



TOWN OF LEDYARD
CONNECTICUT
TOWN COUNCIL

Chairman Kevin J. Dombrowski

MINUTES
LEDARD TOWN COUNCIL – REGULAR MEETING
WEDNESDAY, JUNE 22, 2022; 7:00 PM
HYBRID FORMAT
VIDEO CONFERENCE VIA ZOOM

DRAFT

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

Chairman Dombrowski welcomed all to the Hybrid Meeting. He stated for the members of the Town Council and the Public who were participating via video conference that remote meeting information was available on the Agenda that was posted on the Town’s Website - ICompass Meeting Portal.

- II. PLEDGE OF ALLEGIANCE

- III. ROLL CALL –

Attendee Name	Title	Status	Location
Kevin Dombrowski	Town Councilor	Present	In-Person
Andra Ingalls	Town Councilor	Present	In-Person
Whit Irwin	Town Councilor	Present	In-Person
John Marshall	Town Councilor	Present	In-Person
Mary McGrattan	Town Councilor	Present	In-Person
Gary Paul	Town Councilor	Present	In-Person
S. Naomi Rodriguez	Town Councilor	Present	In-Person
Timothy Ryan	Town Councilor	Present	In-Person
William Saums	Town Councilor	Present	In-Person

- IV. INFORMATIONAL ITEMS/PRESENTATIONS

Chairman Kevin Dombrowski opened the meeting by presenting Mr. Steven Juskiewicz, Permanent Municipal Building Committee (PMBC) Chairman a Proclamation recognizing his service to the town as follows:

TOWN OF LEDYARD
PROCLAMATION

Ledyard Town Council
Honors

Steven Juskiewicz

For his more than fourteen years of dedication to the
Town of Ledyard

Serving as a Volunteer
on the Permanent Municipal Building Committee
From the inception of the Committee in 2008 to present

And serving as its Chairman from 2015 – 2022

During his tenure Mr. Juskiewicz was instrumental in overseeing and managing the completion of over sixteen major construction, infrastructure and maintenance projects totaling over \$83,615,000.

Projects included both School and Town Facilities Roof Replacement, School Asbestos Abatement, Extending the Water Main to Aljen Heights Phase I & II, Wastewater Facility Upgrade, New Police Headquarters and Town Hall Complex Improvements including the reconfiguration of Town Hall and Annex Building Space Needs, High School Bleacher Replacement, Schools' Heating System Conversion from Oil to Natural Gas (Juliet W. Long School, Gales Ferry School and Middle School), High School Track Replacement and Multi-Use Use Field Artificial Turf Construction, and School(s) Improvement/Consolidation/Renovate as New Projects (Ledyard Middle School and Gallup Hill School).

Steven Juskiewicz is therefore recognized as an outstanding citizen and neighbor for his professionalism, guidance, ability to take on any challenge and most of all his accomplishments and lasting contributions.

The townspeople of his community will remain extremely grateful for his years of service, commitment, integrity, and perseverance during a period of growth and change for Ledyard.

Given this Twenty-second day of June, Thousand and Twenty-two at Ledyard, Connecticut

Kevin J. Dombrowski, Chairman

Mr. Steve Juskiewicz thanked the Town Council for recognizing him this evening. He stated the Permanent Municipal Building Committee was made up five to nine residents who volunteer to serve the community and he credited them for their work and dedication as well. He stated Chairman Dombrowski, Councilor McGrattan and Councilor Saums were all on the Town Council when the PMBC was formed in 2008, noting that these projects were made possible because of their support and he thanked them for their service to the town, noting that it has been a pleasure to work with the Town Council on the town's many building project initiatives. He stated he and his wife were relocating out of state to be closer to their daughter. He stated he would miss Ledyard noting that never lived anywhere else longer than his twenty-five years in Ledyard. He stated he and his wife were looking forward to the next chapter of their lives.

V. RESIDENTS AND PROPERTY OWNERS – .

Ms. Jennifer Day, 572 Lantern Hill Road, Ledyard, stated as a follow-up to her June 21, 2022 e-mail to the Town Council concerning an ongoing issue at 576 Lantern Hill Road, that she and her husband Kieran, and their neighbor Kirk Bryson, of 5 Long Pond Road - South, were present this evening to put a face to a name and she thanked Chairman Dombrowski for his prompt response to her e-mail.

Ms. Day provided some background stating that they live next door to 576 Lantern Hill Road, which was purchased in 2013 by a Landscaper, noting that the property was a 1.8-acre parcel that had a former milking parlor/barn and no other structures. She stated there was no residence on the property. She stated the property was zoned R80, which was stipulated for farming only, noting the property was in the middle of a rural residential area. She stated since the landowner, Mark Perkins of Perkins Properties LLC, took possession of the property in 2013 he has run a commercial landscaping and snowplow business out of the barn, using it as a mechanic and equipment workshop, and also as a place for his employees to gather and muster. She stated there has never been any farming, crop or livestock, on the property since landowner took ownership.

Ms. Day explained that the Town has taken legal action against the landowner 5 separate times over the last seven years and has won each time. She stated the original legal action resulted in a *Stipulated Agreement* between the Town and the landowner dated October 2016. She stated the *Voluntary Stipulated Agreement* that the property owner signed clearly laid out the uses for the property, allowing for farming only. She stated the Town has been very supportive, noting that Mayor Allyn, III, Councilor Saums and Councilor Rodriguez have all been supportive. However, she stated that it has been nine years; and the commercial activity has not stopped noting that The property/business owner and his employees continue to use the barn for mechanic work only; and that barrels of chemicals and oil continue to be stored outdoors on the property near the wetlands; which has Ms. Betsy Graham and other neighbors concerned. She stated they recently made progress with the Whitford Book noting this was the abutting waterway.

Ms. Day stated the landowner was looking to change the *Stipulated Agreement* to make the commercial activity permissible, and the Mayor has stated that if the landowner wished to change the stipulation that he would need to do so thru the court system. She stated the point of the *Stipulated Agreement* was to make the commercial business not permissible.

Ms. Day addressed the *Stipulated Agreement* stating that because it was between the Town and The landowner it was their opinion that this matter was a Town issue and that it was not something that could be addressed only by the Zoning Office or the Town Planner. She stated during the past nine years the town has had four Zoning Enforcement Officers and three Town Planners, and that it has been difficult to get any of these individuals interested in what has been describe as a “*neighbor dispute*”. She stated this was not a *neighbor dispute* noting that she was not certain if the property owner lived in Ledyard, noting there was no house on the 576 Lantern Hill Road property, stating the Landscaping Business was not a homegrown business that became very successful. She stated Perkins Landscaping started as a business with thirty landscapers and it has continued as such, noting they were there every day. She stated because the Town has asked her to document the business activity that she has felt terrorized each day as she gets screamed at when she goes outside her home to take pictures of the activity at 576 Lantern Hill Road property. She stated they were looking for answers to the following questions:

- Was this a Town matter or Zoning Enforcement matter.
- Can the Stipulated Agreement continue to be enforced.

Ms. Day provided the following documents, regarding the Town of Ledyard dispute with the owner of 576 Lantern Hill Road:

- 2016 Cease and Desist
- 2016 Permissibility agreement (stipulated agreement)
- 2017 Motion for Contempt #1
- 2019 Motion for Contempt #2
- 2019 Appellate Judgement in favor of the town
- 2020 Motion for Contempt #3
- 2022 letter of support from Lantern Hill Valley Association

Chairman Dombrowski provided some additional background stating a number of years ago the property was subdivided. He stated part of the parcel was located in North Stonington, and part of the parcel that was located in Ledyard. He stated the principle structure on the property in Ledyard was a barn. He referred the matter regarding 576 Lantern Hill Road to the Land Use/Planning/Public Works Committee to review to determine whether this was a still a zoning matter or whether it was a legal issue. He stated that he would meet with the Mayor to discuss the matter further relative to recourse, etc.

Ms. Day stated the landowner was looking to change the Stipulated Agreement to make the commercial activity permissible. Therefore, she stated that she wanted to make sure everyone was aware of what has been going on, noting that she was concerned about this matter being solely in the hands of the Zoning Office.

Mr. Kurt Bryson, 5 Long Pond Road, Ledyard, noted he has lived in the house across the street from 576 Lantern Hill Road for six years. He stated when the property owner was challenged the commercial activity seemed to quiet down, unless it rained or snowed. He stated if nothing was said about the commercial activity that it starts again. He stated after he talked to Mr. & Ms. Day outside in their front yard that the property owner of 576 Lantern Hill Road called him up and threatened to sue him if he got involved in action that would hurt him using the property. Mr. Bryson stated the telephone conversation with the landowner was upsetting, noting that the landowner was the one breaking the rules, however, he was going to take everyone else into court. He addressed the issue of trust stating that The landowner’s word was not good. He stated in addition to the Day’s and himself that there were other neighbors such as Long Pond Group and the Keenan Land Trust that have concerns regarding the use of the property for commercial business activity. He stated they were all hoping that the town would put an end to the on-going issue.

The Town Council, Mr. & Ms. Day and Mr. Bryson further discussed the commercial business that was advertised in the Telephone Book -Yellow Pages and operating at 576 Lantern Hill Road relative to the Court *Stipulated Agreement* and the ability to impose the \$250.00 daily fine, being threatened and intimidated, chased by foot and by car, the Police Department being involved and arrests have been made, and the Fire Department has been called. Ms. Day stated every day was a terrifying situation.

Mayor Allyn, III, stated it has been a legal struggle each time the town has brought the matter regarding 576 Lantern Hill Road matter to court. Ms. Day stated in the past they were fortunate to have the same Judge who was outraged that the issue had continued despite the *Stipulated Agreement*. She also noted that each time the town brought the case to court that the landowner was required to pay the town’s legal fees. Mayor Allyn addressed the legal costs noting the time involved for the town to receive reimbursement for the legal fees from the landowner, explaining that the town may have to pay for the legal fees during one fiscal year and get reimbursed the following fiscal year.

Councilor Ryan suggested, if the neighbors feel they were being threatened, that they should call the Police Department. He stated calling the Police Department would make a bigger impact than engaging with the neighbor.

Chairman Dombrowski referred the matter regarding 576 Lantern Hill Road to the Land Use/Planning/Public Works Committee to determine whether this matter was a zoning issue that needed to be handled thru Building Office; or whether it was a legal issue. He stated he would meet with the Mayor to discuss the matter further to determine the town’s options.

IV. COMMITTEE COMMISSION AND BOARD REPORTS – None.

VI. COMMENTS OF TOWN COUNCILORS

Councilor Paul stated the June 11, 2022 Yale-Harvard Regatta Day Festival was an awesome event. He thanked the Lions Club, the Economic Development Commission and EDC Member Jessica Buhl for organizing the event along with all those who participated such as the Police Department and Fire Departments.

Councilor Ryan stated that he also enjoyed the June 11, 2022 Yale-Harvard Regatta Day Festival. He went on to note tonight’s Farmers Market was once again well attended. He stated he was able to get the Market before the Food Trucks sold out. He stated it was great to see all the kids at the Market noting they were dancing and participating in the many activities. He stated the Farmers’ Market continued to be a nice weekly family event in Ledyard Center.

Councilor Rodriguez stated that she also enjoyed the June 11, 2022 Yale-Harvard Regatta Day Festival, noting that Yale won all three matches. She thanked the Gales Ferry District, Economic Development Commission, especially EDC Member Jessica Buhl, Ledyard Rotary, Ledyard Lions, Ledyard Police Department, and Parks & Recreation Director Scott Johnson, Jr. for a job well done. She also congratulated the Ledyard High School Graduating Class of 2022. She noted a number of Town Council members were in attendance as well as Mayor Allyn, III.

VII. REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

MOTION to approve the Regular Meeting Minutes of May 25, 2022
Moved by Councilor Marshall, seconded by Councilor Ryan
9 – 0 Approved and so declared

VOTE:

IX. COMMUNICATIONS

Chairman Dombrowski stated a Communications List has been provided and can be found on iCompass portal and he noted there were no referrals listed.

X. COUNCIL SUB COMMITTEE, LIAISON REPORTS

Administration Committee

Councilor Ingalls stated although the Administration Committee has not met since the last Town Council meeting they have a couple of items on tonight's agenda.

Community Relations Committee

Councilor Paul stated the Community Relations Committee met on June 15, 2022 and discussed the following: (1) Farmers' Market – Councilor Paul stated on June 29, 2022 the Town Council would be hosting a table/booth at Market to meet residents. He stated the event would be similar to the “*Meet Your Elected Officials*” that was held at the Nathan Lester House on May 14, 2022, which was not well attended. He stated they hoped to have more success by bringing the *Meet Your Elected Officials* to a venue where there was already a captive audience. He stated the purpose was to engage residents to learn about what was on their minds so that they could better serve the community. He also noted that the Police Department would be giving a demonstration/presentation at 6:00 p.m. on the new body-worn and in-car cameras and the associated software; (2) Mental Health Awareness - Councilor Paul stated the Community Relations Committee planned to also attend a Farmers' Market in late August or early September to provide information to residents as they prepare for the winter months. He stated during the winter months it gets darker earlier and there tends to be more isolation with the colder weather. He stated whether it was kids or adults that were suffering from mental health (depression, anxiety, suicide, etc.) that the person, or their parent/caretaker, may not know where they could get help. He stated during that week that he would like to invite Youth Service Coordinator Kate Sikorski-Maynard, a CIT Officer (Crisis Intervention Trained) and the Ledyard Visiting Nurse Association to talk with residents and to provide information regarding the many resources that were available. Councilor Paul went on to note the importance for residents to know that there were programs to help such as: Home heating fuel through Thames Valley Council for Community Action (TVCCA) and other assistance programs such as Utilities – Electric/Water Assistance; Homeowners Assistance no interest loan program to help people replace their furnace, roof or septic system, etc.; TVCCA home meal delivery for homebound resident; The Linda C. Davis Food Pantry located in Ledyard Center; and United Way located in Gales Ferry was a great resource; (3) Informal Conversations in the Park – Councilor Paul noted that the Land Use/Planning/Public Works Committee has been discussing residents' concerns regarding safety issues at the Park on East Drive. He stated the Community Relations Committee planned to cancel their July 20, 2022 regular meeting to host an informal conversation that evening at the Park on East Drive to learn about Parks in general.

Finance Committee

Councilor Saums stated the Finance Committee held their hybrid meeting on June 15, 2022. He stated all their items were on tonight's agenda.

Land Use/Planning/Public Works Committee

Councilor Paul stated the LUPPW Committee has not met since the last Town Council meeting. He noted the LUPPW Committee would be cancelling their meeting next month for the July 4th Holiday.

Permanent Municipal Building Committee

Councilor Marshall stated the PMBC met on June 6, 2022 and addressed the following: (1) PMBC Chairman Steve Juskiewicz resigned. Upon Mr. Juskiewicz's recommendation the Committee elected Gary Schneider as the PMBC Chairman. He also noted the Town Council appointed a new member to the PMBC, Mr. Joe Gush; (2) Close Out - School(s) Consolidation Improvement Project (Middle School and Gallup Hill School) – The PMBC contracted with Colliers Project Leaders to prepare the documentation for the State's Project Audit; (3) Reimburse Board of Education in the amount of \$6,500 for work and repairs that O&G Industries did not complete, such as the projectors and other Audio & Visual (AV) issues; (4) AEI Flooring was awarded the bid for work at the Gales Ferry School; (5) Metal Shop Improvement Work – The bid was awarded to Bromco for the hoods; (6) Waste Water Pump Replacement Project was moving along; (7) Board of Education Central Office & Gales Ferry School Roof Replacement Projects – The roof replacement projects would need to be rebid because of inflation the original cost were too old and were now unrealistic.

Ledyard Beautification Committee

Councilor Ingalls stated the Beautification Committee Photo Banner Contest was underway. Residents could submit photographs on the Ledyard Beautification Committee page, which included all the photo categories and instructions; or the Ledyard Community Photo Page and

that they indicate that the photos were for the Banner Photo Contest. The Contest Deadline to submit photographs was July 6, 2022.

Economic Development Commission

Councilor Paul stated the EDC met on June 7, 2022 and addressed the following: (1) Business and Residential Survey – The Commission began reviewing the survey responses they received. He stated the EDC planned to schedule a workshop on July 11, 2022 at 6:00 p.m. to discuss how they would incorporate the information into their Strategic Plan; (2) Marketing Video has stalled because the Video Company was short one Representative. The video which would be done at no cost to the town would take about twelve weeks to produce; (3) Harvard -Yale- Regatta Festival held on Saturday, June 11, 2022 was a great event, as he mentioned earlier this evening.

Senior Citizens Commission

Councilor Rodriguez stated the Senior Citizens Commission met today at 1:30 p.m. and she reported: (1) Two Van Drivers were hired; (2) New Administrative Assistant Dusty Lockany began on June 8, 2022.

XI. MAYOR’S REPORT

Mayor Allyn, III, reported on the following: (1) American Rescue Plan Act (ARPA) Projects – Mayor Allyn stated Accounts have been setup for all of the approved ARPA Projects and that staff has been assigned to manage and oversee each of the Projects. He stated because of inflation that the costs of the projects have increased significantly since they began the process last October-November, 2021. Therefore, he stated they would need to continue to monitor costs to determine which projects to proceed with and whether they should hold off on other projects; (2) Long Pond Dams – Mayor Allyn stated he met with State Senator Kathy Osten and the Lantern Hill Valley Association Residents to discuss the Long Pond Dams. He noted the State Bond Commission appropriated \$3 million that would be coming to Ledyard for the repair/replacement the Lantern Hill Road/Whitford Brook Bridge, the Box Culvert and the Dams. He went on to explain that the Dams reside on private property in North Stonington and the Box Culvert needed to be replaced because the guardrail company drove a galvanized steel beam into the Culvert and shattered the concrete box culvert. He stated that he would be coming to the Town Council to approve Memorandum of Understandings (MOU) as follows: (a) Agreement regarding the Lantern Hill Road/Whitford Brook Bridge with Stonington; (b) Agreement regarding the Dam with North Stonington; and (c) Hold Harmless Agreement regarding the Dams with the Private Landowner. He stated the Earthen Dam where the fishway was going was not part of these projects, noting that *Save the Sound* would be handling the Earthen Dam which resided in Ledyard. He stated since the Whitford Pond Dam blew out in April, 2010 that the Alewife Fish have been migrating up the Mystic River and were about a half a mile from the Whitford Pond; (3) Solid Waste Facility – Dredging Dow Chemical Site in Gales Ferry – Mayor Allyn stated the June 15, 2022 Public Information Session that was held at the Bill Library was cancelled because there were too many people for the capacity of the room. He suggested they communication with the Board of Education to reserve one of the school(s) auditoriums, noting that this was the second time the Public Information Session had to be cancelled because the size of the room was too small for the number of residents looking to attend. He stated when the Public Information Session has been rescheduled that he would let residents know; noting at this time it was currently not a pending land use/zoning application. He explained that because there was a certain demographic that fits into the scope of the project that Cashman Dredging and Marine Contracting was required to hold an *Environmental Justice Hearing*. He stated pending the outcome of *Environmental Justice Hearing* that the Project may be coming to the town. He stated he would keep everyone up to date on the status of the project; (4) June 17, 2022 High School Graduation – Class of 2022 – Mayor Allyn stated the thunderstorm cleared out about an hour before the Commencement Ceremony began, noting the Graduation was a great event and the kids had a great time; (5) Eagle Scout Ceremony – On June 18, 2022 Mayor Allyn attended a ceremony for Katlyn Hughes, who was the first female Eagle Scout in Ledyard. He stated Ms. Hughes had four brothers who received their Eagle Scout Award before her. He stated Ms. Hughes achieved her High School required credits last September, 2021 completing her four years of High School in three years. She stated because the Hughes Family moved to Virginia they came back to Ledyard so that their daughter Katlyn could attend the Graduation with her classmates and receive her Eagle Scout Award the next day; (6) Granicus/Legistar Training/Transition – Mayor Allyn stated the Granicus/Legistar trainings were going well. He stated Administrative Assistant Roxanne Maher and Executive Assistant Kristen Chapman were spearheading the system set-up and staff training. He stated he believed the town was going to like the product. He noted the Town Council would be

discussing their Summer Meeting schedule later this evening, noting that the Summer Meeting Schedule would help with the July 1st Launch of the Granicus/Legistar Meeting Portal. He stated Ledyard has had a very aggressive schedule to get the new meeting portal setup noting that they were working to get it done in two months opposed to the normal six-month time schedule it would take to get the program set-up and operating; (7) Tri-Town Trail (Bluff Point to Preston Plains Park) – Mayor Allyn stated the Phase II Grant, which was awarded on March 3, 2022 arrived this week. He stated Requests for Proposals (RFP) for Design and Engineering work would be issued; (8) American Rescue Plan Act Funding Sub-Recipients – Mayor Allyn stated Sub-Recipient Agreements would be going out this week to the following: (1) Thames Valley Council for Community Action (TVCCA); (b) Ledge Light Health District (LLHD); (c) Homeless Hospitality Center. He stated ARPA Guidelines required the Town to have Agreements with the Agencies that they were going to give some of their ARPA funding to. He stated Ledyard's Agreement stated if the Agency was not going to use the ARPA Funding as they presented to the town; or should they not use all of the funding that they needed to immediately return the funds to the Town so that the Town would have time to reappropriate those funds within the ARPA time guidelines/requirements; (9) Bush Pond – Mayor Allyn stated Bob and Betsy Graham purchased a piece of land on the twenty-three-acre Bush Pond which was parallel to Long Pond. He stated Mr. and Mrs. Graham have removed a number of the decrepit cottages and cleaned up the property. He stated Mr. and Mrs. Graham would like to give/gift about 550 linear feet of the pond frontage to the Town, which was the middle section of the pond. However, he explained because Ledge Light Health District required a certain amount of reserve area for the remaining cottages on the parcel (one cottage on the south side and three cottages on the north side) that the property could not be divided to give a portion of the parcel to the Town. Therefore, he explained that they were discussing a 99-year lease to provide a waterfront park for the Town. He because Mr. and Mrs. Graham have already taken on a lot of the expense that there would be some expenses for the town that would involve surveying and drafting a legal description of the three-quarter acre parcel to attach to the Lease. He stated the Town could not construct a building on the parcel but they could put in a gazebo for picnicking, and the Graham's would allow the town to put a port-a-john on the property seasonally. He stated this parcel would be under the Administrative Control of the Parks & Recreation Department and would allow fishing, picnicking canoeing and kayaking. He stated Parks & Recreation Director Scott Johnson, Jr. has seen the area and was excited about the town being able to use the property. He stated he would be coming to the Town Council in late July to take the appropriate actions to allow the Town to enter into a Lease Agreement regarding the property; (10) FEMA Funding Tropical Storm Isaias –August 4, 2020 – Mayor Allyn today stated Ledyard received \$5,149 for expenses that were related to the storm; (11) Fireside Pizza/Sunnyside Diner – Mayor Allyn stated at the time the Fireside Restaurant burned that the restaurant's owners, the Arpin Family, were in the process of renovating the former Citizens Bank to open the Sunnyside Diner, which was located at the opposite end of the Pizza Restaurant. He explained the catastrophic fires at the Fireside Pizza Restaurant that occurred on March 5, 2022 and at the house fire on Childly Way were caused by the zero-clearance fire plate pipe. He explained after a period of time of the plywood around the fire plate pipe essentially turns into a combustible because of the heating and cooling that occurs. He suggested residents who have access to their attics check their zero-clearance fire plate pipes, noting that the plywood around the pipe will blacken before it catches fire. Mayor Allyn went on to note that Arpen Family had a soft opening of the Sunnyside Diner, and that it was going well. He stated hopefully the Arpen Family would be able to reopen their Fireside Pizza Restaurant, noting that it was going to be at least eight months. He stated the engineered trusses and plywood for the roof have been done. He stated once the roof has been completed that the mechanical trades and inspections would begin.

Questions to the Mayor

Councilor Rodriguez addressed the fires at the Fireside Restaurant and at the home on Chidley Way that occurred in February, 2022. She stated that she recently spoke to the owners of both properties and she noted that they both had great things to say about the Fire Departments and the Police Department. She stated the Chidley Way family has told her that Police Officer Matt Andrade has continued to stop by to check in on them. She stated it was good to see that even during a tragedy residents still felt the love from their community. Mayor Allyn stated Ledyard was the type of community that embraces its residents. He stated everyone knew how catastrophic the fires were and they have continued to show their support by patronizing the Sunnyside Diner. He stated Ledyard was lucky to have Officer Matt Andrade noting that he had a heart of gold.

Councilor McGrattan addressed the Solid Waste Facility – Dredging Dow Chemical Site in Gales Ferry; and she suggested although the proposed project was currently not with the town that they provide direction to residents as to what Agencies they could contact to express their concerns. Mayor Allyn stated once a Compliance Assurance Monitory (CAM) Permit has been filed residents could contact the Connecticut Department of Energy and Environmental Protection (DEEP) and the Office of State Traffic Control (OSTA) noting that it has been projected that there would be 250 trucks per the two shifts each day (500 trucks per day) on Route 12, Gales Ferry. He stated with three schools on Route 12 that they need to discuss these issues with OSTA.

Councilor Ingalls questioned the construction work at intersection of Colonel Ledyard Highway in front of the Bill Library. Mayor Allyn stated because the Department of Transportation (DOT) were aware that Ledyard would be constructing a Multi-Model Pathway they offered to install two crosswalks with the button to “Walk - Do Not Walk Signs” to help pedestrians cross to the Best Way Convenience Store and from the Bill Library and to cross to Ledyard Center.

XII. OLD BUSINESS – None.

XI. NEW BUSINESS

Administration Committee

1. MOTION to recommend the Town Council submit the following question to the townspeople to be included on the ballot of the November 8, 2022 Election:

“Shall the sale of recreational marijuana be allowed in the Town of Ledyard?”

Moved by Councilor Ingalls, seconded by Councilor Irwin

Discussion: Councilor Ingalls provided some background noting on June 22, 2021, one year ago today, Governor Lamont signed Senate Bill 1201 “An Act Concerning Responsible and Equitable Regulation of Adult-Use -Cannabis”. She stated the Law provided municipalities to preclude or allow recreational sale of marijuana by, placing a question on the ballot for consideration/vote by the townspeople; or by banning it via zoning regulations. She stated the state statute provided three options for the specific language for the referendum ballot question (Sections 83-84). She stated the Administration Committee, Finance Committee and Land Use/Planning/Public Works Committee all agreed that the most plain and clear language was the question they were presenting this evening to be included on the November 8, 2022 Ballot.

Councilor Ingalls went on to note the state statute included a provision to allow the townspeople to petition the town to include a question on the ballot regarding the retail sale of recreational marijuana. She explained the only way for residents to have a say on whether or not they wanted to disallow the retail sale of recreational marijuana was to include the question presented this evening on the November 8, 2022 Ballot. She stated because the Town Charter allowed the Town Council to place a question on the ballot they have decided to do so. She stated if the town does not put the question on the ballot that it would become permissible by right.

VOTE: 9 - 0 Approved and so declared

RESULT:	ADOPTED 9- 0
MOVER:	Andra Ingalls,, Town Councilor
SECONDER	Whit Irwin, Town Councilor
AYES:	Dombrowski, Ingalls, Irwin, Marshall, McGrattan, Paul, Rodriguez, Ryan, Saums

2. MOTION to include the “***Facts to Know Regarding the Retail Sale of Adult Use of Cannabis*** (Senate Bill #1201)” as presented in the draft dated June 8, 2022 in the August, 2022 Events Magazine Publication in preparation for the November 8, 2022 ballot question.

DRAFT: 6/8/2022

On the November 8, 2022 Mid-Term Election the following question will be presented to Ledyard Voters:

“Shall the sale of recreational marijuana be allowed in the Town of Ledyard?”

Facts to Know Regarding the Retail Sale of Adult Use of Cannabis
(Senate Bill #1201)

On June 22, 2021 Governor Lamott signed Senate Bill #1201 “An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis”. The Law is slated to become effective in stages.

Local referendum (Sections 83-84):

Effective July 1, 2021, if at least 10% of a municipalities electors petition for a vote to allow certain marijuana sales it must be done at least 60 days before a regular election. If met, the municipality must hold a referendum to determine whether to allow: (1) the recreational sale of marijuana in the municipality; or (2) the sale of marijuana in one or more of the cannabis establishment license types. The law specified specific language to be used in the referendum question.

Retail Sales:

Retail sales of cannabis is scheduled to begin in Connecticut by the end of 2022. The sale, manufacture, and cultivation of cannabis (aside from home grown) requires a license from the state. Products that contain delta-8-THC, delta-9-THC, or delta-10-THC are considered cannabis and may only be sold by licensed retailers. Individuals who are not licensed by the state may gift cannabis to others but may not sell it. Individuals may not gift cannabis to another individual who has "paid" or "donated" for another product.

For the first 30 days after cannabis retailers or hybrid retailers open, the law allows municipalities, to charge the retailer up-to \$50,000 for any necessary and reasonable municipal costs for public safety services related to the opening (such as for directing traffic).

Municipalities and Zoning:

Local officials will play an important role in the implementation of cannabis legalization. For example, local officials can control the number and locations of cannabis retailers through zoning. Municipalities can also determine where smoked or vaped cannabis can be consumed (e.g. in city parks or beaches, or on sidewalks or streets).

Until June 30, 2024, the bill prohibits municipalities from granting zoning approval for more retailers or micro-cultivators than a number that would allow for one retailer and one micro-cultivator for every 25,000 municipal residents as determined by the most recent decennial census.

Municipal Cannabis Tax (Sections 126—127):

The law imposes a 3% municipal sales tax (in addition to the state cannabis tax established at 6.35%) on the gross receipts from the sale of cannabis by a cannabis or hybrid retailer or micro-cultivator.

Under the law, "gross receipts" means the total amount received from cannabis sales by the retailer or micro-cultivator. The tax must be collected from consumers at the time of sale and be held in trust until remitted to the municipality. The law exempts from the municipal sales tax: (a) cannabis for palliative use; (b) sales of cannabis by a delivery service to a consumer; and (c) the transfer of cannabis to a transporter for transport to any cultivator, micro-cultivator, food and beverage manufacturer, product manufacturer, product packager, dispensary regulating the delivery of cannabis of any form. In addition, the law prohibits municipalities from negotiating or entering into local host agreements.

Tax structure:

- (1) Includes a 3% municipal sales tax, which will be directed to the town or city where the retail sale occurred;

- (2) Includes a 6.35% state sales tax that will be based on the THC content of the product, which will be 2.75 cents per milligram of THC for cannabis edibles; 0.625 cents per milligram of THC for cannabis flower; and 0.9 cents per milligram of THC for all other product types. This means that Connecticut generally will have about a 4% lower tax rate than New York and about the same as Massachusetts.

Under the law, the sales tax remitted will become part of the municipality's general revenue and must be used for the following purposes:

- (a) Streetscape improvements and other neighborhood developments in communities where cannabis or hybrid retailers or micro-cultivators are located;
- (b) Education programs for youth, employment, and training programs in the municipality;
- (c) Services for individuals living in the municipality who were released from DOC custody, probation, or parole;
- (d) Mental health or addiction services; e) youth service bureaus and municipal juvenile.

The 6.35% State Sales Tax may be used to:

- (a) Support economic opportunities in targeted communities: Portions of the revenue obtained from retail sales of cannabis will be directed to communities that have been most negatively impacted by the war on drugs through the creation of the Social Equity and Innovation Fund. Funding from this account will be appropriated for use by the Social Equity Council to provide business capital, technical assistance for business start-ups and operations, workforce education, and community investments. These investments will not be limited to the cannabis market.
- (b) Support substance misuse prevention and recovery services: Portions of the revenue obtained from retail sales of cannabis will be directed to support substance misuse prevention, treatment, and recovery services through the creation of the Prevention and Recovery Services Fund. Connecticut's health agencies, including the Department of Public Health, Department of Mental Health and Addiction Services, and Department of Children and Families will launch new programs and initiatives regarding prevention, treatment, and recovery in regard to cannabis.
- (c) Prevent underage use: The law adapts the state's strong framework regarding preventing access to alcohol by minors in the context of cannabis. For example, it will be a Class A misdemeanor to sell or provide cannabis to a person under 21 years old. In addition, an individual allowing someone under 21 years old to loiter at a cannabis store will receive a \$1,000 fine on the first offense with subsequent offenses as a Class B misdemeanor. It will be a Class D misdemeanor for a person under the age of 21 to lie about their age or use a fake ID in an attempt to buy cannabis. Delivery services will be required to use online ID and age verification.

State parks and beaches: Cannabis use is prohibited in state parks, state beaches, and on state waters.

Smoking Prohibited: The legislation has extended the same restrictions of smoking cigarettes to smoking cannabis as provided in CGS 19-341.

More Information can be found by visiting:

<https://www.cga.ct.gov/2021/BA/PDF/2021SB-01201-R02SS1-BA.PDF>

Town and County Article – May 2022 Edition

Ledge Light Health District

Moved by Councilor Ingalls, seconded by Councilor McGrattan

Discussion: Councilor Ingalls stated the draft ***“Facts to Know Regarding the Retail Sale of Adult Use of Cannabis”*** provided a synopsis of the State Statute along with ***Arguments For*** and ***Arguments Against*** the retail sale of adult use of cannabis. She stated the ***Arguments For*** tend to be economic in nature and the ***Arguments Against*** tend to be social and public health in nature. She stated the Fact Sheet was to provide information to the residents in preparation for the November 8, 2022 vote.

Councilor Rodriguez stated including a QR Code to access the additional documentation was a great idea.

VOTE: 9 - 0 Approved and so declared

RESULT: ADOPTED 9- 0
MOVER: Andra Ingalls, Town Councilor
SECONDER , Town Councilor
AYES: Dombrowski, Ingalls, Irwin, Marshall, McGrattan, Paul, Rodriguez, Ryan, Saums

Finance Committee

3. MOTION to reduce the appropriation in Account #21020101-57510 (Police Capital - Vehicle) and increase the appropriation in Account # 10120101-51609 (Police Salaries and Wages-Captain) by \$10,517 to fund the newly created Captain position.

In addition, transfer \$10,517 from Account #21090305-59300 (Transferred Funds) to Account #1019502-49002 (Transfers In). The effective date of this motion will by July 1, 2022.

Moved by Councilor Saums, seconded by Councilor Ryan

Discussion: Councilor Saums provided some background stating that during the Fiscal Year 2021/2022 Budget preparation process the Town Council approved to include a new Account #10120101-51609 (Police Salaries and *Wages-Captain*) and to increase the appropriation by \$11,660 for the Captain’s Salary in the Police Department’s budget at their April 14, 2021 Meeting. He stated during the year the Lieutenant was promoted to Captain; and there were some other staffing promotions and salary adjustments which included the approval of a Labor Agreement (Lieutenant and Sergeants). Therefore, he stated the transfer of these funds would ensure the funding for Capitan’s position was brought up to date and properly funded for the upcoming Fiscal Year 2022/2023; staring on July 1, 2022.

VOTE: 9 - 0 Approved and so declared

RESULT: ADOPTED 9- 0
MOVER: Bill Saums, Town Councilor
SECONDER Tim Ryan, Town Councilor
AYES: Dombrowski, Ingalls, Irwin, Marshall, McGrattan, Paul, Rodriguez, Ryan, Saums

Councilor Saums thanked Chief Rich for attending the meeting this evening.

4. MOTION to transfer \$41,475 from Custodian Salaries Account #10110201-51160 to Contract Maintenance Account #10110203-53700 for cleaning services to Town Hall, Town Hall Annex and the Ledyard Police Department for Fiscal Year 2023.

Moved by Councilor Saums, seconded by Councilor Ingalls

Discussion: Councilor Saums stated since the town lost the custodian who would take care of Town Hall and the Police Facility the town has moved forward to use a contracted custodial service. However, he stated because the funding was currently sitting in Account #10110201-51160 (Custodian Salaries) that the funding had to be moved from the custodian salary account to Account #10110203-53700 (Contract Maintenance) to pay for the services.

Mayor Allyn, III, noted the custodian salary line had been included in the Mayor’s Administration Budget. He stated the town has engaged in a three-year contract for custodial services; and therefore, they would also be moving the expense from the Mayor’s budget to the Contracted Maintenance Account. He stated moving to a contracted custodian service would provide a savings of about \$18,000 annually.

VOTE: 9 - 0 Approved and so declared

RESULT: ADOPTED 9- 0
MOVER: Bill Saums, Town Councilor
SECONDER Andra Ingalls, Town Councilor
AYES: Dombrowski, Ingalls, Irwin, Marshall, McGrattan, Paul, Rodriguez, Ryan, Saums

5. MOTION to authorize overspending the Legal Fees Account #10110205-53615 for Town Attorney expenses thru June 30, 2022. Funding to be transferred to the Legal Fee Account # 10110205-53615 at year-end.

Moved by Councilor Saums, seconded by Councilor Ryan

Discussion: Councilor Saums stated the town incurred inordinate amount legal fees for the following issues; noting that there was currently not enough funding remaining to cover legal fees for expenses thru June 30, 2022:

- Browns Crossing Bridge; and
- Property Owner's dispute regarding a drainage issue.

Councilor Ryan noted as he expressed at the Town Council's February 23, 2022 meeting and at last week's Finance Committee meeting of June 1, 2022; that while he understood the strategy aspect of not including a dollar amount of how much they would over expend the account by that he was uncomfortable with an open-ended expenditure account. He went on to state that although he did not like to authorize overspending without a cap; that he understood in the legal field that it was sometimes necessary with the issues the town has to deal with.

Mayor Allyn, III, explained the drainage issue could take years to resolve; and therefore, it was difficult to project those costs. He stated the Brown's Crossing Bridge matter was close to being completed. He noted the Fiscal Year 2021/2022 Legal Fees budget was \$20,000. He stated to date the legal fee expenditures were about \$18,731; noting that additional funding was needed to cover the invoices thru May and June, 2022.

Councilor Ryan suggested going forward that perhaps they could authorize overspending the account by increments. He stated by including a ceiling on the overspending that should they reach that ceiling amount they could reassess the expenses. He addressed the \$20,000 Legal Fee budget and questioned whether that would be enough for next year.

Chairman Dombrowski stated he understood Councilor Ryan's concerns to authorize overspending an account without a ceiling. He noted in addition to the oversight of the Mayor's Office, the Finance Director and the Department that requested the authorization to overspend the account that the Finance Committee would also have oversight.

VOTE:

9 - 0 Approved and so declared

RESULT: ADOPTED 9- 0

MOVER: Bill Saums, Town Councilor

SECONDER Tim Ryan, Town Councilor

AYES: Dombrowski, Ingalls, Irwin, Marshall, McGrattan, Paul, Rodriguez, Ryan, Saums

6. MOTION to appropriate \$10,251 received from the sale of surplus items through GovDeals as follows:

- \$4,051 to Account #21040101-57315 (Pooled Vehicles) and
- \$6,200 to Account #21040111-58240 (Building Upgrade Reserve).

Moved by Councilor Saums, seconded by Councilor Ingalls

Discussion: Councilor Saums noted as Mayor Allyn, III, reported at the Town Council's June 8, 2022 meeting the town sold the following:

- 2013 Ford Explorer with 155,000 miles for \$4,051; and
- The 60 Solar Panels that were removed from town facilities sold for \$6,200, noting that the panels were eleven years.

Councilor Saums stated funds received from the GovDeals Auction would be appropriated to the long-term building needs capital account and the fleet vehicle account. He commended Mayor Allyn for moving to the on-line platform (GovDeals) to sell the town's surplus equipment, noting that the town has been much more successful in the amount of revenues they have received using GovDeals, noting that the former practice to sell surplus equipment was done through a sealed bid process and attracted a very few bidders.

Mayor Allyn, III, stated Ledyard had 1,100 active bidders participating on the GovDeals site who were within fifty miles of Ledyard.

VOTE: 9 - 0 Approved and so declared

RESULT: ADOPTED 9- 0	
MOVER:	Bill Saums, Town Councilor
SECONDER	Andra Ingalls, Town Councilor
AYES:	Dombrowski, Ingalls, Irwin, Marshall, McGrattan, Paul, Rodriguez, Ryan, Saums

7. MOTION to approve the following proposed projects to be eligible for Neighborhood Assistance Act (NAA) tax credits.

- (1) ARC of New London County to replace windows at the Group Residence located at 1671 Center Groton Road, Ledyard estimated cost \$30,872;
- (2) Habitat for Humanity Project for the full rehabilitation of a single family split-level home at 42 Laurel Leaf Drive in Gales Ferry.

Moved by Councilor Saums, seconded by Councilor Ryan
Discussion: Councilor Saums stated in accordance with CGS that a Public Hearing was held earlier this evening for non-profit organizations to be eligible for the Neighborhood Assistance Act (NAA) tax credits Program.

Councilor Saums explained the State Department of Revenue Services in conjunction with large corporations in the State of Connecticut developed a Neighborhood Assistance Act Program (NAA) which provided a tax credit to businesses that make donations to nonprofits for projects approved by their local governments. He stated NAA was not a grant program, it was a “Corporation Donation” initiative in which C-Corporations could partner with non-profit organizations to sponsor or make donations toward an approved project for which they would receive a tax credit. He stated that the entire project could be fully sponsored/funded by donations from corporations and business or a just a portion of the project could be sponsored by corporations and business. He stated endorsing the project would not commit any funding from the town, and he noted that this was not a grant program.

Councilor Saums stated the following non-profit organizations were seeking support from the Town of Ledyard to apply for the Neighborhood Assistance Act Program:

- (1) ARC of Eastern Connecticut to replace windows on a group home \$30,872: located at 1871 Center Groton
- (2) Habitat of Humanity \$20,000 full rehabilitation of a single-family split-level home at 42 Laurel Leaf Drive in Gales Ferry.

Councilor Saums stated both ARC of Eastern Connecticut Penny Newberry and Habitat for Humanity Sarah Lufler attended the Public Hearing earlier this evening and presented their projects. He stated both of the projects were good community initiatives and as Ms. Lufler noted during the Public Hearing, the home on Laurel Leaf Drive was a great place to raise a family.

VOTE: 9 - 0 Approved and so declared

RESULT: ADOPTED 9- 0	
MOVER:	Bill Saums, Town Councilor
SECONDER	Tim Ryan, Town Councilor
AYES:	Dombrowski, Ingalls, Irwin, Marshall, McGrattan, Paul, Rodriguez, Ryan, Saums

General Items

8. Discuss Town Council Summer Meeting Schedule.

The Town Council agreed by consensus to the following summer meeting schedule:

Cancel the following meetings:

- July 13, 2022
- August 10, 2022

Chairman Dombrowski stated the Town Council would meet as follows:

- July 27, 2022
- August 24, 2022

General Items

9. Discuss Work Session Items as time permits. – None.

XV. ADJOURNMENT

VOTE: Councilor Rodriguez moved to adjourn, seconded by Councilor Marshall
9 – 0 Approved and so declared. The meeting adjourned at 8:17 p.m.

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

I, Kevin J. Dombrowski, 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 June 22, 2022.

Kevin J. Dombrowski, Chairman