



# TOWN OF LEDYARD

741 Colonel Ledyard Highway  
Ledyard, Connecticut 06339-1551  
(860) 464-3203  
council@ledyardct.org

## Town Council Meeting Minutes

Chairman Kevin J.  
Dombrowski

### Regular Meeting

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Wednesday, November 9, 2022

7:00 PM

Council Chambers - Town Hall Annex

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**In-Person: Council Chambers Town Hall Annex**

**Remote: Information noted below:**

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

**[https://us06web.zoom.us/j/89514138284?](https://us06web.zoom.us/j/89514138284?pwd=ZCtCM2wvY1Vib0dKY1hHZUFoNHBpZz09)**

**pwd=ZCtCM2wvY1Vib0dKY1hHZUFoNHBpZz09**

**Or by Audio Only: Telephone: +1 646 558 8656; Meeting ID: 895 1413 8284 Passcode: 259221**

#### 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 - Granicus-Legistar Meeting Portal.

#### II. PLEDGE OF ALLEGIANCE

#### III. ROLL CALL

**Present:** Chairman Kevin Dombrowski  
Councilor Whit Irwin  
Councilor Whit Irwin  
Councilor John Marshall  
Councilor John Marshall  
Councilor Mary K. McGrattan  
Councilor Mary K. McGrattan  
Councilor Gary Paul  
Councilor Gary Paul  
Councilor S. Naomi Rodriguez  
Councilor S. Naomi Rodriguez  
Councilor Tim Ryan  
Councilor Tim Ryan

**Excused:** Councilor Andra Ingalls  
Councilor Andra Ingalls  
Councilor Bill Saums

IV. PRESENTATIONS

None

V. RESIDENT & PROPERTY OWNERS (COMMENTS LIMITED TO THREE (3) MINUTES

None.

VI. COMMITTEE COMMISSION AND BOARD REPORTS

None.

VII. COMMENTS OF TOWN COUNCILORS

Councilor McGrattan noted during the Ledyard Rotary Soctober Campaign they collected 1,245 pairs of socks. She noted of the 1,245 pairs of socks that Ocean State Job Lot in Gales Ferry donated 600 pairs of socks. She stated the socks were donated to the Homeless Hospitality Center in New London and to the Malta Organization in Groton.

Councilor Rodriguez stated for the National Drug Take Back Day the Ledyard Prevention Coalition and the Ledyard Police Department collected 60-pounds of prescription drugs.

Chairman Dombrowski noted as part of the November 8, 2022 Mid-Term Election that Ledyard included a local ballot question asking the Voters whether the Town should permit the Sale of Recreational Use of Marijuana in town. He stated the results of the question were as follows In-Favor: 2,965; Opposed: 2,688 noting the question passed.

Chairman Dombrowski noted the absence of Councilor Ingalls and Councilor Saums this evening. He stated families often mention that they only get together for weddings and funerals. He stated Councilor Saums was away for the marriage of his daughter and Councilor Ingalls was away because of the death of her brother and her niece. He stated the Town Council's thoughts and prayers were with their families, noting the joy on one side and sadness on the other.

VIII. REVIEW AND APPROVAL OF MINUTES

MOTION to approve the Town Council Regular Meeting Minutes of October 26, 2022.

Moved by Councilor Ryan, seconded by Councilor McGrattan

VOTE: 7 - 0 Approved and so declared

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Tim Ryan

**SECONDER:** Mary K. McGrattan

**AYE:** 7 Dombrowski, Irwin, Marshall, McGrattan, Paul, Rodriguez, and Ryan

**EXCUSED:** 2 Ingalls, and Saums

IX. COMMUNICATIONS

Communications List November 9, 2022

X. REFERRALS

XI. COUNCIL SUB COMMITTEE, LIAISON REPORTS

1. Administration Committee

Councilor Irwin stated the Administration Committee met earlier this evening and had one item on tonight's agenda. He stated the many other items the Committee addressed included: (1) Updates to Public Works Department Job Descriptions (Mechanic and Maintenance Foreman); (2) Appointments - Both reappointments and new appointments; (3) Amendments to Ordinance #300-027 (rev 2) "*An Ordinance Regulating Parking And Other Activities In Town Roads And Rights-Of-Way And Providing Penalties For The Violation Thereof*"; and (4) *Resolution Authorizing Term Adjustments for the Ledyard Beautification Committee*". He noted these items would be on would be on the Town Council's December 14, 2022 Agenda.

**RESULT:** .

**MOVER:** Whit Irwin

**SECONDER:** Mary K. McGrattan

2. Community Relations Committee

Councilor Paul stated the Community Relations Committee will be meeting on November 16, 2022 at 6:30 p.m. and he encouraged residents to attend their meeting, noting they would be joined by Public Works Director/Town Engineer Steve Masalin to present information regarding the Ledyard Public Works Department.

**RESULT:** .

3. Finance Committee

Councilor Ryan stated in Councilor Saums' absence that he would be reading the Finance Committee report that Councilor Saums provided to him for this evening as follows: "*The Finance Committee held their hybrid meeting on November 2, 2022. In addition to the items on tonight's agenda the Committee discussed the following: (1) Annual Audit Fiscal Year Ending June 30, 2022 - The Finance Director reported the Annual Audit work was complete; (2) Interest Earnings - With moving town funds that were in savings accounts to accounts of higher rates of return that Ledyard's interest earnings for the month of October was \$32,000. The interest earnings for total prior year were \$43,000*".

**RESULT:** .**4.** Land Use/Planning/Public Works Committee

Councilor Paul stated the LUPPW Committee met on November 7, 2022. He stated in addition to the items on tonight's agenda the Committee also discussed ways to provide information to residents pertaining to the structure and operations of the Town's Land Use process. Councilor Paul noted at their prior meetings the LUPPW Committee heard comments that residents were not sure how the process worked regarding permits; the approval process, and who decided what business could come into town. He stated with the Cashman Project on Route 12 and the Dollar General Store being built in Gales Ferry that residents were questioning how the process worked. He stated the LUPPW Committee discussed with Land Use Director Juliet Hodge several ideas on how to get information to residents which included posting a *Frequently Asked Question* (FAQ) Sheet on the town's website, which could be linked to social media pages.

**RESULT:** .Liaison Reports**XII.** REPORT OF THE MAYOR**XII.** REPORT OF THE MAYOR:

Mayor Allyn, III, reported on the following: (1) Connecticut Conference of Municipalities (CCM) Annual Conference - Mayor Allyn noted that he and Councilor McGrattan attended the Conference on November 1, 2022, which was held at the Mohegan Sun Convention Center. He stated the Conference was outstanding and well received. He stated the Conference would be held at the Mohegan Sun for the next two-years, which was convenient for Southeastern Connecticut; (2) Connecticut Conference of Municipalities (CCM) Annual Meeting - November 2, 2022 - Mayor Allyn stated he attended the Annual Meeting at which they discussed the Legislative Agenda to bring forward to their Legislative Members; (3) Stormwater Utility Meeting - October 27, 2022 - Mayor Allyn stated he attended the Stormwater Utility Meeting in his capacity of the Southeastern Connecticut Council of Governments (SCCOG) Chairman. He noted that Ledyard was one of four towns that was participating in the Stormwater Utility Study, noting that New London started their Stormwater Utility last year and was currently the only municipality in the State of Connecticut that has a Stormwater Utility. He noted for cities such as New London or Norwich that a Stormwater Utility may make sense because nearly 50% of their property was non-taxable. He explained the Stormwater Utility would calculate and associate a dollar amount for every impervious surface which would include houses, pools, sheds, barns, church roofs, parking areas, etc., and annually bill every property owner. He stated he had reservations regarding the Stormwater Utility because they were trying to veil this fee as a Utility, when it was going to be viewed as another tax; (4) Building Permits - Mayor Allyn stated the town was researching options to provide Building Permits on-line. He stated they have looked at two platforms and would be looking at a third option next week. The on-line platform would allow people to apply for and pay on-line for building permits, etc.; (5) America Rescue Plan Act (ARPA) Projects - Mayor Allyn stated the ARPA funded projects were progressing nicely noting the following: (a) Pole Barn Floor - Mayor Allyn stated the concrete floor at

the Ag-Science- Pole Barn has been completed and looked beautiful. He stated because the contractor thought Ledyard was very cute that he did some nice additional work putting a diamond pattern on the sidewalks that lead to the parking area. He stated the east side of the building would be paved, providing better handicap accessibility; and that two parking spaces on each side of the two sidewalks would also be marked for handicapped individuals;

(b) Solar Charging Stations were in progress. The Solar Charging Stations were small tables with the tops being solar panels. He stated the Solar Charging Stations would be located at the Bill Library, Gales Ferry Library and at the Upper and Lower Town Green and would allow for the USB charging of smart phones, laptops, tablets;

(6) Multi Model Use Pathway and Ledyard Center Sewer Line Extension Project - Mayor Allyn stated in preparation to solicit bids this winter (2023) for the Multi Model Use Pathway and Ledyard Center Sewer Line Extension Project that a meeting was held to finalize the plans. He stated construction for the projects would begin in the Spring, 2023. He stated due to supply issues the ductile piping was going to be a challenge to get. Therefore, he stated they were hoping to solicit bids early to allow the selected bidder to start the process to order and receive the delivery of materials;

(7) Tri-Town Trail Association, Parks & Recreation and Eversource Meeting - Mayor Allyn stated a meeting was held on-location to discuss Eversource's request to close the Trail until the Spring, 2023; explaining that Eversource would be operating large excavators and other equipment on-site to work on the High-Tension Transmission Line. He stated they agreed that it would be in the best interest and safety of the residents to close the Tri-Town Trail during the transmission line work. He went on to state that Eversource would be putting in two gravel parking lots for residents to access the Tri-Town Trail, noting one parking lot would be located at the Clark Farm and one would be located across from the Preston Plains Park;

(8) Southeastern Connecticut Council of Governments (SCCOG) Legislative Agenda Meeting - November 3, 2022 - Mayor Allyn stated SCCOG agreed to the following Legislative Agenda: (a) Education Cost Sharing (ECS) should be properly funded; (b) Special Education (SPED) Funding to follow the child; (c) Funding PILOT Program, per state statute; (d) Allowing for more shared services for Municipalities; (e) Develop a pipeline program for the High Schools and Tech Schools that would be directed toward municipal job opportunities such as Zoning Enforcement Official and a number of other municipal positions. Mayor Allyn stated for kids who may not be looking at college that a pipeline program would be beneficial noting that there was a shortage and need to fill municipal positions;

(9) United Way Asset Limited Income Constrained Employed (ALICE) Report - Mayor Allyn stated 21% of Ledyard Households were considered to be Asset Limited Income Constrained Employed. He stated Ledyard was ranked fifth out of the twenty-one towns listed in the ALICE Report, explaining that the Report ranked the towns from the lowest number of ALICE Households to the highest. He stated although Ledyard was in a pretty good position based on the ALICE Report's ranking the data indicated that one out of five households in Ledyard were in a tight spot and that it would probably be getting tighter with the 40% increase in the Eversource rates that would begin this week;

(10) Emergency Services Building Heating System - Mayor Allyn stated the heating system at the Emergency Services Building on Fairway Drive has failed. He stated the first cost estimate to repair the system came in at \$197,000. He stated Public Works Director/Town Engineer Steve Masalin was working to obtain more information. He stated funding has not been budgeted to address the heating system;

(12) Road Work - Mayor Allyn stated if the weather holds out they hope to get a couple of the smaller roads paved before

December 15, 2022; (13) Annual Audit Fiscal Year Ending June 30, 2022 - Mayor Allyn stated Auditors CliftonLarsonAllen LLP completed their field work and were now working to prepare the Annual Audit Report. He stated the Auditors would be presenting the Audit Report to the Finance Committee and Board of Education at their December or January, meeting; (14) Renters Rebate Program - Mayor Allyn explained the State funded Renters Rebate Program provided rental assistance for the elderly. He stated Municipal Agent Karen Goetchuis has worked with all the tenants at the Kings Corner Manor Senior Housing Facility, who qualify for the program, to complete the application process. However, he stated although Ledyard had the capacity to assist as many as 50 elderly households that during the last three years Ledyard only received about 32 Applications per year for the rental assistance program. He asked the Community Relations Committee to help get the word out to residents that funding was still available to assist elderly residents with their rent, noting that if there were other elderly residents who needed assistance to make their rent payment that they need to try to help them; (15) FEMA Drill - November 1, 2022 - Mayor Allyn thanked Chairman Dombrowski for participating in the FEMA Drill, noting that he was not able to attend because he was attending the Annual CCM Conference. He stated Ledyard received a Grade of “*Very Positive*”; which was the best grade you could receive; (16) Police Department Stuff a Cruiser will be held at the Village Market on Sunday, November 13, 2022 from Noon to 2:00 p.m. He noted because the Linda C. Davis Food Pantry has been heavily utilized that the Stuff a Cruiser would be a welcome infusion to the Food Panty’s supplies.

### **Questions to the Mayor**

Councilor Rodriguez noted the closure of the Tri-Town Trail during the time Eversource would be working on the Transmission Lines and she questioned the date the Trail would be closed. Mayor Allyn stated he expected the work to begin sometime this week and that Eversource would be putting up construction fence to keep residents from accessing the Trail. He stated the heavy equipment was already staged across the street.

Councilor Rodriguez asked Mayor Allyn about the Thanksgiving and Holiday Baskets. Mayor Allyn stated the Thanksgiving Holiday Basket Application period was now closed. He stated the Baskets would be distributed on Monday, November 21, 2022 at the Gales Ferry Fire Department.

Chairman Dombrowski addressed the November 1, 2022 FEMA Drill noting that it was interesting. He stated during the Drill the FEMA Evaluators stayed at “*Alter Status*” until almost 11:00 a.m. He went on to note that instead of escalating to a “*Site Emergency*” they went to “*General Emergency*”. He explained a “*General Emergency*” required them to evacuate the Schools. He stated the one finding that the FEMA Evaluators was going to cite Ledyard for was that they took too long to close the schools. However, he stated that he pointed out to the Evaluations that the Procedure stated: “*When at Alert Status consider early dismissal if the schools were in the EPZ Emergency Planning Zone*”). He also pointed out that none of Ledyard’s Schools were in the EPZ. He stated that the Evaluator noted that Ledyard properly followed the procedures and did not cite any findings.

Mayor Allyn thanked Chairman Dombrowski for attending the November 1, 2022 FEMA Drill and for his input. He noted all of Ledyard's Schools were outside of the EPZ area; and he explained that the EPZ area was located at Kings Highway South toward the Subbase area on Route 12 in Gales Ferry.

Councilor Ryan addressed the Stormwater Utility and he stated during the time he served in New London that he was involved in many of the Stormwater Utility discussions. He stated the assessments would be based on all of the impervious surfaces on a property, not just any buildings. He stated in New London residents did not have to worry about the Stormwater Utility because they did not have a lot of large properties, noting in New London they were considering gravel driveways impervious surfaces. However, he stated in Ledyard they had a lot of large properties; and it would depend on what they were considering impervious. Mayor Allyn stated in doing a walk thru with CDM Smith Engineers they provided a couple of samples which included Dime Bank on Route 117 and a couple of houses. He stated the calculation for the residential home included the two sheds, the house, the patio around an in-ground pool, and the driveway. He stated in asking the CDM Smith Engineers how they kept pace with the new construction that they said the new construction would be picked up from aerial fly overs. Mayor Allyn stated Ledyard does not do aerial fly overs on an annual basis noting that they use the State's aerial fly overs as they were released to the municipalities. He noted the last aerial fly over the State released to Ledyard was conducted in 2019. Therefore, he stated it was an imperfect model that they were trying to get municipalities to buy into. Councilor Ryan stated the Stormwater Utility was a "fee" noting that it was not a tax. He stated at one-point New London had too much money in the Stormwater Utility Fund; and that the City Council started to look at how the money could be used elsewhere. He commented that they did not want to have that kind of tease. He went on to state that Ledyard was in an admirable position because they had a yearly budget that was not as subsidized by state and federal grants, as other municipalities were. Therefore, he stated that Ledyard should take advantage of not being subsidized by state and federal grants; and continue to budget well, as they do with their capital needs, etc. Mayor Allyn stated the Stormwater Utility Study would be providing a Report that he would share with the Town Council. He stated he was not keen on the idea of adding another expense on the backs of every taxpayer, including non-profits. Councilor Ryan stated the Stormwater Utility was initially pitched as means to pay for the MS4 Permit. However, he stated once you implement a fee it was hard to get rid of it. Mayor Allyn stated that Public Works Director/Town Engineer Steve Masalin has indicated that Ledyard has absorbed the MS4 workload without a problem, noting that these expenses have already been budgeted for five years out.

Councilor Rodriguez questioned whether every town had to participate in the Stormwater Utility. Mayor Allyn stated municipalities did not have to participate, noting that New London was currently the only municipality in the State that had a Stormwater Utility.

Councilor McGrattan addressed the SCCOG Legislative Agenda that included developing a pipeline for High Schools and Tech Schools that would be directed toward municipal job opportunities. She stated during the Administration Committee's meeting earlier this evening they reviewed updates to job descriptions for the Public Works Mechanic and Maintenance

Foreman. She stated during their discussion the Committee asked Administrator of Human Resource Don Steinhoff whether the town had anyone on staff that would meet the requirements to fill these two positions; and that Mr. Steinhoff stated they did not, and that it was not going to be easy to find people with the required credentials and skills. She addressed the students that may not be going to college, noting that some may be interested in learning about automobiles. Mayor Allyn stated learning to be a diesel mechanic may be a good opportunity for an apprentice type program, noting that all the trucks were generally diesel engines, with the exception of the police cruisers and other light duty fleet vehicles. Councilor McGrattan questioned whether the local schools (High Schools & Tech Schools) were aware that there was not a pool that had the credentials/skills for the types of positions that municipalities were looking to fill. Mayor Allyn agreed with Councilor McGrattan noting that they need to find a path for the schools to become aware of the skills and requirements needed to fill municipal positions. He noted that Grasso Tech has an arrangement with Electric Boat for trades such as welding; and that there were opportunities that municipalities needed to explore. He stated that Ledyard was not alone in trying to fill positions, noting that there could be opportunities in a lot of municipalities for kids in our area.

**RESULT:** .

XIII. OLD BUSINESS

None.

XIV. NEW BUSINESS

Administration Committee

1. MOTION to set a Hybrid (In-Person & Video Conference) Public Hearing date for December 14, 2022 at 6:00 p.m. to be held in the Council Chambers, 741 Colonel Ledyard Highway, to receive comments and recommendations regarding a proposed amendments to Ordinance #300-027 (rev 2) "An Ordinance Regulating Parking And Other Activities In Town Roads And Rights-Of-Way And Providing Penalties For The Violation Thereof" as contained in draft dated October 13, 2022.

Moved by Councilor Irwin, seconded by Councilor McGrattan

Discussion: Chairman Dombrowski noted in accordance with Chapter III, Section 5 "*Public Hearing on and Passage of Ordinances*" of the Town Charter; a public hearing was required to be held prior to the adoption of an Ordinance.

VOTE: 7 - 0 Approved and so declared

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Whit Irwin

**SECONDER:** Mary K. McGrattan

**AYE:** 7 Dombrowski, Irwin, Marshall, McGrattan, Paul, Rodriguez, and Ryan

**EXCUSED:** 2 Ingalls, and Saums



Finance Committee

2. MOTION to authorize the Permanent Municipal Building Committee (PMBC) to set the bid rate for the Gales Ferry School and Juliet W. Long School roofing projects at \$50.00 per square foot to account for inflation.

In addition, the Permanent Municipal Building Committee may, with Town Council approval, modify the scope of the “Various School Improvement Projects” to include the replacement of the roofs at the Central Office, Gales Ferry School, and Juliet W. Long School; installation of solar equipment at Gales Ferry School and Juliet W. Long School; upgrades to the building management systems at Gales Ferry School; and electrical and HVAC upgrades at Juliet W. Long School) to stay within the authorized amount \$6,725,000, as approved by the townspeople at the February 22, 2022 town-wide referendum.

Also, the Town Council acknowledges that the Town of Ledyard is aware that the State of Connecticut notified the Board of Education that the State would only provide a reimbursement rate of 75% for the cost of the Gales Ferry School roof. This reduction in State grant reimbursement was based the State’s record that the Board of Education accepted the school in 2006, although the Gales Ferry School project was completed in 2001; therefore, the State believed that school did not meet the State’s the 20-year criteria for full reimbursement.

Moved by Councilor Ryan, seconded by Councilor Rodriguez

Discussion: Councilor Ryan stated this item has been on the Agenda for quite some time. He explained that the Finance Committee voted to forward this item to the Town Council for action to secure the State Grant funding; with the understanding that Ledyard was going to continue to pursue that the State correct the record pertaining to the age of the Gales Ferry School; and to receive the full grant reimbursement retro actively.

Councilor Ryan went on to explain that there was a discrepancy between the State’s record and Town’s record regarding the completion date of the Gales Ferry School. He stated because State’s record indicated that the school was not accepted until 2006 that it did not meet the 20-year lifecycle criteria to receive grant reimbursement based on the full cost of the roof project. However, he stated the Town’s record documented that the School construction was completed in 2001, and therefore, did meet the 20-year lifecycle criteria to receive reimbursement on the full cost of the project.

Mayor Allyn stated in speaking with Mr. Chuck Warrington from Colliers Project Leaders, who was doing the Project Closeout Audit Preparations work for the Ledyard Middle School and Gallup Hill School Renovate as New Projects, that Mr. Warrington provided some information regarding two bid summaries for recent school projects, one in Westport and one in Saugatuck. He stated one roof project came in at \$26.00 per square foot and one roof project came in at \$32.00 per square foot. He stated both Westport and Saugatuck were located in a more expensive market than Ledyard was, here in the southeastern part of the state. He stated although the bid summaries were about a month old that Ledyard’s costs should come in well under \$50.00 per square foot.

Councilor Marshall questioned whether the \$50.00 per square foot was an “*up-to number*”.

Councilor Ryan replied “yes”. Councilor Marshall stated at \$50.00 a square foot the cost would calculate out to \$5,000 per square. He stated a few years ago the construction industry was charging between \$400 - \$500 per square and that they were making a lot of money. Councilor Ryan noted the townspeople approved \$6,725,000 for the projects; therefore, he stated whether the roof cost was \$50.00 or \$26.00 per square foot that they could not spend more than the \$6,725,000. He explained that the state has requested the town approve these resolutions to receive the grant reimbursement.

VOTE: 7 - 0 Approved and so declared

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Tim Ryan

**SECONDER:** S. Naomi Rodriguez

**AYE:** 7 Dombrowski, Irwin, Marshall, McGrattan, Paul, Rodriguez, and Ryan

**EXCUSED:** 2 Ingalls, and Saums

3. MOTION to approve a supplemental appropriation of \$25,000 to Account #10140107-56306 (Tree Removal) from Undesignated to provide adequate funding for ongoing removal of hazard trees in the Town rights-of-way.

Moved by Councilor Ryan, seconded by Councilor Irwin

Discussion: Councilor Ryan stated Public Works Director/Town Engineer Steve Masalin attended the Finance Committee’s November 2, 2022 and provided a brief summary regarding the request for the additional \$25,000 for tree removal. He noted that Mr. Masalin explained that this year’s request for an additional appropriation was similar to amount that was requested last year.

Councilor Ryan went on to state the data showed that tree removal expenses have averaged in excess of \$34,000 over the last four years and that both he and the Mayor agreed that they should increase the appropriation for Tree Removal in the next budget cycle.

Mayor Allyn stated in speaking with Louis Tree Company, who was one of the two contractors Eversource used to remove trees, that the Tree Company commented that Ledyard’s annual \$4,000 appropriation was probably the lowest budget amount in any of the town’s he has worked in throughout Connecticut and Western Massachusetts. He noted as Councilor Ryan explained the town has had to add money each year for tree removal, which indicated that the town was not funding Tree Removal at the correct level from a budgetary perspective. He stated there were still a number of oak trees and hemlock trees that have died as a result of the Gypsy Moth infestation that occurred in 2018 and from Emerald Ash Borer that came into our area in 2019.

VOTE: 7 - 0 Approved and so declared

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Tim Ryan

**SECONDER:** Whit Irwin

**AYE:** 7 Dombrowski, Irwin, Marshall, McGrattan, Paul, Rodriguez, and Ryan

**EXCUSED:** 2 Ingalls, and Saums

4. MOTION to approve two tax refunds in the combined total amount of \$33,831.45 with each exceeding \$2,400.00 in accordance with tax collector departmental procedures

Moved by Councilor Ryan, seconded by Councilor Irwin

Discussion: Councilor Ryan stated in accordance with policies established for the Tax Collection Department, refunds to taxpayer exceeding \$2,400 were required to be approved by the Town Council. He stated refunds were in order because there was a duplicate payment of taxes on the school buses.

VOTE: 7 - 0 Approved and so declared

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Tim Ryan

**SECONDER:** Whit Irwin

**AYE:** 7 Dombrowski, Irwin, Marshall, McGrattan, Paul, Rodriguez, and Ryan

**EXCUSED:** 2 Ingalls, and Saums

5. MOTION to authorize the Mayor to sign an “Indemnification and Hold Harmless Agreement” between Heather L. Flack, Executor of the Estate of the late Jesse R. Wilcox, Jr., and the Ledyard Historic District Commission for the removal of a mounted mill water turbine located at 1009 Shewville Road, Ledyard, as presented in the draft dated November 2, 2022.

Moved by Councilor Ryan, seconded by Councilor Irwin

Discussion: Councilor Ryan provided some background noting that the Historic District Commission has the opportunity to acquire a mounted mill water turbine from the Estate of Mr. Jesse R. Wilcox, Jr., of 1009 Shewville Road, Ledyard, for only the cost to remove the equipment and relocate it to one of the Historic Commission’s properties. He stated to obtain the turbine for free that they were entering into a Hold Harmless Agreement.

Councilor Ryan went on to explain in reviewing the “*Indemnification and Hold Harmless Agreement*” at the November 2, 2022 Finance Committee meeting that Councilor Saums noted that the Agreement was only holding one party accountable, that being the Ledyard Historic District Commission. Therefore, he stated that Councilor Saums modified the language in the Agreement to make it mutually Indemnified (mutual liability) as presented in the draft November 2, 2022 this evening. He stated the proposed *Indemnification and Hold Harmless Agreement*” now stated that each party shall hold the other party harmless in the event of an incident.

Mayor Allyn stated the Historic Commission currently had one water turbine that was currently in operation at the Up-Down Sawmill and one water turbine that was disassembled, which was their previous turbine that had failed. He stated acquiring this turbine from the Wilcox Estate would provide the Historic Commission a back-up.

VOTE: 7 - 0 Approved and so declared

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Tim Ryan  
**SECONDER:** Whit Irwin

**AYE:** 7 Dombrowski, Irwin, Marshall, McGrattan, Paul, Rodriguez, and Ryan

**EXCUSED:** 2 Ingalls, and Saums

- 6. MOTION to approve a Letter of Directive to the Mayor and Board of Education for the preparation of the Fiscal Year 2023/2024 Budget, as contained in the draft dated November 2, 2022.

Moved by Councilor Ryan, seconded by Councilor Irwin

Discussion: Councilor Ryan stated the Letter of Directive begins the Annual Budget Preparation process, noting that it outlines the budget format. He stated the Finance Committee made a few updates to numbers that were included in the letter and made some other non-substantive editorials, which were included in the draft letter dated November 2, 2022, presented this evening.

VOTE: 7 - 0 Approved and so declared

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Tim Ryan  
**SECONDER:** Whit Irwin

**AYE:** 7 Dombrowski, Irwin, Marshall, McGrattan, Paul, Rodriguez, and Ryan

**EXCUSED:** 2 Ingalls, and Saums

- 7. MOTION to restate the “Certified Resolution of Application- Small Cities Program – Kings Corner Manor, Senior Housing” as contained in the draft dated November 2, 2022.

**DRAFT: 11/2/2022**

**Res: 003-2020/Mar 111**  
**Restated: June 9, 2021**  
**Restated: Nov 9, 2022**

The below is a Resolution adopted by the Town of Ledyard at a meeting of its Town Council on March 11, 2020; that was restated by the Ledyard Town Council on June 9, 2021; which has not been rescinded or modified in any way whatsoever, with the exception of an increase in the grant amount from \$1,500,000 to \$1,608,827 (Modified Award Letter dated 10/11/2022). Below is restated the “*Certified Resolution of Application- Small Cities Program - Kings Corner Manor, Senior Housing*” adopted by the Town Council at its Meeting on November 9, 2022.

IN WITNESS WHEREOF: The undersigned has affixed his signature and corporate seal on this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
Patricia A. Riley, Town Clerk

\*\*\*\*\*

**CERTIFIED RESOLUTION  
OF APPLICANT  
SMALL CITIES PROGRAM  
KINGS CORNER MANOR, SENIOR HOUSING**

WHEREAS, Federal monies are available under the Connecticut Small Cities Community Development Block Grant Program, administered by the State of Connecticut, Department of Housing pursuant to Public Law 93 -3 83, as amended; and,

WHEREAS, pursuant to Chapter 127c, and Part VI of Chapter 130 of the Connecticut General Statutes, the Commissioner of Housing is authorized to disburse such Federal monies to local municipalities; and,

WHEREAS, it is desirable and in the public interest that the Town of Ledyard make application to the State for \$1,608,827 in order to undertake a Small Cities Community Development Program and to execute an Assistance Agreement, therefore, should one be offered.

NOW, THEREFORE, BE IT RESOLVED BY THE LEDYARD TOWN COUNCIL:

1. That it is cognizant of the conditions and prerequisites for State Assistance imposed by Part VI of Chapter 130 of The Connecticut General Statutes; and,
2. That the filing of an application by the Town of Ledyard in an amount not to exceed \$1,608,827 is hereby approved, and that the Mayor of the Town of Ledyard is hereby authorized and directed to file such Application with the Commissioner of the Department of Housing, to provide such additional information, to execute such other documents as may be required by the Commissioner, to execute an Assistance Agreement with the State of Connecticut for State financial assistance if such an Agreement is offered, to execute any amendments, rescissions, and revisions thereto, and to act as the authorized representative of the Town of Ledyard.

Adopted by the Ledyard Town Council on March 11, 2020

Restated by the Ledyard Town Council on: June 9, 2021

Restated by the Ledyard Town Council on: \_\_\_\_\_

**History:**

2022: The Town Council adopted the *Certified Resolution of Application- Small Cities Program - Kings Corner Manor, Senior Housing*” on March 11, 2020. As part of the Grant Application Process the Resolution needed to be restated (June 9, 2021). In response to the Modified Award Letter dated October 11, 2022 the Town Council restated the *Certified Resolution of*

*Application- Small Cities Program - Kings Corner Manor, Senior Housing” to increase the grant amount from \$1,500,000 to \$1,608,827.*

*2021: The Town Council adopted the Certified Resolution of Application- Small Cities Program - Kings Corner Manor, Senior Housing” on March 11, 2020. As part of the Grant Application Process the Resolution needed to be restated (June 9, 2021).*

Moved by Councilor Ryan, seconded by Councilor McGrattan

Discussion: Councilor Ryan stated the Town received the CDBC Award Letter on October 11, 2022 which increased the original Grant amount from 1,500,000 to \$1,608,827. Therefore, he stated the Town needed to once again restate the “*Certified Resolution of Application- Small Cities Program - Kings Corner Manor, Senior Housing*” to reflect the \$108,827 increase in the Grant Award.

VOTE: 7 - 0 Approved and so declared

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Tim Ryan

**SECONDER:** Mary K. McGrattan

**AYE:** 7 Dombrowski, Irwin, Marshall, McGrattan, Paul, Rodriguez, and Ryan

**EXCUSED:** 2 Ingalls, and Saums

Land Use/Planning/Public Works Committee

8. MOTION to adopt a proposed “Resolution of the Ledyard Town Council to Opt-Out of Public Act 21-29 Regarding Multi-Family Parking Spaces And Accessory Apartments” as contained in the draft dated October 17, 2022.

DRAFT: 10/17/2022

**Res: 004-2022/Nov\_\_\_\_\_**

RESOLUITON  
OF THE LEDYARD TOWN COUNCIL  
TO OPT-OUT OF PUBLIC ACT 21-29  
REGARDING PARKING SPACES AND ACCESSORY APARTMENTS

**WHEREAS**, Connecticut Public Act 21-29 (PA 21-29) modifies Section 8-2 of the Connecticut General Statutes to limit the number of parking spaces which may be required by zoning regulations for single, duplex and multi-family developments.

**WHEREAS**, PA 21-29 further modifies Section 8-2 of the Connecticut General Statutes to establish specific provisions regarding zoning regulations for accessory apartments.

**WHEREAS**, unless a municipality affirmatively votes to opt out therefrom, local zoning regulations would be required to adhere to the PA 21-29 provisions regarding single, duplex and

multi-family parking spaces and accessory apartments.

**WHEREAS**, no municipality may opt out of the parking spaces and accessory apartment provisions of section 8.2 of the CT General Statutes, as amended by PA 21-29, on or after January 1, 2023,

**WHEREAS**, the Planning and Zoning Commission of a municipality, by a two-thirds vote, may initiate the process by which such municipality opts out of the PA 21-29 provisions regarding parking spaces and accessory apartments,

**WHEREAS**, although the Ledyard Planning and Zoning Commission has adopted Regulations to comply section 8.2 of the CT General Statutes, as amended by PA 21-29, it desires to retain local zoning control over the regulation of multi-family parking spaces and accessory apartments in the future by opting out of the provisions of PA 21-29 regarding parking and accessory apartments,

**WHEREAS**, on October 13, 2022 the Ledyard Planning and Zoning Commission unanimously voted to opt-out from the parking spaces and accessory apartment provisions of Section 8-2 of the CT General Statutes, as amended by the applicable provisions of PA 21-29.

NOW, THEREFORE, BE IT RESOLVED, the Ledyard Town Council hereby votes opts out from the parking spaces and accessory apartment provisions of Section 8-2 of the CT General Statutes, as amended by the applicable provisions of PA 21-29.

Adopted by the Ledyard Town Council on: \_\_\_\_\_

\_\_\_\_\_  
Kevin J. Dombrowski, Chairman

\*\*\*\*\*

**BACKGROUND** The Town of Ledyard’s (Town) Zoning Regulations pertaining to Accessory Apartments were amended (effective August 4, 2022) to comply with the requirements contained in PA 21-29 for accessory apartments. Revisions of the Zoning Regulations also modified parking requirements for multi-family developments to be consistent with PA 21-29. To retain the local zoning control of parking requirements for multi-family developments and accessory apartment regulations, as local circumstances may dictate in the future, the Town must opt out of the provisions of PA 21-29 before January 1, 2023.

Moved by Councilor Paul, seconded by Councilor Rodriguez

Discussion: Councilor Paul stated the Planning & Zoning Commission approved the Zoning Regulations Update, which included Ledyard’s Regulations for Accessory Dwelling Units (ADU) and Parking for Multi-Family Developments. He stated the new Zoning Regulations became effective on September 28, 2022. He explained by Ledyard having their own Accessory Dwelling Units (ADU) Regulations that the town would be able to Opt-Out of the State’s ADU Regulations; and it would provide the town with more flexibility in regulating the Accessory Dwelling Units in our community. He stated for Ledyard to finalize opting-out of Public Act 1-29 that Town Council action was required.

Mr. Tony Capon, Silas Dean Highway, Ledyard, Planning & Zoning Commission Chairman provided some background, noting that Councilor Paul accurately summarized the process in accordance with Public Act 21-29. He stated the Planning & Zoning Commission’s plan was always to adopt Zoning Regulations for Accessory Dwellings and then they would consider opting out of Public Act 21-29. He stated the Planning & Zoning Commission strongly supported Accessory Dwelling Units; noting that they were part of a broader housing policy, explaining that Ledyard needed more housing alternatives. He explained the Accessory Dwelling Unit Regulations the Planning & Zoning Commission adopted

were in all respect consistent with the requirements of Public Act 21-29. He stated by having their own Accessory Dwelling Unit Regulations that it would provide Ledyard flexibility to make adjustments should there be some unintended consequences down the line. He noted as their Land Use Attorney stated, the Accessory Dwelling Unit was a significant piece of Legislation, noting that these things often end up in court. He stated they may find out in years to come that the Courts may say what Public Act 21-29 means was not what it really means. Therefore, he stated by Ledyard adopting their own Accessory Dwelling Unit Regulations that it would provide them flexibility to address issues as they come up. He noted the town needed to Opt-Out of Public Act 21-29 by January 1, 2023.

VOTE: 7 - 0 Approved and so declared

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Gary Paul

**SECONDER:** S. Naomi Rodriguez

**AYE:** 7 Dombrowski, Irwin, Marshall, McGrattan, Paul, Rodriguez, and Ryan

**EXCUSED:** 2 Ingalls, and Saums

#### General Business

9. MOTION to authorize the Mayor to sign the “Nathan Lester House Lease Between the Town of Ledyard and Sharon E and Matthew S. Primett” located at 153 Vinegar Hill Road, Gales Ferry.

Moved by Councilor Irwin, seconded by Councilor Marshall

Discussion: Mayor Allyn, III, noted the Town Council held a Public Hearing earlier this evening during which they explained the Lease. He stated this was the same Lease they have used in the past, with updates to the Tenants; and that some of the terms of the Lease such as the rate and time period have been adjusted.

VOTE: 7 - 0 Approved and so declared

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Whit Irwin

**SECONDER:** John Marshall

**AYE:** 7 Dombrowski, Irwin, Marshall, McGrattan, Paul, Rodriguez, and Ryan

**EXCUSED:** 2 Ingalls, and Saums

10. MOTION to approve a proposed “Resolution Amending an Authorizing Resolution of the Ledyard Town Council State of Connecticut Department of Energy And Environmental Protection For Infrastructure Improvements For Bridges And Dams In the Lantern Hill Valley Region” as contained in the draft dated November 8, 2022.

DRAFT: 11/8/2022

**Res: 003-2022/Oct 26**

(rev 1)

RESOLUTION AMENDING AN  
AUTHORIZING RESOLUTION



OF THE LEDYARD TOWN COUNCIL  
 STATE OF CONNECTICUT DEPARTMENT OF  
 ENERGY AND ENVIRONMENTAL PROTECTION  
~~UPGRADES TO THE WHITFORD BROOK BRIDGE AND BUSH POND DAM~~  
**FOR INFRASTRUCTURE IMPROVEMENTS FOR BRIDGES  
 AND DAMS IN THE LANTERN HILL VALLEY REGION.**

CERTIFICATION:

I, Patricia A. Riley, Town Clerk, of the Town of Ledyard, located at 741 Colonel Ledyard Highway, Ledyard, do hereby certify that the following is a true and correct copy of an resolution adopted by the Town Council at its duly called and held meeting on October 26, 2022 at which a quorum was present and acting throughout, and that the Resolution #003-2022/Oct 26 *has been amended to modify language per the State of Connecticut. The following is a true and correct copy of an amended resolution adopted by the Town Council at its duly called and held meeting on November 9, 2022 at which a quorum was present and acting throughout, the resolution noted below has not been modified, rescinded, or revoked, except to and is at present in full force and effect:*

\*\*\*\*\*

BE IT RESOLVED, that the Town of Ledyard may enter into with and deliver to the State of Connecticut Department of Energy and Environmental Protection any and all documents which it deems to be necessary or appropriate; and

BE IT FURTHER RESOLVED, that Frederic B. Allyn III, as Mayor of the Town of Ledyard, is authorized and directed to execute and deliver any and all documents on behalf of the Town of Ledyard to enter into a Personal Service Agreement/Grant Contract under the State of Connecticut Department of Energy and Environmental Protection to receive a \$3,000,000 grant for upgrades to the Whitford Brook Bridge, *Whitford Brook Bridge/Culvert, Hyde Mill Pentway Culvert, the Infrastructure of the Long Pond and Bush Pond Dams, and the Bush Pond Dike.*

Adopted by the Ledyard Town Council on October 26, 2022  
 Amended and Adopted by the Ledyard Town Council on November 9, 2022

Kevin J. Dombrowski, Chairman

\*\*\*\*\*

The undersigned further certifies that Frederic B. Allyn III, now holds the office of Mayor and that he has held that office since May 1, 2017 and will continue in his capacity as Chief Executive Officer until December 5, 2023.

IN WITNESS WHEREOF: The undersigned has executed this certificate this \_\_\_\_\_ day  
 \_\_\_\_\_ 2022.

(SEAL)

Patricia A. Riley, Town Clerk

Revisions: Resolution #003-2022/Oct 26 “ *Authorizing Resolution of the Ledyard Town Council State of Connecticut Department of Energy And Environmental Protection Upgrades to the Whitford Brook Bridge And Bush Pond Dam*” adopted on October 26, 2022; Resolution #003-2022/Oct 26 (rev 1) “*Resolution Amending an Authorizing Resolution of the Ledyard Town Council State of Connecticut Department of Energy And Environmental Protection For Infrastructure Improvements For Bridges And Dams In the Lantern Hill Valley Region*” adopted on November 9, 2022.

History:

11/9/2022: Per the State of State of Connecticut Department of Energy and Environmental Protection Resolution #003-2022/Oct 26 “ *Authorizing Resolution of the Ledyard Town Council State of Connecticut Department of Energy And Environmental Protection Upgrades to the Whitford Brook Bridge And Bush Pond Dam*” was amended as follows to add the following language: “...*Whitford Brook Bridge/Culvert, Hyde Mill Pentway Culvert, the Infrastructure of the Long Pond and Bush Pond Dams, and the Bush Pond Dike.*”

10/26/2022: To accept the State of Connecticut Department of Energy and Environmental Protection grant funding in the amount of \$3,000,000 for upgrades to the Whitford Brook Bridge and Bush Pond Dam; a Resolution of the Ledyard Town Council was required.

Moved by Councilor Irwin, seconded by Councilor Marshall

Discussion: Chairman Dombrowski stated the Town Council adopted this Resolution on October 26, 2022 to receive \$3,000,000 in State Grant funding to replace/repair the Whitford Brook Bridge and Dams in the area. However, the State has requested they revise the Resolution to include the following language “...*Whitford Brook Bridge/Culvert, Hyde Mill Pentway Culvert, the Infrastructure of the Long Pond and Bush Pond Dams, and the Bush Pond Dike.*”

Mayor Allyn stated he and Administrative Assistant Roxanne Maher worked with the State to ensure the language met their requirements. He stated initially the State asked that the Resolution be less specific and more general; however, he stated as it turned out, the language the State agreed to was more specific. He stated Ms. Maher sent the draft Resolution, as presented to this evening to the State and that they agreed that it met their requirements.

VOTE: 7 - 0 Approved and so declared

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Whit Irwin

**SECONDER:** John Marshall

11. MOTION to cancel the Town Council Regular meeting scheduled for November 23, 2022 for the Thanksgiving Holiday.

Moved by Councilor Rodriguez, seconded by Councilor Ryan  
 Discussion: None.  
 VOTE: 6 - 1 Approved and so declared (Whit not in favor)

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** S. Naomi Rodriguez

**SECONDER:** Tim Ryan

**AYE:** 6 Dombrowski, Marshall, McGrattan, Paul, Rodriguez, and Ryan

**NAY:** 1 Irwin

**EXCUSED:** 2 Ingalls, and Saums

**12.** Discuss Work Session Items as time permits.

Mr. Tony Capon, Silas Dean Highway, Ledyard, Planning & Zoning Commission Chairman addressed the townspeople approval of the November 8, 2022 Ballot question regarding the Sale of Recreational Use of Marijuana in town. He stated that he wanted to provide an overview of the process noting the following:

At its December 2021 meeting the Planning & Zoning Commission adopted a twelve-month moratorium on the retail sale of marijuana in Ledyard. The Town Council decided to send the issue of the retail sale of marijuana to a referendum and it passed. The result of the referendum was obligatory, not advisory. The role of the Planning & Zoning Commission was to adopt Regulations implementing the results of the referendum in a good faith manner. The Commission would begin that process and he noted the probable timeline as follows:

At the Planning & Zoning Commission's regular meeting tomorrow evening (November 10, 2022) , no action will be taken other than to note the results of the referendum and to direct Land Use staff to develop draft regulations to be presented to the Commission. At its December 8, 2022 meeting, the Planning & Zoning Commission would receive the draft Regulations and schedule a Public Hearing date for January 12, 2023. At that time the Commission would receive public input.

Chairman Dombrowski thanked Mr. Capon for providing an overview of the process to allow for the sale of adult recreational use of cannabis in Ledyard.

**XV. ADJOURNMENT**

Councilor Rodriguez moved to adjourn, seconded by Councilor Ryan  
 VOTE: 6 - 0 Approved and so declared. The meeting adjourned at 7:47 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 November 9, 2022.

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Kevin J. Dombrowski, Chairman

**DISCLAIMER:**

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

The Town Council's Official Agenda and final Minutes will be on file in the Town Clerk's Office.