



# TOWN OF LEDYARD

CONNECTICUT  
TOWN COUNCIL

Chairman Linda C. Davis

## MINUTES

### LEDARD TOWN COUNCIL - REGULAR MEETING

WEDNESDAY, JANUARY 10, 2018, 7:00 PM; COUNCIL CHAMBERS - ANNEX BUILDING

- I. CALL TO ORDER - Chairman Davis called the regular meeting to order at 7:00 p.m.
- II. PLEDGE OF ALLEGIANCE –
- III. ROLL CALL

Attendee Name	Title	Status
Linda Davis	Town Councilor	Present
Kevin Dombrowski	Town Councilor	Present
Steve Eichelberg	Town Councilor	Present
Andra Ingalls	Town Councilor	Present
Thomas Malone	Town Councilor	Present
John Marshall	Town Councilor	Present
Mary McGrattan	Town Councilor	Present
Tony Sabilia	Town Councilor	Present
William Saums	Town Councilor	Present

#### IV. RESIDENTS AND PROPERTY OWNERS

Mr. Larry Helfrich, 26 Cliff Road, Ledyard, Stonegate Village, stated during the Town Council's December 13, 2017 meeting, at which Ordinance #146 *An Ordinance Amending an Town of Ledyard Waste Management and Recycling Ordinance*” was a topic of discussion, that he brought up the fact that Garden Home Residents took a beating when the Town, thru the Planning & Zoning Commission, settled with Garden Homes to avoid a suit. He noted the Garden Homes Residents were treated unfairly for the following reasons: (1) The Town was involved in a suit with Garden Homes, who was planning to build duplex homes in the development; (2) In response to a request for input the Stonegate Village Residents stated that duplex homes were not negotiable. The lease of the current residents called for single-family homes noting that the residents had invested a lot of money in their homes; (3) Garden Homes built duplex homes, which they discontinued because it was not a profitable venture for them. Mr. Helfrich went on to state as a result of the duplex homes, the value of the single-family homes in Stonegate Village have gone down, noting that they also took a beating because of the housing recession. Mr. Helfrich stated the problem with mobile manufactured homes was that they were for retired people such as himself or for people of low income, noting that they could least afford any increase. He went on to state Ordinance #146 *An Ordinance Amending an Town of Ledyard Waste Management and Recycling Ordinance*”, which was discontinuing the trash pick-up for mobile manufactured home parks, was hurting the people who could least afford it. He asked the Town Council to get rid of this provision, noting that the Senior Citizens and low-income people have enough going on with inflation. He thanked the Town Council for their attention to this matter.

Mr. John Krawczyk stated his family owns two Mobile Home Parks in Gales Ferry, those being the Rocky Knoll Mobile Home Park at 932 Long Cove Road and Ledgewood Mobile Home Park at 967 Long Cove Road. He stated that he attended the Town Council's December 13, 2017 meeting at which a number of residents addressed Ordinance #146 *An Ordinance Amending an Town of Ledyard Waste Management and Recycling Ordinance*”. He stated he did not know if that evening was going to be an exercise of residents venting or what was going to happen as a result. He stated he was present this evening to thank the Town Council for at least reconsidering Ordinance #146 *An Ordinance Amending an Town of*

*Ledyard Waste Management and Recycling Ordinance*”, which was discontinuing the trash pick-up for mobile manufactured home parks and for taking a vote on whether or not to move forward with implementing the Ordinance. He stated should the Town Council decide to postpone the Ordinance that he would be willing to volunteer to participate in Work Groups to discuss the subject. He thanked the Town Council for their reconsideration of Ordinance #146 this evening.

Mr. Nathan Weiss, 23 Bittersweet Drive, Gales Ferry, owner of a mobile home park on Long Cove Road that was comprised of three lots, apologized for not being able to attend the December 13, 2017 Town Council meeting at which a number of people spoke about Ordinance #146 *An Ordinance Amending an Town of Ledyard Waste Management and Recycling Ordinance*”. He stated he operates in fifteen towns, noting that reading the notices of fifteen newspapers everyday was not practical. He thanked the Town Council for hearing the concerns that were raised at their December 13, 2017 meeting regarding Ordinance #146. He stated he hoped that their action to defer the implementation of the Ordinance was not just to wait for a legal opinion and that the Town Council was moving toward some type of action. He noted that he contacted the *Connecticut Commission on Human Rights and Organizations*, stating that they have an interest in the provisions contained in Ordinance #146, which would discontinue trash pick-up for mobile manufactured home parks. He stated that the census indicated that there was a disproportionate burden being put on senior citizens and disabled people and that they were willing to draw-up a complaint and have folks such as Mr. Helfrich sign the complaint. He suggested that everyone work together to find a solution for the town, noting that he was available to discuss this issue or any other cost cutting measures or proposals the town was considering in an effort to help close the budget revenue gap.

Mr. Steve Delaporta, 10 Maple Corners Road, Gales Ferry, addressed Ordinance #146 *An Ordinance Amending an Town of Ledyard Waste Management and Recycling Ordinance*”, noting that he attended the Town Council’s December 13, 2017 meeting. He thanked the Town Council not only for their reconsideration to implement the Ordinance, but also for what they do for the town. He stated that the Town Council had a hard job and that they do a great job.

V. COMMITTEES/COMMISSIONS/BOARDS – None.

VI. COMMENTS OF TOWN COUNCILORS

Councilor Marshall addressed the subject of change, noting that he spent most of his adult life fighting change. However, he stated recently he has learned to accept change, noting the changes in his industry. He stated companies, that to a degree, did not attempt to make changes such as Oldsmobile, Pan Am, Consolidated Freight, US Steel, Montgomery Ward and Kodak have either gone out of business or were in financial trouble. He stated Municipalities are similar to businesses in that they have expenses, revenues, bosses (taxpayers) employees, insurance, and therefore, they are going to have to make changes. He stated some of the upcoming changes are going to sting, however, the town needs to make changes to survive financially. He stated because he was working out of state he missed a few meetings and so he was now able to comment on these budget and services issues the town has been facing. He noted that Captain Kirk stated it best *“The needs of the many outweigh the needs of the few”*. He stated although he did not like having to make some of the changes the town was facing that they have to do it.

Chairman Davis stated the Ledyard Farmers Market would be meeting on January 17, 2018 at 6:00 p.m. at the Bill Library Community Room in Ledyard Center, and she noted that they were looking for a new Market Master. She stated it was disappointing that the “Pie Lady” has left the group. She stated there was a lot of potential to have a good Farmers Market in Ledyard and that she believed the residents would support it.

VII. REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

MOTION to approve the following:  
Special Meeting Minutes of December 13, 2017  
Public Hearing Minutes of December 13, 2017

Regular Meeting Minutes of December 13, 2017

Moved by Councilor Dombrowski, seconded by Councilor Marshall

VOTE: 9 – 0 Approved and so declared

## IX. COMMUNICATIONS

Chairman Davis stated a Communications List has been provided and can be found on “*Openledyard.com*”. She asked the Administration Committee to draft an Ordinance regarding the Authorization Process for the Town to Apply for Grant Funding Programs. She stated because some grant programs require matching funds/local funding, that Departments should be obtaining approval from the Town Council before submitting a Grant Application/Request.

Councilor McGrattan questioned who was applying for grant funding. Councilor Saums noted as an example that huge chevron “*Curve Ahead*” signs have been installed on scenic roads such as Rose Hill Road and Lambtown Road that were obtained thru a grant program. He stated there were 46 new signs on Lambtown Road between Colonel Ledyard Highway and Route 117. Councilor Ingalls stated that there were 37 new signs on Rose Hill Road. Councilor Saums explained that the State makes grant money available for things such as road markings for safety on roads where the speed limit was 25mph or less. He stated the Town applies for the grant program to put the signs up and it does not cost the town anything. However, he stated now they have 47 signs in less than a one-mile span to maintain when they get knocked down, run over or need to be replaced, noting that they then become a cost to the Town. He stated the Town should have a mechanism in place for the General Government and for the Board of Education to obtain Town Council approval to apply for Grant Funding so that the town was aware of the total cost of the ownership. He stated by obtaining Town Council authorization that the town would have some control, noting that some things start out as “free” and then end up costing the town money.

Councilor Malone noted his experience in serving on the Board of Education and he explained, as an example, that the Board of Education could obtain grant funding to buy 20 smart boards, at no cost to the Town. However, he stated in five years the smart boards would become unusable unless they spent \$20,000 - \$30,000 for the software upgrades. He stated by having a mechanism in place requiring Town Council approval to apply for grant programs that it would allow the town to consider the real cost to the town before moving ahead with something that was not really “free”.

### COMMUNICATIONS LISTING FOR JANUARY 10, 2018 INCOMING CORRESPONDENCE

1. Mr. Delaporta ltr dated 12/13/2017 re: 146 “*An Ordinance Amending A Town of Ledyard Waste Management and Recycling Ordinance*” that was adopted on October 11, 2017
2. Public Works Director/Town Council E-mail Thread dated 1/8/2018- 1/10/2018 re: Implementation of #146 “*An Ordinance Amending A Town of Ledyard Waste Management and Recycling Ordinance*” that was adopted on October 11, 2017.
3. Planning & Zoning memo dated 12/18/2017 re: Review Lease 322 Colonel Ledyard Highway
4. Mayor ltr dated 12/18/2017 re: Support Grant Application Atkinson Property
5. Planning & Zoning memo dated 12/18/2017 re: Support Grant Application Atkinson Property
6. Mayor ltr dated 12/20/2017 re: Out of Town 12/26/2017 – 1/3/2018
7. SCRRRA Tipping Fees ltr dated 12/15/2017 re: Tipping Fees for 2019
8. Mrs. Weiner ltr dated 1/3/2018 re: Resign from Housing Authority
9. DTC Appointment Application dated 1/2/2018 re: Rodriguez to Parks & Recreation Commission
10. Housing Authority ltr dated 1/8/2018 re: Snow plowing Housing Facility

## OUT GOING CORRESPONDENCE

1. Admin Asst ltr dated 12/15/2017 re: Action Ltr Town Council Meeting s of December 14, 2017
2. Admin Asst Memo to T. Clerk dated 12/14/2017 re: Town Council & Sub-Committees 2018 Meeting Schedules
3. LtC ltr to Mayor and BOE dated 12/15/2017 re: Budget Letter of Directive Fiscal Year 2018/2019
4. LTC ltr to Kulo dated 12/15/2017 re: Reappointed to Planning & Zoning Commission
5. LTC ltr to Woody dated 12/15/2017 re: Reappointed to Planning & Zoning Commission
6. LTC ltr to Bolduc dated 12/15/2017 re: Reappointed to Library Commission
7. LTC ltr to Candler dated 12/15/2017 re: Reappointed to Library Commission
8. LTC ltr to Candler dated 12/15/2017 re: Reappointed to Library Commission
9. LTC ltr to Grenger dated 12/15/2017 re: Reappointed to Library Commission
10. LTC ltr to Warren dated 12/15/2017 re: Reappointed to Library Commission
11. Finance Cmt memo to Mayor and BOE dated 12/14/2017 re: Preliminary Budget Schedule
12. Finance Cmt memo to Department Heads dated 12/14/2017 re: Preliminary Budget Work Session Schedule
13. LTC ltr to DeBrodt dated 12/15/2017 re: Reappointed to Inland Wetlands and Watercourses
14. LTC ltr to Ribe dated 12/15/2017 re: Reappointed to Inland Wetlands and Watercourses
15. LTC ltr to Washington dated 12/15/2017 re: Reappointed to Inland Wetlands and Watercourses
16. LTC ltr to Dougherty dated 12/15/2017 re: Reappointed to Senior Citizens Commission
17. LTC ltr to Holmes dated 12/15/2017 re: Reappointed to Senior Citizens Commission
18. LTC ltr to Rodriguez dated 12/15/2017 re: Reappointed to Senior Citizens Commission
19. LTC ltr to Sokolski dated 12/15/2017 re: Reappointed to Senior Citizens Commission
20. LTC ltr to English dated 12/15/2017 re: Reappointed to Parks & Recreation Commission
21. LTC ltr to Khors dated 12/15/2017 re: Reappointed to Parks & Recreation Commission
22. LTC ltr to Leandri dated 12/15/2017 re: Reappointed to Parks & Recreation Commission
23. LTC ltr to Lozier dated 12/15/2017 re: Reappointed to SCRRRA
24. LTC ltr to SCRRRA dated 12/15/2017 re: Reappointed Lozier as Town Representative on SCRRRA
25. LTC ltr to Panoski dated 12/15/2017 re: Reappointed to Pension Board
26. LTC ltr to Thorne dated 12/15/2017 re: Reappointed to Pension Board
27. Mr. Stern e-mail dated 12/14/2017 re: State Budget FY 17/18 – Library Services

## NOTICE OF AGENDA

1. Charter Revision Cancellation 12/21/2017; 1/4/2018
2. Permanent Municipal Building Cmt Agenda 12/18/2017; 1/8/2018
3. Ledyard Town Center Cmt Cancellation 1/2/2018
4. Historic Commission Agenda 11/20/2017
5. Social Services Cancellation 12/26/2017
6. WPCA Agenda 12/26/2017
7. Ledyard Pride & Beautification Cancellation 1/2/2018
8. Inland Wetland and WaterCourses Agenda 1/2/2018
9. Planning & Zoning Agenda 1/11/2018
10. Conservation Commission Agenda 1/9/2018
11. Parks & Recreation Agenda 1/9/2018
12. LUPPW Cmt Sp. Agenda 1/2/2018
13. Finance Agenda 1/3/2018

14. Sp. Joint Finance Cmt GG & BOE 1/4/2018
15. Admin Agenda 1/10/2018
16. Town Council Public Hearing 1/10/2018
17. Town Council Agenda 1/10/2018

#### MINUTES

1. Permanent Municipal Building Cmt Minutes 12/18/2017
2. Inland Wetland and Watercourses Minutes 11/4/2017
3. Ledyard Town Center Cmt Sp. Minutes 12/11/2017
4. Historic Commission Minutes 11/20/2017
5. Library Minutes 11/20/2017
6. WPCA Minutes 11/21/2017
7. Planning & Zoning Minutes 12/14/2017
8. Conservation Commission Minutes 12/12/2017
9. Parks & Recreation Minutes 12/12/2017
10. LUPPW Organizational Minutes 12/7/2017; Sp. Minutes 12/7/2017
11. Sp. Finance Minutes 11/16/2017; Minutes 11/21/2017
12. Finance Cmt Organizational Minutes 12/6/2017; Reg Minutes 12/6/2017
13. Admin Cmt Organizational Minutes 12/12/2017; Sp. Minutes 12/12/2017
14. Town Council Sp. Minutes 12/13/2017; Reg Minutes 12/13/2017
15. Town Council Public Hearing Minutes 12/13/2017

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

##### Administration Committee

Councilor Eichelberg stated the Administration Committee met earlier this evening and in addition to the appointments on tonight's agenda the Committee addressed the following: (1) Ordinance Update Initiative – Councilor Eichelberg noted that the Committee reviewed another ten Ordinances that were assigned to Councilor Marshall. He asked the Councilors who have not yet submitted their recommendations to provide marked-up copies of the Ordinances showing the proposed changes and not just summaries of the changes; (2) Proposed “*Ordinance providing for Archery Hunting on Certain Town Owned Lands*” Councilor Eichelberg invited Councilor Saums to attend their February 13, 2018 meeting to address some questions regarding the proposal; (3) Began reviewing the following Ordinances: (a) Ordinance #138 “*An Ordinance Establishing a Municipal Building Committee for the Town of Ledyard*” relative to membership requirements; and (b) Ordinance #75 “*An Ordinance Amending An Ordinance Prohibiting the Placing of Obstructions or the Drainage of Water on Town Roads*”; and (4) Deferred action on the following Policies as the Finance Committee has not completed their review: (a) “*Fund Balance Reserve Policy for the Town of Ledyard*”; (b) “*Debt Policy for the Town of Ledyard*”; and (c) “*Investment Policy for the Town of Ledyard*”.

Chairman Davis noted the last item on tonight's agenda was to discuss the Ordinance Update Initiative. She stated because it would be very expensive to have public hearings for all of the town's Ordinance as they were being updated; and that it would be too difficult to expect to discuss 100 Ordinances at one public hearing that she thought that the Town Council could discuss changes to the Ordinances as they were being worked on to see if anyone had any questions regarding the proposed changes or recommendations.

Councilor Eichelberg explained that most of the changes to the Ordinances that the Administration Committee has already worked on were references to state statutes numbers that needed to be updated or changing the dollar amount of imposed fines, cleaning up verbiage, or the Ordinance was superseded by a more recent ordinance, etc. He stated the Committee has not come across any Ordinances that needed an overhaul yet.

### Finance Committee

Councilor Saums stated the Finance Committee met on January 3, 2018 and he noted in addition to the items on tonight's agenda that the Committee also discussed the following: (1) Nathan Lester House Roof which was leaking and needed to be replaced. He stated because the house had been vacant that the leaks were recently discovered when the new tenants moved in at the end of November. He stated that they have tarps and a kiddie pool in the attic to catch the water that was coming in. He stated to date the Historic District Commission has obtained one quote that was about \$10,000 - \$12,000 to replace the roof and he noted that they were in the process of obtaining two more quotes for the project. He stated the Finance Committee was hopeful that they could identify funding to replace the Nathan Lester House roof, within the existing Capital Needs budget, that the Town Council approved at their December 13, 2017 meeting; (2) Pension Funding Policy relative to extending the amortization of the unfunded liability from 10 years to 12 years – Councilor Saums explained because of changes to the Mortality Tables and changes to the Internal Revenue Services (IRS) Rules that the town's contribution rate for this year (17/18) increased by \$129,000 over the amount that was initially budgeted. He stated that he would be attending the Pension Board's January 19, 2018 meeting to discuss the Town's option to extend the amortization of the unfunded liability.

### Land Use/Planning/Public Works Committee

Councilor Dombrowski stated the Land Use/Planning/Public Works Committee met on January 2, 2018. He stated in addition to the items on tonight's agenda the Committee forwarded the proposed "*Ordinance providing for Archery Hunting on Certain Town Owned Lands*" to the Administration Committee for their review.

### Charter Revision Commission

Chairman Davis noted that because the Town would not be voting on the proposed Charter changes until the November 6, 2018 election that she wanted to wait as long as possible to receive the Charter Report to allow for additional changes to be made, should the need arise. She went on to state that today the subject of appointing alternate members to the Board of Assessment Appeals came up noting that in accordance with the governing state statute the town can appoint an alternate member for each regular member of the Board. Therefore, she stated that she has referred this subject to the Charter Revision Commission.

### Permanent Municipal Building Committee

Councilor Marshall noted that the PMBC met on January 8, 2018 and he reported on the following: (1) Schools Consolidation/Improvement Project(s) (Middle School and Gallup Hill School) - The projects were moving along well, noting that they were ahead of schedule and under budget. The block work has been completed for both schools, and the sheet rocking, taping and painting was on-going; (a) Gallup Hill School – Playscape has been installed, the installation of windows was nearly complete. The standing water problem was being addressed. Instead of using white cedar for the enclosure the PMBC decided to use red cedar. Although the red cedar was a little more expensive, Councilor Marshall stated it required less maintenance and would last longer; (b) Middle School – Some Safety Glass was being replaced due to a slight distortion around the edges; (2) Police Headquarters Facility – There is a high humidity issue in the basement/locker room area and adjacent rooms. The Architect's solution was to dry out the air more and the cost to correct the humidity problem was going to be \$14,000. Councilor Marshall stated in researching the humidity problem that he thought it could be a design issue; and therefore, the town should not be responsible for the cost to correct the issue noting that the Architect designed, built and guaranteed the Police Headquarters Facility. However, he noted that the PMBC has been told that the town would be responsible for the cost to correct the problem; (3) PMBC Annual Election of Officers: The PMBC voted to continue with their current slate of Officers as follows: Chairman Steve Juskiewicz, Vice-Chairman Pete McIntyre, Recording Secretary Jerry Tyminski. Councilor Marshall stated that these gentlemen have been doing a fine job!

### Nursing Board

Councilor McGrattan stated the Nursing Board met on January 9, 2018. She noted at each meeting one of the School Nurses provides a report. She stated the following data was provided on the Gales Ferry School and Juliet W. Long elementary schools that has a combined enrollment of 587 students:

#### Gales Ferry School

5 Pre-K Classes  
3 Kindergarten Classes  
3 First Grade Classes  
3 Second Grade Classes

#### Juliet W. Long

3 Third Grade Classes  
3 Fourth Grade Classes  
3 Fifth Grade Classes  
4 Sixth Grade Classes

Since September 2017 the Schools had 68 students transfer into the District and 40 students transfer out of the District, which does not include all the new students that began Pre-K and Kindergarten in August.

- 13 Students – Epi Pen for food or bee sting allergy.
- 1 Student – Catherization and feedings by the Nurse. Also, Nursing Assessments done during diaper changes.
- 1 Student – Diabetic that requires Acu Checks at a minimum of twice daily, and as needed throughout the day.
- 1 Student – Increased risk of hypo hyperthermia due to neuropathy disorder and needs to be monitored during colder weather.
- Average Visits to the Nurses Office between both schools were over 100 per day.
- Vision and Hearing screenings were completed in October by the School Health Aids and rescreened by the Nurse.
- Scoliosis screening for fifth grade girls will be completed.

### Board of Education

Councilor Ingalls stated the Board of Education met on December 20, 2017 and addressed the following: (1) Elected Officers – Chairman Anthony Favry, Vice-Chairman Stephanie Calhoun; Chairman of Finance Mike Brawner; Facilities Chairman Kate DiPalma-Herb, Policy Chairman Gordon Strickland, Negotiations Chairman Jesse James; (2) Impact Aid Funding – As a result of the Assistant to the Superintendent Pam Najarian’s work the Board of Education has secured \$160,000 more in their Impact Aid Funding than what they anticipated for Impact Aid revenues.

### Water Pollution Control Authority

Councilor Saums stated the WPCA met on December 26, 2017 and addressed the following: (1) Wastewater Treatment Plant Improvement/Upgrade Project - Councilor Saums stated the WPCA has been having some problems with the completion of the \$1.3 million project. He stated that the cost overruns were about \$157,000 and the WPCA has done some negotiation with RH White. He stated it was his opinion that none of the problems were caused by RH White, noting that the problems were caused by turn-over within the Project Management of Fuss & O’Neil Engineers. He stated because they had several Project Managers that there were things that were completely missed in the hand-off and transitions. They had problems with the screen and retractor arm noting that the equipment did not fit, did not work and had to be retrofitted. A lot of work was done by the WPCA Sewer Plant employees, noting that they ran manual processes because they had problems with control panels and the SCADA Systems (Supervisory Control And Data Acquisition). He stated that he thought almost all the problems they have had with the Wastewater Facility Upgrade Project was due to the design and project management oversight gaps. He stated in fairness to Fuss & O’Neil the Plant was old and it had been retrofitted once and he commented that it was not easy to retrofit old systems and make new things fit, noting that they had a transformer the did not fit in the building and they had to cut new doors in at the WPCA’s expense. He explained that the WPCA had about \$75,000 that they can contribute toward the cost overruns for the project, and that they would be submitting a request to the Town Council to transfer some of the Sewer Plant funding that was owed by the Water Division.

Parks & Recreation Commission

Chairman Davis stated Parks & Recreation was working on the Fiscal Year 2018/2019 Budget and that they plan to bring their budget in 12% under the current year, noting that the Mayor has asked Departments to reduce their budgets by 10%. Chairman Davis went on to announce that the Parks & Recreation Commission has one vacancy, noting that Maze Stephan effectively resigned stating that she did not want to continue to serve on the Commission when her term ended on December 29, 2017.

XI. MAYOR’S REPORT

Chairman Davis noted that although Mayor Allyn, III could not be present this evening he provided the following report: (1) Winter Operations Budget –After the January 4, 2018 Snowstorm/Blizzard the Winter Operations Budget has been expended by 65%. The timing of the storms has been a factor noting that they have occurred during nights, weekends and holidays. The good news was that there were no car accidents probably because all residents chose to stay off the roads; (2) Fiscal Year 2017/2018 Spending freeze continued to be in place. This will remain in place until the Town knows what the State was doing with Municipal Revenues to the towns; (3) Southeastern Connecticut Council of Governments (SCOG) Meeting – December 20, 2017 – Mayor Allyn was nominated to serve as the Co-Chair for Southeastern Area Transit (SEAT) Board of Directors. Mayor Allyn reminded the Board that Ledyard was the only town to pull out of SEAT last year and should this happen again, that he would resign from the SEAT Board; (4) Streetlight Conversion (LED) Project - TANKO was awaiting construction approval from Eversource, which was expected next month. Once this occurs, the work to convert all the streetlights to LED fixtures would take 4-6 weeks; (5) Tipping Fees Fiscal Year 2018/2019 – Southeastern Connecticut Regional Resource Recovery Authority (SCRRA) Fees for next year will remain at \$58 per ton; (6) Town Hall Septic System - Septic issues at Town Hall and Annex were causing back-ups in lower level of the Town Hall. An independent inspection found that the lines were frozen in the ground, which should not happen (design / installation issue?). The line from Town Hall was still frozen. This was very disappointing as the remedy may require tearing up new asphalt parking lot.

Questions to the Mayor - None.

XII. OLD BUSINESS – None.

XIII. NEW BUSINESS

CONSENT CALENDAR

\*1. MOTION to reappoint the following members to the Building Code of Appeals for a five (5) year term ending October 14, 2022:

- Mr. Ernest A. Maynard, Jr, (U) 746 Shewville Road, Ledyard
- Mr. Stanley Juber (R) 13 Iron Street, Ledyard
- Mr. Gabriel B. Stern (D) 1065 Long Cove Road, Gales Ferry
- Mr. Wayne Chiapperini (R) 150 Library Street, Mystic
- Mr. Hubert G. Sokolski (R) 14 Mary Belle Circle, Gales Ferry

\*2. MOTION to approve two refunds in the amount of \$6,083.95 that exceeds \$1,200.00 in accordance with Tax Collector departmental procedures.

Moved by Councilor Eichelberg, seconded by Councilor Dombrowski

VOTE: 9 – 0 Approved and so declared

<p>RESULT: ADOPTED 9 – 0  MOVER: Steve Eichelberg, Town Councilor  SECONDER: Kevin Dombrowski Town Councilor  AYES: Davis, Dombrowski, Eichelberg, Ingalls, McGrattan, Malone, Marshall, Sabilia, Saums</p>
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General Items:

3. MOTION to approve the request for funds necessary to implement the written proposal between the Town of Ledyard and the School Health Aides Union Local 1303-210 AFSCME; July 1,2017 – June 30, 2020.

Moved by Councilor Saums, seconded by Councilor Malone

Discussion: Administrator of Human Resources Don Steinhoff stated there were six members of the School Health Aides Union earning \$15.21 to \$17.03 per hour. He stated the agreed upon increase was 1.95% for each of the contract years noting that there was no retro payment. He stated the School Health Aides Union took a 1% increase for each year of the three-year contract. He stated there is one Health Aide assigned to each school to assist the School Nurse throughout the day.

Councilor Saums stated with their last contract the School Health Aides was the first contract that was negotiated during which the Town asked for a 1% increase and the Union agreed. However, he stated the Town did not get a 1% increase from any of the subsequent Union Agreements. Therefore, he stated the School Health Aides felt that they had already been paid less than their share. He went on to state at one point the Town and the Union declared an impasse noting that the negotiations became contentious. He concluded by stating that he recommended the Town Council approve the request.

VOTE: 9 – 0 Approved and so declared

RESULT: ADOPTED 9 – 0

MOVER: Bill Saums, Town Councilor

SECONDER: Tom Malone, Town Councilor

AYES: Davis, Dombrowski, Eichelberg, Ingalls, McGrattan, Malone, Marshall, Sabilia, Saums

4. MOTION to delay the implementation of Ordinance #146 “*An Ordinance Amending A Town of Ledyard Waste Management and Recycling Ordinance*” that was adopted on October 11, 2017.

***“In addition, refer Ordinance #146 “An Ordinance Amending a Town of Ledyard Waste Management and Recycling Ordinance” back to the Land Use/Planning/Public Works Committee until the Town received clarification.*”**

Moved by Chairman Davis, seconded by Councilor Dombrowski

Discussion: Chairman Davis stated at the Town Council’s December 13, 2017 meeting that she expressed concerns that the Town had not received a response from the Town Attorney or the State Attorney General regarding their request for an opinion regarding the Connecticut General Statutes sec. 21-82(a)(12). She stated the state statute was not clear; and therefore, it would be wise to delay the implementation of Ordinance #146 until they were comfortable.

Councilor Dombrowski recommended Ordinance #146 “*An Ordinance Amending A Town of Ledyard Waste Management and Recycling Ordinance*” be referred to the Land Use/Planning/Public Works Committee until the Town received clarification.

Chairman Davis asked that the Town Council agree to the following “*friendly amendment*” to include the following language in the Motion: ***“In addition, refer Ordinance #146 “An Ordinance Amending A Town of Ledyard Waste Management and Recycling Ordinance” back to the Land Use/Planning/Public Works Committee until the Town received clarification.”*** The Town Council agreed to the additional language as a “*friendly amendment*”.

Councilor Saums stated when the Finance Committee began discussing this Ordinance he stated that it would hurt people who could least afford it, those being residents who live in mobile homes and manufactured mobile homes, as was pointed out this evening.

He went on to state that he wanted to clarify some things that have been said noting that at least one of the commercial park operators said that the owners would have to pass along these costs to the tenants. Councilor Saums stated that the mobile home park owners do not have to pass along the cost for trash pick-up to the tenants. He stated the Town Council's intent in their approval of Ordinance #146 was that Ledyard does not pick-up trash for commercial entities. He stated owners of mobile home parks were commercial entities and other towns do not pick-up trash from mobile home properties or apartment houses that are owned by commercial entities and it does do not collect trash for any other commercial enterprise in town. He stated it was his opinion that the mobile home operators have benefited from a windfall during the many years the town has collected trash from privately owned residential properties. He stated that he knows that mobile home park owners would most likely pass the cost of trash pick-up onto the tenants. He stated that he was appalled that the Town Council was considering discontinuing the pick-up of trash at mobile home parks, however, he stated he voted for the Ordinance because the Town Council had a series of public meetings at which the subject was discussed, and at which no one came to the meetings and spoke. He stated the Town Council also held a public hearing, and he posted on Facebook that the Town Council had scheduled a public hearing on the proposed ordinance and that he asked for those who were not able to attend the public hearing to write to them. However, he stated no one appeared at any of the publicly posted meetings, no one sent comments to the Town Council, and no one attended the public hearing. He stated after the Ordinance was approved that most of the people the Town Council heard from were commercial property owners not the owners of mobile homes. He stated that he thought the Town could find a better long-term solution. He stated he has asked one of the commercial property owners to put as much energy into helping the town look at options such as "*Pay As You Throw*" as he has put into opposing Ordinance #146; and he noted that the commercial property owner has agreed.

Councilor Saums continued to address the "*Pay As You Throw*" (PAYT) program and he explained that it would put the onus of trash on the people who use it most. He stated the people who have the least trash would pay the least. He stated, "*Pay As You Throw*" would help the town reduce their tonnage in total. He asked that people pay close attention to "*Pay As You Throw*" noting that a Public Information Session would be scheduled to see what the program has done for other towns. He stated if Ledyard decided to implement a "*Pay As You Throw*" program, he thought that they would all save money and resolve the trash issue long-term.

Councilor Malone stated Ordinance #146 "*An Ordinance Amending A Town of Ledyard Waste Management and Recycling Ordinance*" was an off-shoot symptom of "*What was the Town doing in the business of trash collection?*" and he questioned whether this was what town government was supposed to do. He stated although the Finance Committee has not yet looked at the details of the "*Pay As You Throw*" program that he supported Councilor Saums' comments, noting that they have been working on this issue for at least eighteen months. He stated, as Councilor Saums' noted, that while the Finance Committee was working on the Ordinance at public meetings, at which the public was invited to attend and give their opinion, that no one came. However, he stated now that it was time to write the check, the Town Council was being the bad guy for approving Ordinance #146. He stated all the other towns in Connecticut and Rhode Island follow the state statute in the same fashion. He thanked Chairman Davis for reminding them that the Town has not received a legal opinion regarding this matter. However, he stated once they do receive a legal opinion that he would like to see the Town Council close out this issue for better or worse.

VOTE: 9 – 0 Approved and so declared

RESULT: ADOPTED 9 – 0
MOVER: Linda Davis, Chairman
SECONDER: Kevin Dombrowski, Town Councilor
AYES: Davis, Dombrowski, Eichelberg, Ingalls, McGrattan, Malone, Marshall, Sabilia, Saums

5. MOTION to appoint Mr. Charles Duzy (U) 4 Harvard Terrace, Gales Ferry to the Housing Authority for five (5) year term ending March 31, 2020 filling a vacancy left by Mrs. Weiner.

Moved by Councilor McGrattan, seconded by Councilor Saums

Discussion: Councilor McGrattan stated the Housing Authority was a five member Board. She stated because they sometimes have difficulty obtaining a quorum at their meetings that it was important that Mrs. Weiner's vacancy be filled as soon as possible. She stated that Mr. Duzy would be an asset to the Housing Authority.

VOTE: 9 – 0 Approved and so declared

RESULT: ADOPTED 9 – 0

MOVER: Mary McGrattan, Town Councilor

SECONDER: Bill Saums, Town Councilor

AYES: Davis, Dombrowski, Eichelberg, Ingalls, McGrattan, Malone, Marshall, Sabilia, Saums

6. MOTION to appoint the following to the Municipal Building Committee as Board of Education Representatives in accordance with Ordinance #138 "*An Ordinance Establishing a Municipal Building Committee for the Town of Ledyard*".

Ms. Kate DiPalma-Herb (D) 19 Meadow Drive, Gales Ferry

Mr. Robert Guerrera (R) 19 Parkwood Drive, Gales Ferry.

Moved by Councilor Ingalls, seconded by Councilor Saums

Discussion: None.

VOTE: 9 – 0 Approved and so declared

RESULT: ADOPTED 9 – 0

MOVER: Andra Ingalls, Town Councilor

SECONDER: Bill Saums, Town Councilor

AYES: Davis, Dombrowski, Eichelberg, Ingalls, McGrattan, Marshall, Malone, Sabilia, Saums

### Finance Committee

7. MOTION to authorize the Mayor sign the "*House Lease*" for 332 Colonel Ledyard Highway, a single-family home, for \$1,300 per month.

Moved by Councilor Saums, seconded by Councilor Ingalls

Discussion: Councilor Saums stated in accordance with CGS 07-163e a Public Hearing was held earlier this evening regarding the proposed lease for 332 Colonel Ledyard Highway at which two residents spoke in-favor of the lease. He provided some background stating that the Town acquired 332 Colonel Ledyard Highway thru a foreclosure. The property was formerly known as the "*Founders Preserve Subdivision*" and included 46 ± acres. He stated the subdivision was approved during the peak of the real estate market, however, it failed when the market collapsed. He stated the property located at 332 Colonel Ledyard Highway was the house that sits on the Road. However, there was a small title issue regarding the boundary line and because the Town currently does not have a clear, saleable marketable title at this time that the thought was that the Town could lease the house for \$15,600 in rent per year, rather than moth-ball it, until they can get the title issue resolved, at which time the town could dispose of/sell the house. The house was in very good-almost move-in condition. He stated at their October 25, 2017 meeting the Town Council authorize the Mayor to enter into a Listing Agreement with McBride Realty of Gales

Ferry, CT for the purpose of leasing the single-family home. He stated McBride Realty has found a tenant who has been credit checked and vetted noting that they do not have pets or smoke. He stated the proposed lease was provided for tonight's meeting noting that it would begin on February 1, 2018.

VOTE: 9 – 0 Approved and so declared

RESULT: ADOPTED 9 – 0 MOVER: Bill Saums, Town Councilor SECONDER: Andra Ingalls, Town Councilor AYES: Davis, Dombrowski, Eichelberg, Ingalls, McGrattan, Marshall, Malone, Sabilia, Saums
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8. MOTION to approve the Town Council Department Fiscal Year 2018/2019 Budget in the amount of \$201,009 to be included in the General Government's proposed budget, as contained in the draft dated December 27, 2017.

Moved by Councilor Saums, seconded by Councilor

Discussion: Councilor Saums explained that as the Town begins the annual budget process each department is required to submit a proposed budget to the Mayor to be included in the proposed General Government budget. He stated the Town Council Department's proposed Fiscal Year 2018/2019 Budget was in the amount of \$201,009, noting that per the Mayor's directive the proposed Town Council Department's budget has been decreased by 10% from the previous Fiscal Year (2017/2018).

Chairman Davis addressed comments that were made last year during the annual budget process noting that a resident divided the \$200,000 budget by the nine-member Town Council and made statements that each Councilor received \$22,000 for their service. She provided clarification stating that the proposed \$201,009 budget provided for town expenses such as the Annual Audit Fee, Legal Fees, and other operating costs. She stated although the members of the Town Council are elected that they are volunteers and do not receive any money for their service to the Town.

VOTE: 9 – 0 Approved and so declared

RESULT: ADOPTED 9 – 0 MOVER: Bill Saums, Town Councilor SECONDER: Andra Ingalls, Town Councilor AYES: Davis, Dombrowski, Eichelberg, Ingalls, McGrattan, Marshall, Malone, Sabilia, Saums
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9. MOTION to recommend the Town Council approve the Town Council Department Capital Improvement Projects (CIP) Fiscal Year 2018/2019 Budget to be included in the General Government's proposed budget, as contained in the draft dated December 27, 2017.

Moved by Councilor Saums, seconded by Councilor Ingalls

Discussion: Councilor Saums explained that each year Departments submit their Capital Improvement Projects to the Planning Department to be included in the Capital Improvement Plan (CIP) as part of the annual budget process. He stated for the upcoming Fiscal Year 2018/2019 that the Town Council was not requesting any funding be allocated to their Laptop Replacement Plan, due to reductions in State Municipal Aid. He stated that this was the second consecutive year that funding has not been allocated for the Laptop Replacement Plan. He stated that currently the Town Council Laptop Replacement CIP Account has an available balance of \$2,001.15. He noted that most Town Councilors use their own laptop computers.

VOTE: 9 – 0 Approved and so declared

RESULT: ADOPTED 9 – 0  
MOVER: Bill Saums, Town Councilor  
SECONDER: Andra Ingalls, Town Councilor  
AYES: Davis, Dombrowski, Eichelberg, Ingalls, McGrattan, Marshall,  
Malone, Sabilia, Saums

Land Use/Planning/Public Works Committee

10. MOTION to authorize the Mayor to engage in negotiations for the sale of following town-owned properties that were acquired thru tax foreclosure:

- 1007 Shewville Road, Ledyard ± .43 acre
- 5 Spout Run, Ledyard ± 3 acres
- 69 Inchcliffe Drive, Gales Ferry ± .1 acre

Moved by Councilor Dombrowski, seconded by Councilor Saums

Discussion: Councilor Dombrowski stated the Town obtained these three parcels thru tax foreclosures. He stated that an abutting property owner may be interested in purchasing the parcels. Therefore, he stated this action would authorize the Mayor to negotiate the sale of these properties, noting that it was not fiscally responsible for the town to own these types of parcels. He stated the lot located at 5 Spout Run was previously owned by the Home Owners Association.

Councilor Marshall suggested it may be prudent to split the properties between the adjoining property owners and give them land. He stated this would be a win-win noting that the property owners would slightly increase their lots and the town would be able to collect taxes for the property. He stated the adjoining property owners were already enjoying the benefit of having the piece of land between them, and therefore, he questioned why they would purchase a .10 of an acre of land.

Councilor Saums explained because it was town-owned property that they did not have the right to give it away. Councilor Dombrowski explained that the Town had to move forward in this fashion to allow the Mayor to negotiate the sale of these town-owned parcels.

VOTE: 9 – 0 Approved and so declared

RESULT: ADOPTED 9 – 0  
MOVER: Kevin Dombrowski, Town Councilor  
SECONDER: Bill Saums, Town Councilor  
AYES: Davis, Dombrowski, Eichelberg, Ingalls, McGrattan, Marshall,  
Malone, Sabilia, Saums

11. MOTION to authorize the Mayor to engage in a one-year Marketing Agreement with Londregan Commercial Real Estate to sell the Ledyard Center School, located at 740 Colonel Ledyard Highway, Ledyard.

Moved by Councilor Dombrowski, seconded by Councilor Ingalls

Discussion: Councilor Dombrowski explained that the process to sell the Ledyard Center School would be similar to the recent sale of the Gales Ferry Landing (formerly known as Gales Ferry School). He stated if the Town could sell the property “as is” that it would save the Town \$1.3 million to demolish the facility, which was included in the Bond Resolution for the Schools Consolidation/Improvement Project(s) (Middle School and Gallup Hill School).

Chairman Davis explained that there were a number of steps required that would need to be followed to sell town-owned property, noting that it would require a Town Meeting.

Councilor Ingalls requested clarification regarding the “*Resolution Amending A Resolution Appropriating \$65,835,000 for the Design and Construction of Additions and Renovations to the Ledyard Middle School and Gallup Hill School; And Demolition of Ledyard Center School; And Authorizing the Issue of Bonds and Notes in the Same Amount to finance Said Appropriation*” that was approved by the townspeople at the January 20, 2015 Referendum. She stated the Resolution included \$1,300,000 to demolish the Ledyard Center School and she questioned, based on the Resolution, whether the Town was required to demolish the building. Councilor Saums stated the Resolution authorized the Town to spend the money to demolish the building, explaining that it does not require the town to demolish the building.

Councilor Saums went on to state in attending the January 6, 2018 CCM Municipal Budget Work Shop he learned that the Town was not required to spend the entire budget that was voted on by the taxpayers. He stated the Annual Budget Referendum authorizes the Town to spend the budget presented. However, he stated it does not state that they must spend the entire approved budget. Councilor Marshall stated in speaking to Department Heads that some think that they need to spend their entire budget in order to get the same amount of funding in the following budget year, noting that there was almost a spending frenzy at the end of the fiscal year for departments to spend their budgets. Councilor Saums stated although it may happen in some Departments that not all Department Heads feel that they have to spend their entire budgets. He stated as the Finance Committee works to prepare the annual budget, which begins in March of each year, that the Committee reviews all department budgets line by line looking at how much has been spent year-to-date based on seven months of financial data. He commended the Departments that do not think that they have to spend their entire budget, and he stated that the Finance Committee has tried to minimize the budget tactic to spend their entire budget each year.

Councilor Marshall continued by addressing the demolition of the Ledyard Center School noting at some point it was going to become more expensive to demolish the building. Therefore, he stated the Town could only keep the building on the market for one year.

VOTE: 9 – 0 Approved and so declared

RESULT: ADOPTED 9 – 0
MOVER: Kevin Dombrowski, Town Councilor
SECONDER: Bill Saums, Town Councilor
AYES: Davis, Dombrowski, Eichelberg, Ingalls, McGrattan, Marshall, Malone, Sabilia, Saums

### General Items

12. Discuss work session items – Ordinance Updates.

Councilor Eichelberg provided an overview of the initiative to update the Town’s Ordinances noting that the Administration Committee was assigned the oversight of the project. He reviewed the process as follows:

- Each Councilor was assigned ten Ordinances to review.
- The task was to mark-up the Ordinances with recommended changes.
- The Administration Committee has worked their way thru 30 Ordinances to date. Most of the changes they have done thus far were to clean-up language and update things such as state statute numbers or fines.

Councilor Eichelberg noted the following as examples of the Administration Committee's work to date:

- Ordinance #25 "*An Ordinance Pertaining to the Operation of Vehicles on Off-Street Property Owned by the Town of Ledyard and Establishing Penalties for Violations Thereof*".

Councilor Eichelberg stated in reviewing Ordinance #25 that there were no significant changes, other than the fact that it referenced "*Constables*". He stated the Town employs *Police Officers* not *Constables*. Therefore, the Committee made that change, and they also added a reference to the *Police Chief of the Town of Ledyard*, since they now have a Police Chief.

Councilor McGrattan stated when the Ordinances involved other departments that they sent the Ordinances to those departments and requested their input, noting that the Departments for which the ordinances apply know most about the subject matter.

- Ordinance #19 "*An Ordinance Providing Penalties for Violation of the Connecticut State Building Code*"

Councilor Eichelberg stated Ordinance #19 was updated to correct a couple of minor grammar changes. Also, instead of calling out things that the state statute already calls out the Administration Committee simply referenced the state statute.

- Ordinance #72 "*An Ordinance Regarding Audit-Oriented Business*"

Councilor Eichelberg stated for Ordinance #72 they changed the definition of "Inspector" to simply mean "*An official that the Town Council or Mayor delegates*".

Councilor Eichelberg stated that these were examples of the kinds of changes that were being made to the Ordinances this far.

Councilor McGrattan noted that the Administration Committee was also taking fines out of the Ordinances and instead referenced the state statute, explaining that some of the fines contained in the state statutes change almost every year.

Chairman Davis stated several of the Ordinances she was reviewing involved the issue of enforcement and fines. She noted Ordinance #38 as follows:

- Ordinance #38 "*Ordinance Prohibiting Parking on Town Roads During Winter Storms and Providing Penalties for Violation Thereof*"

Chairman Davis stated the Ordinance states what they were not supposed to do; however, it does not state what was supposed to be done if there was a violation. Therefore, she questioned if there was a violation who should be contacted....the Mayor, Police, Public Works, etc.? Councilor Eichelberg stated at Chairman Davis' request the Administration Committee began looking at Ordinance #38 this evening. Chairman Davis stated that she has also asked Public Works Director Steve Masalin to review the Ordinance and provide comments.

Councilor Dombrowski stated he was working on Ordinances #1 - #10 and he stated that the first two Ordinances could not be updated until the Town Council has completed their work on all the Town Ordinances. (Ordinance #1 "*An Ordinance Repealing Certain Ordinances*"; and Ordinances #2 "*An Ordinance Renumbering Certain Ordinances*"). He also noted that many of the Ordinances have been repealed and superseded by more recent Ordinances.

Chairman Davis thanked the Administration Committee for the update this evening and asked that they keep the Town Council informed as they move through this process.

Chairman Davis assigned the following Ordinances:

Councilor Sabilia - Ordinances #81 - #90

Councilor Ingalls – Ordinance #91 - #101

IX. ADJOURNMENT

VOTE: Councilor Eichelberg moved to adjourn, seconded by Councilor Malone.  
9- 0 Approved and so declared. The meeting adjourned at 8:02 p.m.

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

I, Linda C. Davis, 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 10, 2018.

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Linda C. Davis, Chairman