluded by stating Tax Collector Kathy Demicis was working on the back tax owed on these properties (96.52 ± acres Founders Preserve property, 334 Colonel Ledyard Highway, 332 Colonel Ledyard Highway).

VOTE: 2 - 0 Approved and so declared

RESULT: RECOMMENDED FOR APPROVAL

MOVER: Tim Ryan

SECONDER: Andra Ingalls

AYE: 2 Ingalls and Ryan

EXCUSED: 1 Saums

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

None

VIII. OLD BUSINESS

Councilor Ryan stated without objection that he did not plan to discuss any of the Old Business Items this evening.

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

No Action.

RESULT: NO ACTION

- 2. Discussion regarding potential uses for the funding received from the National Opioid Settlement Payments.

No Action.

RESULT: NO ACTION

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

No Action.

RESULT: NO ACTION

- 4. Any other Old Business proper to come before the Committee.

None.

X. ADJOURNMENT

Councilor Ryan moved the meeting be adjourned, seconded by Councilor Ingalls.
VOTE: 2 - 0 Approved and so declared, the meeting was adjourned at 6:13 p.m.

Respectfully submitted,

Timothy Ryan
Acting Committee Chairman

Finance

Committee

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