



TOWN OF LEDYARD

CONNECTICUT
TOWN COUNCIL
HYBRID FORMAT

741 Colonel Ledyard Highway

Ledyard, CT 06339

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860 464-3203

Roxanne Maher

Administrative Assistant

Chairman Gary St. Vil

MINUTES FINANCE COMMITTEE REGULAR MEETING

Wednesday, January 7, 2026

5:00 PM

Annex Meeting Room - Video Conference

DRAFT

I. CALL TO ORDER - The Meeting was called to order by Committee Chairman Councilor Buhle at 5:00 p.m. at the Council Chambers Town Hall Annex Building.

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

II. ROLL CALL

Attendee Name	Title	Status	Location	Arrived	Departed
Jessica Buhle	Town Councilor	Present	In-Person	5:00 pm	6:08 pm
Carmen Garcia-Irizarry	Town Councilor	Present	In-Person	5:00 pm	6:08 pm
Tim Ryan	Town Councilor	Present	In-Person	5:00 pm	6:02 pm
Gary St. Vil	Town Council Chairman	Present	Remote	5:00 pm	6:08 pm
Ty (Earl) Lamb	Town Councilor	Present	In-Person	5:00 pm	6:08 pm
Fred Allyn, III	Mayor	Present	In-Person	5:03 pm	6:08 pm
Matthew Bonin	Finance Director	Present	In-Person	5:00 pm	6:08 pm
Jeff Erhart	Gales Ferry Fire Company chief	Remote	In-Person	5:00 pm	6:08 pm
Jason Hartling	School Superintendent	Present	In-Person	5:00 pm	6:08 pm
Ken Knight	Board of Education Finance Director	Present	Remote	5:00 pm	6:08 pm
Jennifer Reguin	Board of Education Chairman	Present	Remote	5:00 pm	6:08 pm
Dennis Main	Avalonia Land Conservancy President	Present	Remote	5:00 pm	6:08 pm
Deborah Vessels	Resident	Present	Remote	5:00 pm	6:08 pm
Karen Parkinson	Resident	Present	Remote	5:00 pm	6:08 pm
Jeff Eilenberger	Resident	Present	In-Person	5:00 pm	6:08 pm
Roxanne Maher	Administrative Assistant	Present	Remote	5:00 pm	6:08 pm

III. RESIDENTS AND PROPERTY OWNERS COMMENTS

Mr. Jeff Eilenberger, 2 Village Drive, Ledyard, addressed the transfer of unspent Board of Education Funding, noting that the town's past practice was to transfer the Board of Education's surplus funds to their Capital Non-Recurring Account. However, he noted h Connecticut General Statutes 10-248(a) ***Unexpended Education Funds Account*** stated the following:

"For the fiscal year ending June 30, 2024, and each fiscal year thereafter, notwithstanding any provision of the general statutes or any special act, municipal charter, home rule ordinance or other ordinance, a local board of education may deposit into a non-lapsing account any unexpended funds from the prior fiscal year from the budgeted appropriation for education, provided: (1) such deposited amount does not exceed two percent of the total budgeted appropriation for education for such prior fiscal year; (2) each expenditure from such account shall be made only for educational purposes; and (3) each such expenditure shall be authorized by the local board of education for such town."

Mr. Eilenberger suggested if the Board of Education's annual budget surplus exceeded 2% that they should look at the budget for next year (Fiscal Year 2026/2027).

Mr. Ty (Earl) Lamb, 95 Lambtown Road, Ledyard, Town Councilor, noted Old Business Item # 2 regarding the scheduling of Joint Meetings between the Finance Committees of the Town Council & Board of Education. He stated at last night's Board of Education Finance Committee meeting they updated their Fiscal Year 2026/2027 Budget Planning Timeline. He stated that he was interested in the Board of Education's Capital Improvement Plan (CIP) Presentation. He stated that he hoped that Land Use/Planning/Public Works Committee Chairman James Thompson would be made aware that this opportunity existed, and that the scheduling of the Prestation occurred.

Mrs. Deborah Vessels, 1055 Colonel Ledyard Highway, attending remotely via Zoom, noted New Business Items # 4 & #5 on tonight's Agenda. She stated that she submitted a letter to the Finance Committee today to express her and her husband Dave Vessels support for the town to issue a "*Letter of Commitment*" to Avalonia Land Conservancy, Inc., and to provide funding from the Town's Open Space Fund to assist Avalonia Land Conservancy with the acquisition of the properties noted below to be preserved as Open Space:

- 173-175 Stoddard's Wharf Road, 30.30+/- acres
- 1069 Colonel Ledyard Highway; 20.23 +/- acres

Mrs. Vessels noted that Avalonia Land Conservancy has proven their capability of stewardship of the properties they oversee and was a premier leader in land conservation and management in the larger surrounding area. Mrs. Vessels thanked the Finance Committee for their consideration and support of these land acquisitions.

IV. PRESENTATIONS/INFORMATIONAL ITEMS – None.

V. REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

MOTION to approve the following Finance Committee Minutes

- Regular Meeting Minutes October 15, 2025
- Organizational Meeting Minutes of December 3, 2025
- Regular Meeting Minutes of December 3, 2025
- Special Meeting Minutes of December 9, 2025

Moved by Councilor Garcia-Irizarry, seconded by Councilor Ryan

VOTE: 3–0 Approved and so declared

VI. FINANCE DIRECTOR'S REPORT – Finance Director Matthew Bonin reported on the following: (1) Annual Audit Fiscal Year Ending June 30, 2025 – Mr. Bonin stated Auditor Clifton/Larson/Allen has completed the Annual Report for June 30, 2025 and it was formally submitted to the State Office of Fiscal Policy (OFP) on December 30, 2025. He stated the Audit Reports were emailed to the Town Council on January 6, 2026 for their review in preparation for the Auditors to present the Audit at the Finance Committee's February 4, 2026 meeting; and (2) Fiscal Year 2026/2027 Budget Preparation – Mr. Bonin stated that the Department Heads have been entering their proposed budgets into the Munis Financial System. He noted Departments Operational and Capital Budgets were due to the Mayor on January 20, 2026.

VII. FINANCIAL REPORTS

Finance Director Matthew Bonin noted that he provided the six-month Budget versus Actual Expenditure Report through December 31, 2025. He stated he would provide the Revenue Report through December, at the Finance Committee's January 21, 2026 meeting.

Mr. Bonin noted that he would be happy to answer the Finance Committee's questions. Councilor Buhle stated hearing no questions the Committee would move on to Old Business.

VIII. OLD BUSINESS – None.

1. Continued discussion regarding potential uses for the funding received from the National Opioid Settlement Payments.

Mayor Allyn, III stated that no additional National Opioid Settlement Payments have been received since the last Finance Committee meeting.

RESULT: CONTINUED

Next Meeting 1/21/2026 : 5:00 p.m.

2. Schedule for Joint Meetings between the Finance Committees of the Town Council & Board of Education.

Councilor Buhle stated that she reached out to Board of Education Finance Committee Chairman Amanda Veneziano to check on their availability for a Joint Finance Committee Meeting on January 21, 2026. She explained that this would be in-place of the Town Council's Finance Committee's regular meeting. However, she stated to-date that she has not heard back from Ms. Veneziano.

Councilor Ryan stated the Board of Education has a number of Fiscal Year 2026/2027 Budget Work Shops scheduled. He stated that it may be helpful if members of the Town Council's Finance Committee attended the Board of Education's Work Shops as residents. He noted the following Board of Education Budget Work Shop dates:

- January 13, 2026 @ 6:00 p.m. – School Superintendent's Fiscal Year 2026/2027 Budget Presentation. Councilor Ryan suggested this would be a good Work Shop for them all to attend as residents.
- January 20, 2026 @ 7:00 p.m. Budget Work Shop

Councilor Buhle noted Councilor Lamb's comments earlier this evening (III Residents and Property Owners Comments) in which he suggested the Land Use/Planning/Public Works Committee (LUPPW) attend the Board of Education's Capital Improvement Plan (CIP) Presentation relative to working together to create an overarching list of the maintenance needs for all of the School Buildings and Town Buildings. She explained during the LUPPW Committee' January 5, 2026 meeting that Councilor Lamb suggested that the List would be similar to the Town Facilities Maintenance Schedule List that Public Works Director/Town Engineer Steve Masalin manages. She stated the goal would be to develop a timeline for the maintenance needs for all of their facilities. She stated that she was also a member of the Land Use/Planning/Public Works Committee; and therefore, she suggested that because the facilities maintenance needs would involve funding that she suggested the Finance Committee be involved in the process. She stated although they could identify needs and establish a schedule; that if the funding was not available that those Capital Improvements were not going to happen.

Councilor Garcia-Irizarry noted the Board of Education's Budget Work Shop Schedule included a Capital Improvement Plan (CIP) Presentation to Land Use; however, she noted that a date has not been set. Therefore, she questioned whether the Board would be giving two Capital Improvement Plan Presentations; one to the Land Use/Planning/Public Works Committee and one to the full Town Council.

School Superintendent Jason Harlting stated the Town Charter required the Board of Education to give their Capital Improvement Plan (CIP) to Land Use. He stated because the Board of Education's Capital Improvement Plan (CIP) was only reflected in the Annual Budget as two lines, that he felt that because there was a disconnect. He noted that last year (fy 25/26) the Board of Education also provided their entire Capital Improvement Plan (CIP) to the full Town Council.

Chapter VII; Section 4 of the Town Charter stated:

*"The Board of Education shall participate in the review of municipal improvements and capital projects that is conducted by the **Mayor and the Planning Commission** during the budget preparation process so that the Board's capital needs are reflected in a unified list of projects for the Town. Such Capital Improvement Plan shall be included in the Board of Education Budget."*

RESULT: CONTINUED

Next Meeting 1/21/2026 : 5:00 p.m.

3. Continued discussion regarding potential grant opportunities.

Councilor Buhle stated that the town would only be eligible to submit a Small Town Economic Assistance Program (STEAP) Grant Application if they have fully expended the STEAP Grant Funding they previously received; and the project has been closed out. Therefore, she questioned whether Parks, Recreation, & Senior Citizens Director Scott Johnson, Jr., has purchased all of the Playscapes for the Town Green, Aljen Heights, Blonders Park, and East Drive using the 2025 STEAP funding. Mayor Allyn, III stated Mr. Johnson told him that they were ordering all of the Playscapes together and that they would all be installed at the same time; along with the Pour in-Place Playground

Surface. He stated that he would follow-up with Mr. Johnson on the timeline regarding the status and completion of the 2025 *Ledyard Playscape Improvement Projects*.

Mayor Allyn went on to note that the Historic District Commission was looking to submit a Grant Application for the Sawmill Pond Dam Replacement. He stated that more information would be forthcoming as they get their documentation together.

RESULT: CONTINUED

Next Meeting 1/21/2026 : 5:00 p.m.

4. Any other Old Business proper to come before the Committee. – None.

IX. NEW BUSINESS

1. MOTION to recommend the Town Council authorize the expenditure of \$4,645 for the purpose of removing firefighting foam and cleaning the foam system on Gales Ferry Engine 21.

Moved by Councilor Ryan, seconded by Councilor Garcia-Irizarry

Discussion: Gales Ferry Fire Chief Jeff Erhart, attending remotely via Zoom, provided some background stating at their October 22, 2025 meeting the Town Council authorized the town to submit a grant through the State of Connecticut for the removal of firefighting foam and to clean the foam system on Gales Ferry Engine 21. However, he stated that they did not authorize him to expend the funds because he only had one quote for the work at that time.

Chief Erhart went on to note in response to the Finance Committee's October 15, 2025 request that he has obtained three quotes from remediation contractors for the work, noting that they were attached to the Agenda on the Meeting Portal for tonight's meeting. He noted that Moran Environmental Recovery's, LLC (MER) quote in the amount of \$4,645 was the low quote, noting that the other two quotes were both over \$7,000. He stated the work that Moran Environmental Recovery, LLC has provided a quote for was in-line with what the State required.

VOTE: 3–0 Approved and so declared

RESULT: APPROVED TO RECOMMEND 3 – 0

MOVER: Tim Ryan, Town Councilor

SECONDER: Carmen Garcia-Irizarry, Town Councilor

AYES: Jessica Buhle, Carmen Garcia-Irizarry, Tim Ryan

2. MOTION to recommend Town Council appropriate and transfer \$157,133 from Account #10188210-59300 (Transferred Funds) to Account #22570101-58250 (BOE CNR Reserve Fund);

In addition, appropriate \$157,133 to Account #225670101-58250 (BOE CNR Reserve Fund)

Moved by Councilor Garcia-Irizarry, seconded by Councilor Ryan

Discussion: School Superintendent Jason Hartling explained that the Board of Education received \$157,133 more in the Federal Impact Aide Grant Funding for Fiscal Year 2024/2025 than the amount that was projected in the budget. He stated historically the Town Council has transferred the additional revenues to the Board of Education's Capital Non-Recurring Account to be used for Capital Projects. Therefore, he stated in his July 29, 2025 letter he requested the \$157,133 Federal Impact Aide Funding be transferred to the Board of Education Capital Account along with the list of projects that the Board of Education planned to use the funding for.

Mr. Hartling went on to explain at their September 17, 2025 meeting the Finance Committee did not approve the July 29, 2025 request to transfer the additional \$157,133 received from Impact Aid to the Board of Education's Capital Account. He noted in their September 24, 2025 letter the Finance Committee indicated that they would be willing to reconsider the request upon the receipt of a revised Capital Projects List for the use of the additional Impact Aide funds because they believed some of the projects on the list had already been funded in the budget. Mr. Hartling stated in accordance with that direction, the Board of Education reviewed its remaining unfunded needs and approved a revised set of projects; which he forwarded in his December 2, 2025 letter and was before the Finance Committee for consideration this evening.

Mr. Hartling provided an overview of the use of the additional \$157,133 in Federal Impact Aid revenue received that was above the Board of Education's Fiscal Year 2024/2025 budgeted estimate as follows:

Revised Capital Projects Request 2025- Impact Aid Revenue Surplus

Project	Building	Estimated Cost	Notes
Replacement Fire Doors	LHS	\$40,000	Will Replace remaining Fire Doors
FM System	LMS	\$90,000	Install FM System for Hearing Impaired
Music Room Renovations	LHS	\$27,000	Upgrade Music Room LHS

Mr. Hartling stated the benefit of having these funds allocated now, would allow the projects to be done during the summer break.

Councilor Ryan noted Finance Director Matthew Bonin's notes in the Legislative File regarding the receipt of additional revenues received.

Finance Director Matthew Bonin stated that he did not agree with the Board of Education's request for the additional revenues received from Impact Aid to be allocated to their Capital Budget, explaining that most of the revenue lines in the budget were based off estimates. Therefore, he stated there should not be an expectation that because actual revenues exceed a budget estimate, that the revenue overage was available and owed to the Department. He went on to explain that the Impact Aide Revenue should be treated as tax revenues, because the purpose of the Federal Funding was to off-set the loss of tax revenues associated with Mashantucket Pequot Nation

(MPTN) and military impacts. He stated if the Board of Education or any Department's revenues fall-short of the amount projected in the budget the town does not claw back funds. He stated allocating revenue that comes in - in excess of the projected budget sets a bad precedent and could create an incentive to under budget revenues. He noted as an example that the Land Use Department's (Building /Zoning/Planning) and the Town Clerk's revenues far exceed their projected revenues. Therefore, he rhetorically questioned whether should they be able to ask for those additional funds to spend for their Departments.

Councilor Buhle stated she understood Finance Director Matthew Bonin's position regarding the receipt of revenues that were in excess of the budgeted amount; noting that they have to do a better job at projecting their revenues, noting that every time they under estimate their revenues they were placing a larger tax burden on their residents. However, she stated because the Board of Education would be using the additional Impact Aide Funding for one-time Capital Projects that need to be done, that she would agree with transferring the additional \$157,133 in Federal Impact Aide revenue to the Board of Education because it would be an opportunity to complete things on the list without overburdening the taxpayers and it would improve the students experience.

Mr. Hartling stated using the excess revenues was the only way the Board of Education could do Capital Projects; outside of the projects the townspeople have approved to Bond. He stated unless there was another funding stream identified to support their capital needs that it was going to be difficult for them to continue to maintain any improvements in their buildings. He also noted that if the Board of Education does not rush to spend all of their budget at the end of the year that their budget surplus was then moved to their Capital Account for needed projects.

Councilor Garcia-Irizarry questioned if the additional \$157,133 in Federal Impact Aide revenue was not available, whether the there was plan to do three projects identified (see above) as part of their Capital Improvement Plan (CIP). Mr. Hartling stated the three projects would have been included in the Fiscal Year 2026/2027 Capital Improvement Plan (CIP). He stated the community benefited by using these additional revenues for these one-time capital expenses.

Councilor Garica-Irizarry requested clarification asking whether the additional \$157,133 in Federal Impact Aide were non-budgeted revenues. Mr. Hartling stated that the additional \$157,133 in Federal Impact Aid were non-budgeted revenues.

Councilor Garica-Irizarry stated that she agreed with Finance Director Matthew Bonin that they had to do a better job in projecting their revenues.

Councilor Buhle stated that they have to do a better job at projected their revenues, because every they under estimate their revenues that they were placing a larger tax burden on our residents year after year.

Mayor Allyn, III stated that he shared and appreciated Finance Director Matthew Bonin's comments regarding revenues that were received that exceeded the projected budget. He went on to note that the Item # 3 on tonight's Agenda was to cancel the

“Resolution Creating a Funding Mechanism for Making Annual Appropriations to a Capital Reserve Fund for the Board of Education” that has been in-place since 1988 for the purpose they were discussing, which was to set-a-side the Board of Education’s surplus funds at the end of the year to their Capital-Non-Recurring Account for on-time capital expenses that were previously identified in the Board of Education’s budget as a high priority.

Councilor Garcia-Irizarry noted in reviewing the Impact Aide Revenue History in Fiscal Year 2021/2022 the Projected Impact Aid Revenue was \$1.5 million; however, the amount received was only \$1.387 million, noting that the funding received was short by \$112,918. Therefore, she questioned when the projected revenues come in below the projected amount what the Board of Education does. Mr. Hartling stated the revenues were on the General Government’s side of the Budget Ledger, noting that the Board of the Education provided their projected the revenues; and that the Town chooses which number to put in the budget. He stated if their revenues come in below the amount budgeted the Board of Education would not come to the Town Council to add to their Capital Projects.

Councilor Ryan noted with the exception of Fiscal Year 2021/2022 that the Board of Education’s revenues were consistently under budgeted; and therefore, he questioned if there was a reason for that. School Superintendent Jason Hartling explained that because of the variables, that the grant funding was a floating number. He stated the direction he received since he joined Ledyard was not to over budget their projected revenues, noting that they were trying to be more accurate. He stated it was tremendously difficult to project grant revenues, noting that it fluctuates every year.

Mr. Hartling went on to explain that the additional \$157,133 in Federal Impact Aide funding was a *non-budgeted revenue*.

Councilor Ryan questioned how the Board of Education’s additional revenues have been used in prior years. Mr. Hartling stated that every year the Board of Education has sent a request detailing how the additional revenues would be used.

Mayor Allyn, III provided clarification regarding Mr. Hartling’s comments about the Board of Education’s projected revenues. He stated that the Town does not set the Board of Education’s Revenues. He noted in reviewing the Fiscal Year 2024/2025 Budget and the data the Board of Education provided; that the projected revenues mirrored the numbers the Board of Education provided for the budget preparation.

Councilor Ryan questioned whether they would have insight regarding how these additional revenues were used noting that the Capital Expenditures were recorded on the General Government side of the budget ledger. School Superintendent Jason Hartling stated at their February 28, 2024 meeting the Town Council approved to set-up a new, stand alone, *Board of Education Capital Fund for Non-Bonded Board of Education Capital Items* to reside outside of the Town’s Capital Non-Recurring Fund (CNR Fund 210).

Councilor Ryan questioned whether the three Capital Projects: (1) High School Fire Doors; (2) High School Music Room Renovations; and (3) Middle School FM System for Hearing Impaired were included in the Board of Education’s Fiscal Year 2024/2025 Capital Plan.

Mr. Hartling stated that the Replacement of the Fire Doors at the High School may have been included in the budget; however the High School Music Room Renovations and Middle School FM System for the Hearing Impaired were projects they added in. Councilor Ryan questioned the reason they did not choose projects that were already on the Capital Plan; and whether they would be able to complete these projects during this current fiscal year (25/26). Mr. Hartling stated these projects were put forward because of the turn-around time, stating by approving the funding at this time they could solicit bids and could accomplish the projects during this current fiscal year (25/26).

Councilor Buhle stated that they had to provide accessibility for all students' educational experience regardless of their abilities, noting that it was not optional.

Councilor Ryan stated when they under budget their revenues; and then they appropriate additional revenues received for expenses that were not included in the budget that they were penalizing the taxpayers. He stated they needed to do a better job for their taxpayers. He requested that the Board of Education provide the Finance Committee a Report once this spending plan for the additional \$157,133 received from Federal Impact Aide has been executed

VOTE: 3– 0 Approved and so declared

RESULT: APPROVED TO RECOMMEND 3 – 0

MOVER: Carmen Garcia-Irizarry, Town Councilor

SECONDER: Tim Ryan, Town Councilor

AYES: Jessica Buhle, Carmen Garcia-Irizarry, Tim Ryan

3. MOTION to recommend the Town cancel "*Resolution Creating a Funding Mechanism for Making Annual Appropriations to a Capital Reserve Fund for the Board of Education*" adopted on September 28, 1988.

Moved by Councilor Ryan, seconded by Councilor Garcia-Irizarry

Discussion: Councilor Ryan provided some background explaining that last year the State Legislature adopted a new Public Act #24-45 "*An Act Concerning Education Mandate Relief*"; which basically obviates the "*Resolution Creating a Funding Mechanism for Making Annual Appropriations to a Capital Reserve Fund for the Board of Education*". He noted that since 1988 the Resolution allowed for the Board of Education's surplus, at the end of the fiscal year, to be transferred to their Capital Account to specially be used for Capital Expenses. He stated Public Act #24-45 allowed Connecticut Board of Education to use *Non-Lapsing Accounts* to carry over unspent education funds (up to 2% of the prior budget) for future *Educational Expenses*.

Councilor Ryan went on to explain that it was his understanding that the Board of Education currently does not have "*Non-Lapsing Account*", noting that a new fund would need to be set-up. School Superintendent Jason Hartling stated that the Board of Education would transfer their budget surplus to their Capital Non-Recurring Fund. However, he noted that per Public Act #24-45 that the funds did not have to solely be used for Capital Expenses, noting that the Public Act stated the surplus funds were to be used for "*Future Educational Expenses*".

Councilor Ryan stated Public Act #24-45 would take precedent over the 1988 *“Resolution Creating a Funding Mechanism for Making Annual Appropriations to a Capital Reserve Fund for the Board of Education”* to the extent that it allows the surplus funds to be transferred, noting that the language of Public Act #24-45 stated: *“Notwithstanding any existing ordinance; or any existing requirement in a Municipal Charter”*. However, he stated in accordance with Chapter VII of the Ledyard Town Charter that the Town Council was responsible *“for appropriating all non-budgeted revenue”*. Therefore, he stated regardless of what Public Act #24-45 said that the Town Council would still be required to act to transfer the funds, noting that the Board of Education could not transfer the funds; per the Town Charter. He stated if their Town Charter was silent or did not address that financial power, and give it to the Town Council; that the Board of Education could, at its own discretion, transfer their year-end budget surplus.

Finance Director Matthew Bonin explained the following terms:

Non-Lapsing Fund:

- Was a Special Fund where unspent education funds do not automatically revert to the town's general fund at year-end.
- Would allow the Board of Education to save and use surplus funds for educational needs in subsequent years, rather than losing them.
- It was not solely for the Capital Expenses.

Capital Non-Recurring Fund:

- Used specifically for Capital Expenses
- It could not be used for other educational purposes.

Mr. Bonin went on to explain for the Board of Education to transfer up to 2% of their year-end budget surplus for *Future Educational Expenses* that a new *Non-Lapsing Fund* would need to be set-up.

Councilor Garica-Irizarry questioned the process going forward if they cancelled the 1988 *“Resolution Creating a Funding Mechanism for Making Annual Appropriations to a Capital Reserve Fund for the Board of Education”*.

Councilor Ryan stated because there would be reporting requirements for Auditing purposes that it would behoove them to have some controls in-place on how the funds were expended, noting that the funds would be transferred on the Board of Education's side of the ledger.

Councilor Buhle questioned how Mayor Allyn, III and Superintendent Hartling interpreted Public Act #24-45 in relation to the Town Charter.

Superintendent Hartling stated that it was complex noting the following:

- State Law when it was in conflict with the Town Charter, supersedes. He stated the Town Charter could not override State Law.

- Town Council's February 28, 2024's action set-up a new, stand alone, *Board of Education Capital Fund for Non-Bonded Board of Education Capital Items* to reside outside of the Town's Capital Non-Recurring Fund (CNR Fund 210) (Non-Lapsing Account). Mr. Hartling stated this account already exists on the Board of Education's side of the budget ledger; and was under the authority of the Board of Education per Public Act #24-45.
- Under State Law, each year the Town Council gives the Board of Education an annual appropriation (Annual Budget). For Fiscal Year 2025/2026 the Board of Education's annual appropriation was \$40,667,242. He stated that \$40,667,242 was exclusively under the direction of the Board of Education. He explained that Public Act #24-45 stated that if the Board of Education had funds remaining at the end of the fiscal year that they could transfer those funds (up-to 2%) into the Board of Education's *Non-Lapsing Account*; without anyone telling them how to use those funds. He stated that the Board of Education has indicated that they would use the funds in the *Non-Lapsing Account for Capital Needs*.
 - *1988 "Resolution Creating a Funding Mechanism for Making Annual Appropriations to a Capital Reserve Fund for the Board of Education"* – Mr. Hartling explained that the Resolution stated that the Board of Education's year-end budget surplus would be appropriated to their Capital Non-Recurring Account to be used solely for Capital Expenses. He stated the Board of Education's current position was that the 1988 Resolution was not in-conflict with Public Act #24-45 and did not present any problem or risk to the town. He stated by keeping the 1988 Resolution in-place would require them to wait until the Annual Audit was completed before the surplus funds could be transferred to the Capital Non-Recurring Account.

Mayor Allyn, III noted Mr. Hartling's statement that "*the Board of Education has indicated that they would use those funds in the Non-Lapsing Account for Capital Needs.*" Therefore, he suggested, as was done in 1988, that the Board of Education's intention be put in writing via a Resolution or Policy to state "*that the Board of Education's year-end budget surplus would be appropriated to their Capital Non-Recurring Account*".

Mr. Hartling stated because the Board of Education's year-end budget surplus would be a one-time infusion of funding that it should not be used for on-going operational costs and should be solely used for one-time Capital Expenses. However, he stated it would be the Board of Education's decision on how to use their year-end budget surplus; noting according to Public Act #24-45 could be used for *educational purposes*. He noted Mayor Allyn's suggestion for the Board of Education to implement a Policy, stating that would be at the Board of Education's discretion.

Councilor Ryan stated that he generally agreed that State Law would supersede Local Law unless there was a caveat. He stated Public Act #24-45 included a caveat noting that it stated: "*For the Fiscal Year Ending June 30, 2024; and each fiscal year thereafter, notwithstanding any provisions of the General Statutes, or any Special Act, Municipal Charter, Home Rule Ordinance, or other Ordinance, a local Board of Education may deposit into a Non-Lapsing Account....*" Therefore, he stated the Town Charter would take precedence, which provides the Town Council the power to appropriate any non-budgeted revenues. Mr. Hartling stated the second the funds were allocated to the Board of Education during the Annual Budget Process, that those funds were a budgeted revenue. He stated that once the Board of Education has its budget that the Town Council does not get to pick what the Board of Education spend those funds on.

Councilor Ryan asked Finance Director Matthew Bonin whether the year-end budget surplus was a *non-budgeted revenue*. Mr. Bonin explained that the movement of the Board of Education's Fiscal Year 2024/2025 year-end budget surplus would take place in the Fiscal Year 2025/2026; because the prior fiscal year budget (fy 24/25) was closed. Therefore, he stated currently there was no budget to transfer those funds to. Mr. Hartling stated that Mr. Bonin was correct, in that the Board of Education does not have a mechanism, to move their year-end surplus, because the funds reside in the General Fund, noting that the Board of Education does not have access to the General Fund, noting that this was a process piece; and not a conflict with the State Law.

Councilor Ryan stated that there appeared to be some interpretation here. However, he stated that he thought what Mr. Hartling was saying was that the 1988 "*Resolution Creating a Funding Mechanism for Making Annual Appropriations to a Capital Reserve Fund for the Board of Education*" did not need to be cancelled. Mr. Hartling stated Councilor Ryan's understanding was 100% correct.

Councilor Buhle stated that based on their discussion, there does not seem to be any harm if they keep the 1988 "*Resolution Creating a Funding Mechanism for Making Annual Appropriations to a Capital Reserve Fund for the Board of Education*".

Councilor Ryan stated because Public Act #24-45 does not require the Board of Education to transfer their year-end surplus to a Capital Account, that he would agree with Mayor Allyn's suggestion that the Board of Education put in writing their intention with the adoption of a formal Resolution or Policy, etc., that they would transfer/appropriate their year-end budget surplus to their Capital Non-Recurring Account.

VOTE:

0- 3 Motion Failed

RESULT: MOTION FAILED 0 - 3

MOVER: Tim Ryan, Town Councilor

SECONDER: Carmen Garica-Irizarry, Town Councilor

AYES:

NAYES Jessica Buhle, Carmen Garcia-Irizarry, Tim Ryan

4. MOTION to recommend the Town Council authorize the Mayor to issue a "*Letter of Commitment*" to Avalonia Land Conservancy, Inc., in response to their request of \$98,000 from Account #210-101210-12101-58920 (Open Space Fund) to provide financial support/town share with the acquisition of 173-175 Stoddard's Wharf Road, 30.30+/- acres of Open Space; to be payable to Avalonia Land Conservancy, Inc, Seller or closing law firm at the time of the closing.

Moved by Councilor Garcia-Irizarry, seconded by Councilor Ryan

Discussion: Avalonia Land Conservancy President Main, attending remotely via Zoom, noted at a Special Town Meeting held on November 12, 2025 the townspeople approved to transfer 19 Avery Hill Road Extension, known as the "*Kettle Hole*" to Avalona Land Conservancy. He stated acquiring 173-175 Stoddard's Wharf Road would be all the land surrounding the Kettle Hole property. He stated provided some background noting in the 1970's the State, through the use of some Federal Funding, preserved Glacier Park on Whalehead Road and the Kettle Hole Property. He noted that since that time Avalonia

Land Conservancy has been working to acquire these parcels for conservation, stating that it would also tie into the Pfizer Property (154 Stoddards Wharf Road), which the Town assisted Avalona Land Conservancy to acquire last year with an allocation from their Open Space Fund. He stated all these properties would eventually tie into the Tri-Town Trail, noting that Groton Utilities has provided funding to create a parking area at the Pfizer Property, which was across the road from Stoddards Wharf Road. He stated that Avalonia Land Conservancy applied for; and received an Open Space and Watershed Land Acquisition (OWSA) Grant in the amount of 65% noting that the requested \$98,000 would pay for the balance to acquire these parcels. He thanked Mayor Allyn, III and the Town Council for their support. He stated through private donations that Avalonia Land Conservancy would be paying for the necessary surveys and other required documentation.

Mayor Allyn, III noted as Mr. Main mentioned that the acquisition of these parcels would get them closer to connect to the Tri-Town Trail. He stated that work was currently being done to continue the connectivity to bring the trails to the Thames River. He stated the funding level in the Open Space Account had an unencumbered balance of \$476,702.95. He stated with the commitment of \$98,000 for the acquisitions of 173-175 Stoddard's Wharf Road and \$80,000 for 1069 Colonel Ledyard Highway (Item # 5; see below) it would leave a balance of \$298,702.95 in the town's Open Space Fund. He stated the Open Space Fund grows by about \$50,000 annually from the conveyance of real estate property. He noted in accordance with Ordinance #200-009 "*Ordinance Providing for the Transfer of Revenue from the Real Estate Conveyance Tax to the Park and Recreation Capital and Non-Recurring Expense Fund*":

- Forty percent (40%) of the money received from the Real Estate Conveyance Fees goes to the Parks and Recreation Capital and Non Recurring Expense Fund;
- Forty percent (40%) goes to the town's Capital and Non Recurring Funds, to be used only for capital/infrastructure expenses; and
- Twenty percent (20%) goes to the Capital and Non Recurring Funds for the Acquisition of Open Space.

VOTE:

2 – 0 Approved and so declared

Councilor Ryan left the meeting at 6:02 p.m.

RESULT: APPROVED TO RECOMMEND 2 – 0

MOVER: Carmen Garcia-Irizarry, Town Councilor

SECONDER: Tim Ryan, Town Councilor

AYES: Jessica Buhle, Carmen Garcia-Irizarry

5. MOTION to recommend the Town Council authorize the Mayor to issue a "*Letter of Commitment*" to Avalonia Land Conservancy, Inc., in response to their request of \$80,000 from Account #210-101210-12101-58920 (Open Space Fund) to provide financial support/town share with the acquisition of 1069 Colonel Ledyard Highway; 20.23 +/- acres of Open Space to be payable to Avalonia Land Conservancy, Inc, Seller or closing law firm at the time of the closing.

Moved by Councilor Garcia-Irizarry, seconded by Councilor Buhle

Discussion: Mayor Allyn, III stated that 1069 Colonel Ledyard Highway was located next to where the Tri-Town Trail begins, noting that it was a great parcel for them to acquire. He stated it was an active wildlife area, noting that across the street was the Rose Hill Wildlife Management Area, which was several hundred acres. He stated beyond this property that it runs down to the Al Clark Brook. He stated with the approval of this acquisition the Open Space Fund would have an unencumbered balance of \$298,702.95.

Councilor Buhle stated this was an appropriate use of the Open Space Funds.

VOTE:

2- 0 Approved and so declared

RESULT: APPROVED TO RECOMMEND 2 – 0

MOVER: Carmen Garcia-Irizarry, Town Councilor

SECONDER: Jessica Buhle, Town Councilor

AYES: Jessica Buhle, Carmen Garcia-Irizarry

6. Any other New Business proper to come before the Committee. – None.

X. ADOURNMENT

Councilor Garcia-Irizarry moved the meeting be adjourned, seconded by Councilor Buhle.

VOTE: **2 - 0 Approved and so declared**, the meeting was adjourned at 6:08 p.m.

Respectfully submitted,

Jessica Buhle.
Committee Chairman
Finance Committee