



# 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, January 11, 2023

7:00 PM

Town Hall Council Chambers

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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/82362166273?pwd=NTY2NjRHcjZyYi94TjdmTnRBeGNJUT09>**

**Or by Audio Only: Telephone: +1 646 558 8656; Meeting ID: 823 6216 6273; Passcode: 339948**

#### 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.

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

**Excused:** Councilor Bill Saums

#### II. PLEDGE OF ALLEGIANCE

#### III. ROLL CALL

#### IV. PRESENTATIONS

None.

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

None.

VI. COMMITTEE COMMISSION AND BOARD REPORTS

Mr. Michael Marelli, 4 Lee Brook Drive, Ledyard, Conservation Commission Chairman, stated the Commission has learned of a piece of property that was for sale that would be contiguous to other Greenways in town and falls under certain parameters for open space and wetland acquisition. He stated the Commission was interested in purchasing the property, noting that there were Grant Programs available for the purchase of open space that the Commission could apply for. He stated the Conservation Commission has not contacted anyone regarding the property, and that there have been no negotiations. He stated he was present this evening to inform the Town Council of this opportunity and to seek the Town Council's guidance on the process for the Conservation Commission to pursue this opportunity and for permission to contact the seller (broker) to express an interest in the property.

Chairman Dombrowski stated that he would refer the initiative to the Land Use/Planning/Public Works Committee to review the Conservation Commission's interest in the property.

Mayor Allyn, III, stated Mr. Marelli could contact the Broker to see if there were any other interested parties in the property and to gather other relevant information. He went on to state the town internally had access to the mapping of the property that could be provided to Land Use.

Chairman Dombrowski stated should they decide to pursue purchasing the property that a public hearing and a special town meeting would be required for the townspeople to vote on the purchase of the property.

Mr. Marelli acknowledged the work involved and the process for the town to acquire a property, explaining that the Conservation Commission would most likely not look to apply for the Grant Funding until next year.

VII. COMMENTS OF TOWN COUNCILORS

Councilor Rodriguez stated in response to the October 12, 2022 fatal incident of Bristol Police Officers Lieutenant Dustin DeMonet and Sergeant Alex Hamzy, that she and a friend talked about the tragedy, and how awful it would be if an incident like that happened here in Ledyard. She stated a group of women have decided to have a Law Enforcement Awards and Appreciation Day for the Ledyard Police Department. She stated the event would be held on Sunday, February 19, 2023 at Saint David's Episcopal Church 4:00 p.m. - 7:00 p.m. She

stated during the event some Chaplains would be sworn-in and some Police Officers would be receiving Awards. She asked that anyone interested in volunteering at the event to contact her.

#### VIII. REVIEW AND APPROVAL OF MINUTES

MOTION to approve the following:

- Public Hearing Minutes of December 14, 2022
- Regular Meeting Minutes of December 14, 2022

Moved by Councilor Marshall, seconded by Councilor Ingalls

VOTE: 8 - 0 Approved and so declared

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** John Marshall

**SECONDER:** Andra Ingalls

#### IX. COMMUNICATIONS

Chairman Dombrowski stated a Communications List has been provided. He noted in addition to the referrals listed that he referred the Conservation Commission's interest to purchase a piece of open space property to the Land Use/Planning/Public Works Committee earlier this evening.

Communications List - January 11, 2023

#### X. REFERALS

#### XI. COUNCIL SUB COMMITTEE, LIAISON REPORTS

##### 1. Administration Committee

Councilor Ingalls stated the Administration Committee met earlier this evening. She stated the Committee addressed the following: (1) Reappointments; and (2) Proposal to combine the Parks & Recreation Commission with the Senior Citizens Commission. She noted Mr. Love, who was also present this evening, submitted an e-mail dated December 21, 2022 in which he expressed concern that the joining of the two commissions would only benefit the Senior Citizens Commission. She stated in working on the draft Ordinance to combine the two entities, that clarifying language was added to highlight that there would be financial benefit to the town. She stated the Administration Committee would be soliciting comments from the Senior Citizens Commission and Parks and Recreation Commission regarding the draft Ordinance. She provided an overview of the process to adopt an Ordinance, noting that the Administration Committee would review the Senior Citizens Commission and Parks and Recreation Commission suggestions at their February 8, 2023 meeting. Once the Administration Committee has finalized the proposed Ordinance, a Public Hearing would be held prior to the Town Council acting on the proposal to combine the two Commissions.

**RESULT:** .

## 2. Community Relations Committee

Councilor Paul stated the Community Relations Committee met on December 21, 2022 and discussed the following: (1) Black History Month Program - Councilor Paul stated the Committee continued to work on the details of the Black History Month Program and hoped to finalize the plans at their January 18, 2023 meeting; (2) Developing a List of dates and programs/services that the Committee would like to present to residents during the spring and summer. In addition, Councilor Paul stated the Committee was looking for some ideas from the community for possible Informal Informational Forums at various town properties, similar to the July 20, 2022 event they held at the Park on East Drive. He stated that they would also be working to try to coordinate some Informational Booths at the 2023 Summer Farmers Market.

### **RESULT:**

## 3. Finance Committee

Councilor Ingalls stated in Councilor Saums' absence she would present a report he prepared as follows:

The Finance Committee met on January 4, 2023. 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 Matthew Bonin reported that the Annual Audit was filed on time, and that the Auditors CliftonLarsonAllen, LLP would deliver their Report at the January 18, 2023 Finance Committee meeting. Everyone interested in the Audit Report should attend; (2) Kings Corner Manor Senior Housing Facility - PILOT Payment - The Committee discussed a possible one-time waiver of the Ledyard Housing Authority's \$7,700 PILOT payment due to extraordinary revenue loss associated with the renovations at the Kings Corner Manor and to allow the Ledyard Housing Authority to use the PILOT funds to contract for snow removal this year. Three apartments were presently vacant, and the Contractor has asked that they not be filled so they can be used to move tenants and accommodate them as each apartment was being renovated. The Public Works Department does not have the manpower to plow the facility, and the Housing Authority will not have enough funds from rents to pay for snow removal because in addition to the loss of revenue, they still had to pay to heat the vacant apartments. The Committee agreed in principle with the request; but requested an opportunity to review a detailed motion in order to ensure this action does not set a precedent for other PILOT properties to seek a similar waiver; (3) Curbside Collection Services - The Committee discussed with Public Works Director Steve Masalin contracting for future Curbside Collection Services. The current contract had two more option years left and does not expire until 2025, but the number of haulers has since declined due to consolidation with larger firms. The last time the Town went out to bid, only two haulers submitted bids, and both have been acquired - Willimantic Waste was purchased by Casella, and F.W. Crandall was purchased by CWPM. No decisions were made, and the Committee also discussed options for recycling. The Town was once again receiving a small amount of money for recyclables; (4) *Resolution Establishing Administrator/Department Head Benefits* - The Committee discussed a motion to revise the Department Head Resolution. One addition to the Resolution stated that Department Heads would be paid at a rate that may not be less than the percentage of the highest union-contracted increase for that fiscal year. The Committee felt that the Resolution, as written, could be subject to misinterpretation and asked that the

phrase be more carefully worded to avoid unintended consequences. The Committee agreed to withdraw the motion until the Resolution could be rewritten in more clearly defined terms.

Councilor Marshall noted the Housing Authority's request for a one-time waiver of their PILOT Payment to be used for snow removal this year, due to the loss of rent revenue by keeping some units vacant during the improvement work at the Kings Corner Manor Senior Housing Facility. He questioned whether the loss of rent revenue was due to the Contractor. Councilor Ryan stated that he asked a similar question during the January 4, 2023 Finance Committee meeting. He explained they expected to have everything in place before winter, however, that did not occur. He stated the Contract Period Performance for the entire project was two-years, however, he did not know how long they were going to need to keep some units vacant. Mayor Allyn, III, explained the vacant units were being used to house tenants while the improvement work was being done in their unit. Therefore, he stated they may need to have the vacant units open/available during the entire period of the improvement project. He stated since the January 4, 2023 Finance Committee Meeting Housing Director Colleen Lauer decided to only keep two apartment units vacant, opposed to the three units. He stated the Contractor was supposed to begin work in September, 2022; noting that the delay in the start of work was also due to waiting for final approvals from the Department of Housing (DOH) and Connecticut Finance Housing Authority (CHFA).

**RESULT:** .

4. Land Use/Planning/Public Works Committee

Councilor Paul stated the LUPPW Committee met on January 9, 2023 and he noted that they had a couple of items on tonight's agenda.

**RESULT:** .

5. Water Pollution Control Authority

Councilor Ingalls stated in Councilor Saums' absence she would present the WPCA Liaison Report he prepared as follows:

The WPCA met on December 20, 2022 and addressed the following: (1) Wastewater Treatment Facility - Since the WPCA's December meeting the Smith and Loveless Pump has been delivered; (2) Baldwin Hill Road Private Well - A Resident on Baldwin Hill Road had a failed well, with no options to repair or fracking. The Resident requested water service from the WPCA. One quote came in at \$28,000 to extend water service from the Route 12 main's termination on Baldwin Hill Road 200 feet away. Options were to apply for a town loan or to install a tank storage system since the private well had a slow refresh rate; (3) Solar Panels Maintenance - The Wastewater Treatment Facility was still waiting for lawn maintenance. The Panel Operator has mowed once since the project changed hands, and there were a few panels in need of replacement. Wastewater Treatment Plant Supervisor Steve Banks has asked to discuss the terms of the Agreement with the Town Attorney and to pursue legal action if necessary, since all other attempts to resolve the issues have been met with no success; (4) Route 117 Water Storage Tank Maintenance - The WPCA has requested a bid waiver for painting the roof of the Route 117 tank since no other bids were received

despite multiple attempts by Groton Utilities to solicit bids. This item was on the Town Council agenda for action this evening. The WPCA felt painting the roof now was the better option because it was time sensitive. The rest of the tank (inside and out) were in good shape. A \$283,000 bid for painting the exterior was not recommended since it was not needed yet, and costs could decline in future years, because contractors are so busy right now; (5) Ledyard Water System Infrastructure/Assets - Groton Utilities was putting together an offer to purchase the Town of Ledyard's water and sewer system assets. The WPCA began discussing the pros and cons, and would continue to evaluate the situation in the event an offer was received. This would be a Town decision, and the WPCA would provide recommendations when the time comes.

Councilor Ingalls noted that due to a conflict WPCA Chairman Ed Lynch was not able to attend tonight's meeting.

**RESULT:**

**6. Conservation Commission 10/12/2022**

Councilor McGrattan stated the Conservation Commission met on January 10, 2023 and discussed a Management Plan for two trails that were on the 70-acre Barton Property, located in-front of the High School. She stated the Barton Property was town-owned property that was under the Administrative Control of the Conservation Commission. She also noted within the property was 10-acres that was under the Administrative Control of the Board of Education which was being used for athletic fields.

**7. Permanent Municipal Building Committee**

Councilor Marshall noted the PMBC met on January 3, 2023 and discussed the following: (1) Schools Consolidation/Improvement Projects (Middle School & Gallup Hill School) - Councilor Marshall stated Colliers Project Leaders has been working on the close-out of these projects in preparation for the State's Project Audit relative to receiving the Grant Funding: (a) Middle School Heating and Air Conditioning System (HVAC) and Gymnasium Floor - The Gymnasium was unacceptable. Councilor Marshall noted during the construction water got into the gym and the floor buckled. Once the floor dried out the wood went down. However, he stated while they were working on the roof, the gym floor bucked again. He stated the facing of the gym floor was nailed down, and he stated he has never seen that done anywhere. He stated the PMBC was working to figure out the responsible party to fix the gym floor, noting that the town was not responsible to pay for fixing the floor; (2) Change Orders - Change Orders totaling \$1.6 million were not submitted to the State within the six-month time frame. Mr. Chuck Warrington from Colliers was working with the State to determine which Change Orders would be eligible for the Grant Funding; (2) Juliet W. Long Elementary School HVAC System- Three bids were received for the Heating and Air Conditioning System at the Juliet Long School. The PMBC voted to select Van Z Elem Engineers of Farmington, Connecticut, in the amount of \$15,000; (3) Gales Ferry School Flooring - The installation of the new flooring has been completed; (4) High School Classrooms - The PMBC planned to oversee renovation work in some of the High School Classrooms during the Summer, 2023; (6) Wastewater Treatment Plant - The new Smith and Loveless Pump has arrived and would be installed this Spring, 2023; (b) Roof and Solar Panel Project - Board of Education Central Office, Gales Ferry School; and Juliet W. Long

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School - Three bids were received. The PMBC voted to selected Friar Associates of Farmington Connecticut in the amount of \$199,000.

## XII. REPORT OF THE MAYOR

### REPORT OF THE MAYOR:

Mayor Allyn, III, reported on the following: (1) Wastewater Treatment Plant - The new Smith and Loveless Pump arrived on January 9, 2023. The pre-construction work was being prepared and the WPCA would be purchasing some ductile pipe from Groton Utilities because of the delay/shortage in obtaining materials. The project was expected to be completed this Spring, 2023; (2) State 2023 Legislative Session - Mayor Allyn noted that he met with Ledyard's State Delegation Senator Cathy Osten, Representatives Craig Howard, Brian Lanoue, and Kevin Ryan, to review the Legislative Agenda and discussed the issues of interest and concerns for Ledyard. He stated as Councilor Marshall reported earlier this evening, he discussed the issues regarding the Schools Consolidation/Improvement Projects (Middle School & Gallup Hill School) during their meeting. He stated Ledyard's Delegation would work to push the matter forward to obtain relief, noting that the Permanent Municipal Building Committee approved each of the Change Orders in a timely manner; and that it was not the Town's fault that the \$1.6 million in Change Orders were not submitted to the State; (3) Connecticut Association of Zoning Enforcement (CAZEO) Certification - Mayor Allyn, stated the Legislative Session was currently underway, and that Representative Howard informed him that a House Bill has been submitted to extend the January 1, 2023 deadline to 2024 or 2025 for Zoning Enforcement Officials to have their Connecticut Association of Zoning Enforcement (CAZEO) Certification. He explained CAZEO was a 100% Volunteer Organization and that after the Legislation was passed that CAZEO was inundated with people who needed to get their certification. He explained that the CAZEO Registration was limited to 40 people, with a first come, first serve enrollment. He stated because CAZEO could not accommodate all those who needed the education by January 1, 2023, that there were a lot of people who were working as Zoning Enforcement Officials that could not receive the Certification by the January 1, 2023 deadline to meet the new Legislation; (4) Southeastern Connecticut Council of Governments (SCCOG) Annual Meeting - Mayor Allyn stated he completed his second term as SCCOG Chairman, noting that he was happy to pass the reigns to Stonington First Selectman Danielle Chesebrough; (5) Administrator of Human Resources Interviews - Mayor Allyn noted that Administrator of Human Resources Don Steinhoff would be retiring at the end of March, 2023; and that they have begun the interview process to fill his position; (6) Veteran Liaison - Mayor Allyn noted the State required every town to have a Veteran Liaison. He stated Mr. Dave Nelson has volunteered to serve as Ledyard's new Veteran Liaison replacing Mr. Steve Novic. He stated Mr. Nelson served in the Navy for seventeen years and would be meeting with veterans on an as needs basis in the Town Hall Annex. He stated please contact Mayoral Executive Assistant Kristen Chapman at (860) 464-3222 or e-mail: [mayoral.asst@ledyardct.org](mailto:mayoral.asst@ledyardct.org) [<mailto:mayoral.asst@ledyardct.org>](mailto:mayoral.asst@ledyardct.org) if you would like to schedule a meeting with Mr. Nelson; (7) Bush Pond Waterfront Park Lease (Lantern Hill Valley) - Mayor Allyn stated his Office completed their final review of the proposed Lease between the Grahams and the Town. He stated an item to set a Public Hearing regarding the proposed lease was on tonight's Agenda; (8) Browns Crossing Bridge - Mayor Allyn provided some background noting at their February 10, 2021 meeting the Town Council authorized the him to enter into an agreement with the Providence & Worcester Railroad Company to provide a physical replacement of the

Brown's Road Crossing Bridge with the agreement that the Town would take ownership of the bridge and manage the maintenance of the bridge after P&W Railroad replaced the structure with a bridge that met the current highway rating standards. On June 9, 2021 the Town Council voted to accept ownership of the new Brown's Crossing Bridge, located on Brown's Crossing Road, Gales Ferry, from Genesee & Wyoming (G&W) Railroad, contingent upon the completion of construction and certification. He stated to construct the new bridge that easements were needed from Harvard and several property owners to provide areas for clearing the snow off the bridge and to turn around. He stated they were now ready to accept the conveyance of the Bridge; (9) American Ambulance Fifteen Year Contract - Mayor Allyn stated American Ambulance has been sold to Hartford Healthcare and would honor the remainder of contract that was in-place. He stated all of the same employees would remain in-place, including American Ambulance Vice-President Greg Allard; (10) Parks and Recreation Office Assistant - Mayor Allyn stated the Parks and Recreation Office Assistant position was open. He stated the 35 hour per week position paid about \$21.00 per hour and he encouraged interested parties to apply at the Town Hall. He noted that the town currently had a number of job opportunities open.

Questions to the Mayor - None.

**RESULT:** .

XIII. OLD BUSINESS

None

XIV. NEW BUSINESS

Administration Committee

1. MOTION to approve a proposed updated/revised Emergency Communications Specialist (Dispatch) job description as contained in the draft dated June 15, 2021.

Moved by Councilor Ingalls, seconded by Councilor McGrattan

Discussion: Councilor Ingalls stated the Emergency Communications Specialist (Dispatch) job description was quite old and has not been updated since 2004. She stated the seventeen year-old job description has been updated to reflect the current duties of the position.

VOTE: 8 - 0 Approved and so declared

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Andra Ingalls

**SECONDER:** Mary K. McGrattan

**AYE:** 8 Dombrowski, Ingalls, Paul, Marshall, McGrattan, Rodriguez, Ryan, and Irwin

**EXCUSED:** 1 Saums



- 2. MOTION to appoint Mr. Rolf Racich (U) 18 Brewster Drive, Gales Ferry, to the Library Commission to complete two (2) year term ending November 7, 2024 filling a vacancy left by Ms. Winston.

Moved by Councilor Ingalls, seconded by Councilor Irwin

Discussion: Councilor McGrattan, Library Commission Liaison, stated that Mr. Racich has been attending the Library Commission meetings for some time.

VOTE: 8 - 0 Approved and so declared

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Andra Ingalls

**SECONDER:** Whit Irwin

**AYE:** 8 Dombrowski, Ingalls, Paul, Marshall, McGrattan, Rodriguez, Ryan, and Irwin

**EXCUSED:** 1 Saums

Finance Committee

- 3. MOTION to grant a Bid Waiver to Goliath Structural Steel Maintenance, LLC of Carver Massachusetts, in the amount of \$32,500 for the Roof Cleaning and Recoating of the Ledyard Center Water Storage Tank, due to the lack of receiving the required three bids in accordance with Ordinance #200-001 (rev 1) “An Ordinance for Purchasing”.

Moved by Councilor Ryan, seconded by Councilor Ingalls

Discussion: Councilor Ryan stated on behalf of the Water Pollution Control Authority Groton Utilities solicited bids to clean and recoat the Ledyard Center Water Tank. He stated although bids were aggressively solicited, that only one bid was received. He stated there were two parts to the bid: (1) To clean and recoat the roof of the Tank in the amount of \$32,500; and (2) To clean and recoat the entire Tank, including the supporting structure in the amount of \$285,000.

Councilor Ryan stated in terms of the inspections, that cleaning and recoating the top of the Water Storage Tank met the requirements at this time. Therefore, he stated the WPCA has requested a Bid Waiver to Goliath Structural Steel Maintenance, LLC of Carver Massachusetts, in the amount of \$32,500. He stated this work would be paid from the WPCA Capital Account, noting that they annually set funding aside in their Capital Account for these types of maintenance and other needed capital improvements.

VOTE: 8 - 0 Approved and so declared

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Tim Ryan

**SECONDER:** Andra Ingalls

**AYE:** 8 Dombrowski, Ingalls, Paul, Marshall, McGrattan, Rodriguez, Ryan, and Irwin

**EXCUSED:** 1 Saums

- 4. MOTION to approve a revised Appendix A- Qualifying Income Schedule in accordance with Ordinance #200-005 (rev. 1) “An Ordinance to Provide Property Tax Relief for Certain Homeowners Age Sixty-Five or Over or Permanently and Totally Disabled (rev.1)” for the filing period of February 1, 2023 - May 15, 2023.

Moved by Councilor Ryan, seconded by Councilor Ingalls

Discussion: Councilor Ryan explained in accordance with Ordinance #200-005 (rev. 1) “An Ordinance to Provide Property Tax Relief for Certain Homeowners Age Sixty-Five or Over or Permanently and Totally Disabled (rev.1) the town was required to annually update the “Qualifying Income Schedule” to be consistent with the State’s Qualifying Income, which was based on the United States Social Security Administration Program (Cost of Living Index).

VOTE Approved and so declared

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Tim Ryan

**SECONDER:** Andra Ingalls

**AYE:** 8 Dombrowski, Ingalls, Paul, Marshall, McGrattan, Rodriguez, Ryan, and Irwin

**EXCUSED:** 1 Saums

Land Use/Planning/Public Works Committee

- 5. MOTION to recommend the Town Council adopt the 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 the draft dated December 14, 2022.

In addition, approve a proposed Appendix A - for Ordinance # 300-027 “ An Ordinance Regulating Parking Of Commercial Vehicles On Public Streets In Residential Zones And /Or In Front of Residentially Used Properties” as contained in the draft dated October 13, 2022.

DRAFT: ~~10/13/2022~~ 12/14/2022

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

Be it ordained by the Town Council of the Town of Ledyard

Section 1. Purpose

It is hereby declared to be in the best interests of the public safety, convenience and welfare of the Town to regulate and place restrictions on the parking of vehicles and other activities in Town rights-of-way within the control and limits of said Town, in general and during periods of

snow emergencies, so as to preserve proper material condition of roads and rights-of-way and to not impede the transportation and movement of food, fuel, medical care, fire, health, police protection and other vital facilities of the Town.

## Section 2. Definitions

For the purpose of this Ordinance, the following definitions shall apply:

The words "vehicle" shall be defined as in Connecticut Statutes Section 14-1(102).

The words "parked vehicle" shall be defined as in Connecticut General Statutes Section 14-1(66).

The word "street" shall mean any public highway, road or street in the Town of Ledyard.

The words "snow emergency" is hereby defined to be a period of time as forecast by a contracted weather service or the United States Weather Bureau, during which period vehicular and/or pedestrian traffic is expected to be hazardous or congested due to the elements, and during which period the parking of vehicles could hinder, delay or obstruct the safe flow of such traffic and/or the proper cleaning, clearing and making safe of the public highways of the Town.

*For the purpose of this Ordinance "commercial or industrial vehicle" means any vehicle the principal use of which is the transport of commodities, merchandise, produce, freight, and any vehicle used primarily in construction, industry, including but not limited to, bulldozers, backhoes, tractors, tow trucks, dump trucks, tractor trailers (cab and/or trailer), or trucks fitted with cranes, air compressors, welders, tanks or similar equipment. "Commercial or industrial vehicle" also includes nonmotorized dumpsters, storage units, open or utility trailers greater than six (6) feet in length and-or in height, and tool lockers; taxicabs, limousines, and/or any passenger vehicle that is greater than eight (8) feet in height marked with a sign, letters, or emblem advertising a commercial enterprise.*

## Section 3. General Restrictions

- a. No person, firm or corporation shall place any fixed obstruction, or object or drain any water or other substance, within, under, upon or over any Town road or right of way without the written permission of the Director of Public Works.
- b. In the case of clearing and handling leaves from and in proximity to private properties, no person, firm or corporation shall place or leave any leaves in the roadway or permanently place leaves on Town property. Residents who contract out leaf removal services at their property shall be liable also for violations of this provision of the party they hire.
- c. In the case of removing snow from private driveways and properties, no person, firm or corporation shall move snow across or leave any snow in the roadway. Residents who contract out snow removal at their property shall be liable also for violations of this provision of the party they hire.
- d. The Director of Public Works may remove or alter any such obstruction or drain, and the expense incurred by the Director in such removal or alteration shall be paid by the person, firm or corporation placing such obstruction or drain; provided, however, at the discretion of the Director of Public Works, any fixed obstruction or drain made or placed without a permit, or in violation of provisions of a permit shall be removed or altered by the person, firm or corporation making or placing the same within thirty (30) days from

the date when said Director sends by registered or certified mail, postage prepaid, a notice to such person firm or corporation ordering such removal or alteration.

#### Section 4. Construction Regulations

- a. No person shall construct a new driveway or relocate an existing driveway leading from private property to a town street or conduct work (excepting lawn or grounds maintenance) in a town right-of-way (ROW) area, until a permit has been obtained from the Director of Public Works or his agent. Plans fully depicting the proposed driveway location and or work in town ROW area shall be submitted for review and approval prior to commencing work.
- b. In determining whether to issue a permit, the Director of Public Works shall give due consideration to the effect of the proposed approach upon public safety, sightline and drainage needs.
- c. For driveways, all paving, drainage pipes, culverts, headwalls, catch basins, or ditches deemed necessary by the Director of Public Works or his agent must be installed at the owner's expense. The construction shall meet the requirements of the Road Ordinance, unless varied with the written permission of the Director of Public Works. For other work in town ROW areas, construction shall be conducted in accordance with the approved plans. As applicable, work shall meet the specifications of the Road Ordinance.
- d. The work shall be completed before a Certificate of Occupancy (CO) and a Certificate of Use and Compliance (CC), when applicable, are issued. If extenuating circumstances prevail, as deemed by the Director of Public Works, that prevent completion of work by the time all other CO and/or CC conditions are met, and unless waived by the Director of Public Works, the applicant shall deposit with the Town Treasurer security in the form of cash, -in such amount as may be required by the Director of Public Works sufficient to cover the satisfactory completion of all work, including work required to repair the town street or ROW area. The security shall not be less than \$1,000.
- e. For work not involving a CO or CC, the applicant shall deposit with the Town Treasurer security in the form of cash, in such amount as may be required by the Director of Public Works sufficient to cover the satisfactory completion of all work, including work required to repair the town street or ROW area.
- f. If work governed by this ordinance is not completed within twelve (12) months of approval, the Town may utilize all or any necessary portion of the posted security to effect satisfactory completion.
- g. The holder of this permit shall be responsible for any damage done to the town street or ROW area in the completion of said work.

#### Section 5. Declaration of "Snow Emergency"

A "snow emergency" shall be declared by the Mayor or his/her designee, either before, during or after a fall of snow, sleet or freezing rain, when in his/her sound judgement and discretion the circumstances warrant determination of such an emergency in the interest of safety upon the public roads of the Town.

The Mayor's Office shall cause public announcements of such determination of snow emergency prior to the time of becoming effective, after which time a snow emergency shall

be in effect. The Mayor or his/her designee shall determine when such emergency no longer exists and shall make public announcement of the same.

#### Section 6. Parking Restrictions

No vehicle shall be permitted to remain parked on any street within the Town between the hours of 1:00 a.m. through 6:00 a.m. daily, during the period of December 1<sup>st</sup> through March 31<sup>st</sup> of each winter.

It shall be unlawful at any time during the period of any snow emergency under provisions of this Ordinance for the owner of a vehicle or person in whose name it is registered, to allow, permit or suffer said vehicle to remain parked on any street in the Town of Ledyard.

No vehicle shall be permitted to be parked on any street for a period of more than ten (10) consecutive days *in any 365-day period*. After such period, such vehicle will be considered a fixed obstruction according to Section 3 Paragraph (a).

*No person shall park or store any commercial or industrial vehicle on any public street or roadway within any residential district or in front of any property currently used residentially unless for the purpose of actively loading or unloading materials, or while actively engaged in providing commercial service at the premises; nor shall such vehicles be parked in a residential district or in front of an existing residence outside normal business hours unless on site for an emergency service call.*

#### Section 7. Owner

In any prosecution or proceeding hereunder, the registration plate displayed on the vehicle shall constitute prima facie evidence that the owner of such vehicle was the person who parked such vehicle at the place where such violation occurred.

#### Section 8. Towing

~~Whenever any motor vehicle shall be found parked on any Town road during a period when parking is prohibited as herein set forth, such vehicle may be removed or conveyed under the direction of the Town Police Department by means of towing the same~~ *is found to be parked in violation of Section 6 of this ordinance, the motor vehicle may be removed (towed) at the owner's expense and/or a State of Connecticut Complaint Ticket (a parking ticket) shall be issued by the Ledyard Police Department. Each day that a violation continues shall be deemed a separate offense.*

Such removal shall be at the risk of the owner, and such owner is subject to the terms of the towing company in retrieving the vehicle.

#### Section 9. Penalties

- a. Any person, firm or corporation violation any provisions of Sections 3 or 4 of this ordinance shall be fined not more than Two Hundred (\$200.00).
- b. Any person found in violation of the provisions of Section 6 of this ordinance will be subject to the issuance of an infractions summons and be subject to a fine in accordance

with a schedule, which *may be amended from time to time with the approval of the Town Council. The fine schedule is hereby incorporated in this Ordinance as fully set forth herein. (Appendix A).* ~~in accordance with the State of Connecticut Superior Court schedule.~~

*c. Payment of the fine(s) associated with the issue of any Ticket shall be in accordance with current Connecticut State Statutes.*

Section 10. Severability.

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

Section 11. Effective Date

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

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

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

\_\_\_\_\_  
Fred B. Allyn, III, Mayor

Published on:

Effective date:

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

\*\*\*\*\*  
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Revisions: Ordinance #38 “*Ordinance Prohibiting Parking on Town Roads During Winter Storms and Providing Penalties for the Violation Thereof*” adopted July 27, 1987; Ordinance #75 “*An Ordinance Amending An. Ordinance Prohibiting The Placing of Obstructions or the Drainage of Water on Town Roads*” Adopted: June 9, 1999; Ordinance #100 “*An Ordinance Regulating Construction of Driveways to or Other Work Right-of-Way Areas of Any Street or Highway of the Town of Ledyard*” Adopted: February 8, 2006 .Ordinance #152 “*An Ordinance Regulating parking and Other Activities in town Roads and Rights-of-Way and Providing Penalties for the Violation Thereof*” Adopted August 8, 2018; Effective: September 4, 2018. Renumbered #300-027on September 25, 2019. Amended on February 26, 2022 #300-027 (rev1); Effective: March 24, 2020.

History:

The Twenty-fourth Town Council (2017- 2019) Ordinance Update Initiative: Renumbered Ordinance #152 “*An Ordinance Regulating Parking and Other Activities in town Roads and*

*Rights-of-Way and Providing Penalties for the Violation Thereof*” to Ordinance #300-027.

1999: Ordinance #38 *“An Ordinance Prohibiting the Placing of obstructions or the Drainage of Water on Town Roads”*. Section 1 added *“including portable or permanent basketball hoops”*

2018: Combined Ordinances #38, #75 & #100 because the subject matter of the three Ordinances dealt with the similar issue of the town right-of-way. Most of the language of the three ordinances did not change. Section 6 *“Parking Restrictions; added paragraph (c) No vehicle shall be permitted to be parked on any street for a period of more than ten (10) consecutive days. After such period, such vehicle will be considered a fixed obstruction according to Section 3 Paragraph (a).* Updated State Statute numbers throughout the document. Section 3 *“General Restrictions”* paragraph (a) removed the following language *“including portable or permanent basketball hoops”*.

2019: Removed Section 11 *“Cancellation of Previous Ordinances”* - Per Town Attorney a *“Cancellation Section”* was not needed. The *“Revisions”* and *“History”* paragraphs indicate that the previous ordinance has been updated and replaced. Added new Section 11 *“Effective Date”* to be consistent with Town Ordinance format. No substantive changes were made to the ordinance.

2020 (rev.1): Section 3. General Restrictions: Inserted a new paragraph (b) as follows: *“In the case of clearing and handling leaves from and in proximity to private properties, no person, firm or corporation shall place or leave any leaves in the roadway or permanently place leaves on Town property. Residents who contract out leaf removal services at their property shall be liable also for violations of this provision of the party they hire”* and re-lettered the remaining paragraphs accordingly.

***2022 (rev. 2): Updated in various places to incorporate prohibitions related to parking commercial and industrial vehicles in residential districts as follows:***

***Section 2 “Definitions” added subparagraph (e).***

***Section 6”Parking Restrictions” added subparagraph (d).***

***Section 8 “Towing” Reworded paragraph as follows:*** Whenever any motor vehicle ~~shall be found parked on any Town road during a period when parking is prohibited as herein set forth, such vehicle may be removed or conveyed under the direction of the Town Police Department by means of towing the same~~ ***is found to be parked in violation of Section 6 of this ordinance, the motor vehicle may be removed (towed) at the owner's expense and/or a State of Connecticut Complaint Ticket (a parking ticket) shall be issued by the Ledyard Police Department. Each day that a violation continues shall be deemed a separate offense.***

***Section 9 “Penalties”***

***Subparagraph (b) added the following language: may be amended from time to time with the approval of the Town Council. The fine schedule is hereby incorporated in this Ordinance as fully set forth herein. (Appendix A). Removed the following language. And removed the following language: “in accordance with the State of Connecticut Superior Court schedule”.***



*Added subparagraph (c)*

*Added Appendix - Fee Schedule*

*The 2022 changes noted above are further subject to the following background.*

Sec. 7-148. Scope of Municipal Powers

Fine up to \$90 is considered an infraction. Fine above \$90.00 to \$250.00 is considered a “violation”. Both are enforceable on a state infraction ticket.

Sec. 51-164p. Violations of municipal ordinances, regulations and bylaws. (a) Notwithstanding any provision of any special act, local law or the general statutes to the contrary, any violation of any ordinance, regulation or bylaw of any town, city or borough, except violations of building codes and the health code, for which the penalty does not exceed ninety dollars shall be an infraction as provided for in sections 51-164m and 51-164n.

(b) Notwithstanding any provision of any special act, local law or the general statutes, any violation of any ordinance, regulation or bylaw of any town, city or borough, except violations of building codes and the health code, for which the penalty exceeds ninety dollars but does not exceed two hundred fifty dollars shall be a violation as provided for in sections 51-164m and 51-164n.

(P.A. 75-577, S. 9, 126; P.A. 80-483, S. 133, 186; P.A. 06-185, S. 9.)

P.A. 80-483 specified that violations with penalties not exceeding \$90, rather than \$100, are infractions; P.A. 06-185 designated existing provisions as Subsec. (a) and added Subsec. (b) re violation of municipal ordinance, regulation or bylaw with penalty between \$90 and \$250.

Cited. 9 CA 686.

Sec. 14-251. Parking vehicles. No vehicle shall be permitted to remain stationary within ten feet of any fire hydrant, or upon the traveled portion of any highway except upon the right-hand side of such highway in the direction in which such vehicle is headed; and, if such highway is curbed, such vehicle shall be so placed that its right-hand wheels, when stationary, shall, when safety will permit, be within a distance of twelve inches from the curb, except if a bikeway, as defined in section 13a-153f, or such bikeway's buffer area, as described in the federal Manual on Uniform Traffic Control Devices, is in place between the parking lane and the curb, such vehicle shall be so placed that its right-hand wheels, when stationary, shall, when safety will permit, be within a distance of twelve inches from the edge of such bikeway or buffer area.

No vehicle shall be permitted to remain parked within twenty-five feet of an intersection or a marked crosswalk at such intersection, except within ten feet of such intersection if such intersection has a curb extension treatment with a width equal to or greater than the width of the parking lane and such intersection is located in and comprised entirely of highways under the jurisdiction of the city of New Haven, or within twenty-five feet of a stop sign caused to be erected by the traffic authority in accordance with the provisions of section 14-301, except where permitted by the traffic authority of the city of New Haven at the intersection of one-way streets



located in and comprised entirely of highways under the jurisdiction of the city of New Haven.

No vehicle shall be permitted to remain stationary upon the traveled portion of any highway at any curve or turn or at the top of any grade where a clear view of such vehicle may not be had from a distance of at least one hundred fifty feet in either direction. The Commissioner of Transportation may post signs upon any highway at any place where the keeping of a vehicle stationary is dangerous to traffic, and the keeping of any vehicle stationary contrary to the directions of such signs shall be a violation of this section. No vehicle shall be permitted to remain stationary upon the traveled portion of any highway within fifty feet of the point where another vehicle, which had previously stopped, continues to remain stationary on the opposite side of the traveled portion of the same highway.

No vehicle shall be permitted to remain stationary within the limits of a public highway in such a manner as to constitute a traffic hazard or obstruct the free movement of traffic thereon, provided a vehicle which has become disabled to such an extent that it is impossible or impracticable to remove it may be permitted to so remain for a reasonable time for the purpose of making repairs thereto or of obtaining sufficient assistance to remove it. Nothing in this section shall be construed to apply to emergency vehicles and to maintenance vehicles displaying flashing lights or to prohibit a vehicle from stopping, or being held stationary by any officer, in an emergency to avoid accident or to give a right-of-way to any vehicle or pedestrian as provided in this chapter, or from stopping on any highway within the limits of an incorporated city, town or borough where the parking of vehicles is regulated by local ordinances. Violation of any provision of this section shall be an infraction.

Sec. 14-252. Parking so as to obstruct driveway. No person shall park or leave stationary on a public highway any vehicle in front of or so as to obstruct or interfere with the ingress to or egress from any private driveway or alleyway, except with the permission of the owner of such private driveway or alleyway. Such parking or stationary position of any vehicle with such permission shall be subject to existing parking regulations. Violation of any provision of this section shall be an infraction.

(1949 Rev., S. 2510; February, 1965, P.A. 448, S. 29; P.A. 75-577, S. 101, 126.)  
History: 1965 act added provision requiring compliance with parking regulations when blocking drive or alley; P.A. 75-577 replaced provision for \$25 maximum fine with statement that violation of provisions is an infraction.

See Sec. 14-107 re liability of owner, operator or lessee of vehicle.

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DRAFT: 10/13/2022

*Ordinance # 300-027*

**APPENDIX A**

**AN ORDINANCE REGULATING PARKING OF  
COMMERCIAL VEHICLES ON PUBLIC STREETS IN RESIDENTIAL ZONES  
AND/OR IN FRONT OF RESIDENTIALLY USED PROPERTIES**

***\*ALL BELOW FINES ARE IN ADDITION TO THE SURCHARGE REQUIRED BY THE STATE OF CONNECTICUT***

***First Offense (Infraction): \$90***  
***Subsequent Offense (Violation): \$200***

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

***Kevin J. Dombrowski, Chairman***

Sec. 7-148. Scope of municipal powers

**VIOLATION OF MUNICIPAL PARKING ORDINANCES**

The complaint ticket may be used for violations of municipal parking ordinances where the amount of the penalty established by the ordinance is \$250.00 or less.

When computing the "Total Amount Due" begin with the ordinance penalty amount. Where the ordinance penalty amount is \$90.00 or less, add to that amount the fee amount which is equal to one dollar for each \$8.00 or fraction thereof on the first \$88.00 of the ordinance penalty amount. To this sum, add a surcharge of \$20.00 if the Ordinance penalty amount is less than \$35.00. If the Ordinance penalty amount is \$35.00 or more add a surcharge of \$35.00. Where the ordinance penalty amount exceeds \$90.00 but does not exceed \$250.00, the "Total Amount Due" is equal to the ordinance penalty amount.

STATUTE. NO.

7-148\* Municipal PARKING ordinance where the amount of the penalty is \$90.00 or less.

(See Examples 1 and 2 Below)

7-148PK91-250 Municipal PARKING ordinance where the amount of the penalty is greater than \$90.00 but not more than \$250.00. (See Example 3 Below)

EXAMPLES: 1. Ordinance Penalty Amount \$29.00; Total Amount Due = \$53.00 (\$29.00 +\$4.00 (Fee) + \$20.00 (Surcharge))

2. . Ordinance Penalty Amount \$35.00; Total Amount Due = \$75.00 (\$35.00 +\$5.00 (Fee) + \$35.00 (Surcharge))

3. Ordinance Penalty Amount \$100.00; Total Amount Due = 100.00

Moved by Councilor Paul, seconded by Councilor Rodriguez

Discussion: Councilor Paul stated the Town Council held a Public Hearing regarding the proposed Ordinance Amendments on December 14, 2022 at which three residents provided comments.

Councilor Paul continued by providing some background explaining that the proposed amendments to Ordinance # 300-027 " *An Ordinance Regulating Parking Of Commercial Vehicles On Public*

*Streets In Residential Zones And /Or In Front Of Residentially Used Properties”* were to prohibit/limit the parking of commercial vehicles on streets in residential neighborhoods. He stated residents expressed concerns regarding large commercial trucks such as oil trucks, tow trucks, etc., being parked on residential streets, noting the large commercial vehicles impede site lines, and trucks were being started-up at 2:00 a.m. in front of neighbors’ homes, etc.

Councilor Paul concluded by stating in response to comments received at the Public Hearing a few minor, non-substantive updates to the language in the proposed Ordinance were made as noted by the **highlighted green font** in the Ordinance above.

Councilor Rodriguez stated that the parking of commercial vehicles in residential neighborhoods was also a safety concern.

VOTE Approved and so declared

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Gary Paul

**SECONDER:** S. Naomi Rodriguez

**AYE:** 8 Dombrowski, Ingalls, Paul, Marshall, McGrattan, Rodriguez, Ryan, and Irwin

**EXCUSED:** 1 Saums

6. MOTION set a Hybrid Public Hearing date for January 25, 2023 at 6:30 p.m. to be held in the Council Chambers, 741 Colonel Ledyard Highway, in accordance with CGS 07-163e, to receive comments and recommendations regarding the following:

A proposed Lease Agreement between Robert and Mary Graham and the Town of Ledyard to enter into a 99-year lease for approximately 0.8 acre +/- parcel on Bush Pond (Lantern Hill Valley Park).

Moved by Councilor Paul, seconded by Councilor Rodriguez

Discussion: Councilor Paul provided some background stating that Mr. and Mrs. Graham purchased a piece of land on the twenty-three-acre Bush Pond which was parallel to Long Pond. He stated that the Grahams have done a lot of work to clean-up the property which included the removal of a number of dilapidated cottages and has provided access to the property, noting that previously there was no public access to Bush Pond.

Councilor Paul went on to explain that Mr. and Mrs. Graham have offered the Town an amazing opportunity to lease a portion of the property for 99-years for \$10.00 per year for the public to use as a waterfront park. He noted that the Finance Committee reviewed the proposed Lease at their January 4, 2023 meeting. He concluded his comments by thanking Mr. and Mrs. Graham for this very generous opportunity.

Councilor Rodriguez stated this was an extremely generous offer to the Town. She noted Mayor Allyn, III, provided some photographs of the property at the Land Use/Planning/Public Works Committee January 9, 2023 meeting, and she noted that it was a gorgeous piece of property.

Chairman Dombrowski stated tonight’s action was only to schedule a Public Hearing to obtain

public comments regarding the proposed lease.

VOTE Approved and so declared

**RESULT:** APPROVED AND SO DECLARED

**MOVER:** Gary Paul

**SECONDER:** S. Naomi Rodriguez

**AYE:** 8 Dombrowski, Ingalls, Paul, Marshall, McGrattan, Rodriguez, Ryan, and Irwin

**EXCUSED:** 1 Saums

General Business

- 7. Discuss Work Session Items as time permits.

None.

XV. ADJOURNMENT

Councilor Rodriguez moved to adjourn, seconded by Councilor Ingalls  
VOTE Approved and so declared. The meeting adjourned at 7:34 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 January 11, 2023.

\_\_\_\_\_  
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.