



TOWN OF LEDYARD
CONNECTICUT
TOWN COUNCIL

Chairman Linda C. Davis

MINUTES

LEDARD TOWN COUNCIL – REGULAR MEETING

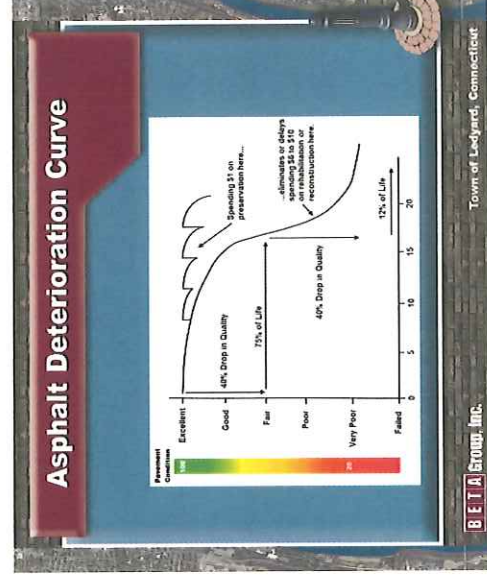
WEDNESDAY, FEBRUARY 26, 2020; 7:00 PM; COUNCIL CHAMBERS - ANNEX BUILDING

- I. CALL TO ORDER – Chairman Davis called the meeting to order at 7:00 p.m.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL – Present were Councilors Davis, Dombrowski, Marshall, Malone, McGrattan, Sabilia, Saums, Washington.
- IV. PRESENTATIONS

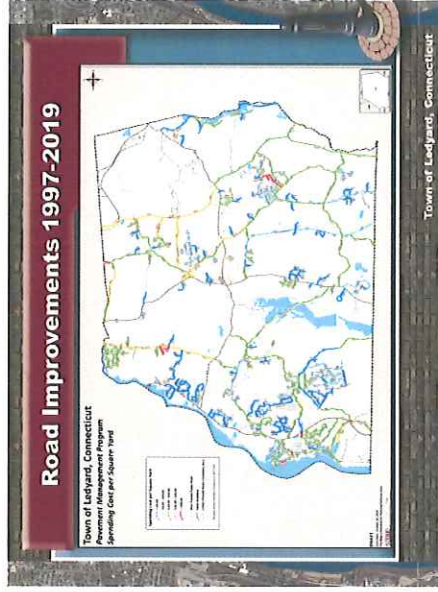
Pavement Management Update

Public Works Director/Town Engineer Steve Masalin stated he was present this evening to provide an update regarding the status of the road surface conditions in Ledyard. He stated this year the Town was scheduled for a Comprehensive Reinspection of its roads, which was conducted every three years. He provided some background noting in 2011 the Town bonded \$3.5 million to support a Municipal Pavement Management Plan that was developed with the Beta Group. He stated the initial Plan addressed about 42 miles of Ledyard's 110 miles of paved roads with treatments that included: (a) Crack Seal - 22.27 miles; (b) Cold in Place 1.23; (c) Surface Treatment - 1.72 miles; (d) Level & Overlay – 4.13 miles; (e) Mill & Overlay – 10.45 miles; (f) Reclamation 2.32. He stated as part of this process he worked with the Beta Group to develop three colored coded maps illustrating the roads and type of treatment that would be done during each year of the plan. Mr. Masalin went on to state that it has been about six years since the Town completed the road treatments using the funding that was bonded for this purpose, noting that tonight's Report would illustrate how the Town was protecting its investment.

Mr. Masalin presented a PowerPoint as follows:



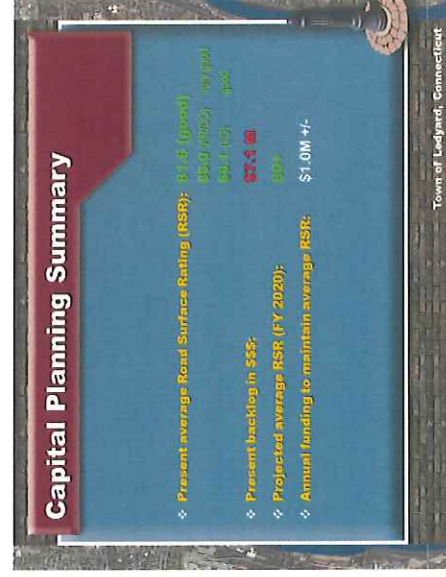
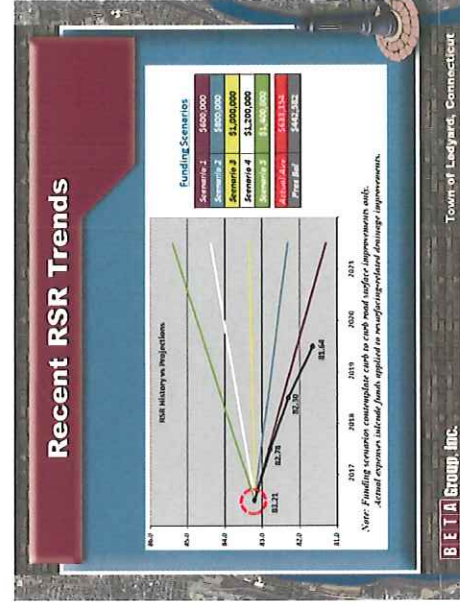
Mr. Masalin noted the Asphalt Deterioration Curve, explaining that when they apply preservation techniques that they would keep the road rating higher for an extended period of time; explaining that without preservation treatments that the road rating would deteriorate to a fair or poor category, requiring structural reclamation methods. He stated by investing to preserve the roads earlier that they would save much more in costs later.



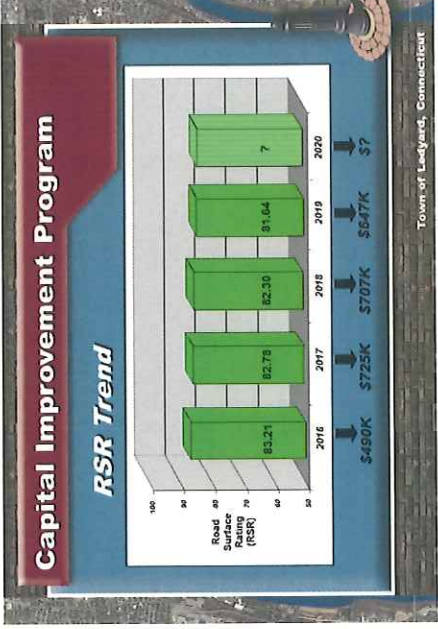
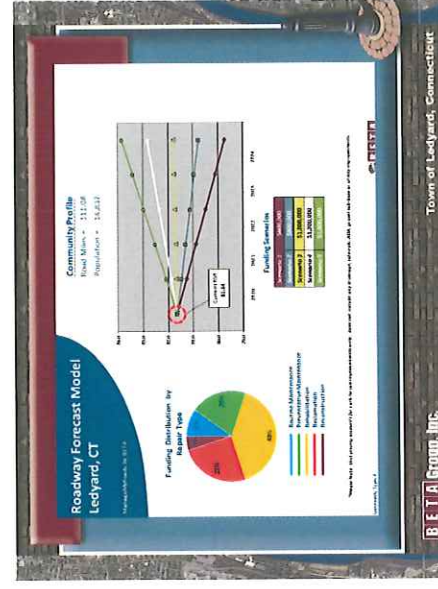
Capital Improvement Program 2016-2019 Summary of Improvements

	Miles	Cost
Crack Sealing	65.25	\$949,422
Microsurfacing	11.67	\$673,220
Overlay	3.89	\$370,067
Level and Microsurface	1.27	\$192,205
Mill and Overlay	4.38	\$738,566
Reconstruction	0.50	\$183,749
Miscellaneous		\$63,436
Combined Total	86.96	\$2,570,165

Mr. Masalin noted the color coded map above illustrated the history beginning in 1997 of the dollars spent per square miles on each road. He stated most roads were receiving some type of treatment on a rotating cycle. He stated that he was working with MIS Director Regina Brulotte to post some of the Beta Maps on the GIS System so that residents could find out information regarding their road. He noted that Crack Sealing was the least expensive cost measure, however, it was the most important treatment to expand the road lifespan. He stated the dollars spent on each of the road treatments in the Capital Improvement Program slide above showed that the Town was balancing its road maintenance.



Mr. Masalin noted the Town's Road Surface Rating (RSR) Trends stating in 2016 Ledyard's Average Road Rating peaked at 83+ which was after they completed spending the \$3.5 million of bond funding that was authorized in 2011. However, he stated since that time the Town has been allocating about \$633,000 annually and that its average Road Rating has declined to 81.6 explaining that an annual allocation in the amount of \$1 million was required to maintain its average 83+ Road Rating. He stated because the weather did not support their road maintenance/preservation plan last year that he had a balance of \$440,000 remaining in that account; and therefore, he would be able to get an earlier start on the road preservation work this year. He went on to state that his hope was that if they had been able to accomplish all the road preservation work that was scheduled last year that their average road rating would not have dropped as much between 2018 – 2019.



Councilor Washington questioned whether the Micro Surfacing treatments were failing in high turn areas or on straight away sections. Mr. Masalin stated where the Micro Surfacing treatment failed more quickly was in high moisture areas. He stated other areas where it failed that various things such as a plow contact may have been a related cause. Councilor Washington stated the Mastic Repair treatment was a great product.

Councilor Malone thanked Mr. Masalin for his efforts stating that they were doing a great job maintaining the roads. He noted an issue that was addressed on Ferry View Drive where the stream was causing flooding. Mr. Masalin explained in that area the corrugated pipe was failing and he explained that they found a process where they could line the pipe. Councilor Malone questioned when the town has an emergency or catastrophic failure due to flooding, frost or an accident, whether these conditions were calculated into the Road Rating and how were these repairs paid for. Mr. Maslin explained that because it would be an emergency repair that one of the options would be to pay for the repair from the road restoration funding or he could approach the Mayor and Town Council to see if they wanted to pay for the repair separately so that it would not impact the routine road work. He went on to state an emergency repair would not affect the road rating. He went on to state that the \$1 million funding budgeted for road restoration was for road surface work and that it did not include work such as drainage, catch basins, etc. He stated that he believed that Ledyard was stretching their dollars better; however, he would know more after this year's Road Inspection has been completed and the Mastic Repairs have been done.

Chairman Davis thanked Mr. Masalin for his informative Pavement Management Update Report this evening and for his quick response when she sends him questions that come up on Social Media.

- Board of Education Fiscal Year 2020/2021 Budget

Board of Education Chairman Anthony Favry stated this was his fourth year preparing an education budget for the town and that it was also Superintendent Hartling's fourth year since he joined Ledyard. Mr. Favry went on to state that he continues to appreciate the partnership with the Town Council and its Finance Committee with regard to the annual budget process, which included some joint meetings. He stated the Board of Education has drastically changed their budget approach and its preparation overall during the past four years. He reviewed the Board of Education's budget process noting that their focus has been to align the budget with their adopted *Strategic Plan* ensuring that they offer the same programs to their students and meet their enrollment needs.

Mr. Favry noted that Superintendent Hartling presented a proposed Fiscal Year 2020/2021 Budget to the Board of Education's Finance Committee, who held multiple meetings, before presenting a proposed budget to the full Board of Education. He stated on February 5, 2020 the Board of Education held a meeting that was open to the public and provided residents an opportunity to ask questions, provide comments and recommendations regarding the proposed education budget. However, he stated as in the past, the Board of Education unfortunately did not receive much involvement from the public. He stated all of the Board of Education's Budget documentation, including Frequently Asked Questions (FAQ) were posted on-line at Ledyard.net. Mr. Favry stated the Board of Education adopted the Superintendent's proposed Fiscal Year 2020/2021 Budget with no alterations, noting that it fully aligned to the Board of Education's *Strategic Plan* and the broader needs of the District. Mr. Favry deferred to Superintendent Jason Hartling to present the proposed Fiscal Year 2020/2021 Education Budget.

Superintendent Jason Hartling stated the Board of Education's proposed 2020/2021 Budget was in the amount of \$33,189,420. This was an increase of \$640,851 or 1.97% above the current year's \$32,548,569 education budget. Mr. Hartling addressed the importance of Ledyard's *Strategic Plan*, which was to make sure every student reached their unlimited potential. He noted that there was a lot of work to be done and he thanked the Board of Education and the Town Council for their continued support.

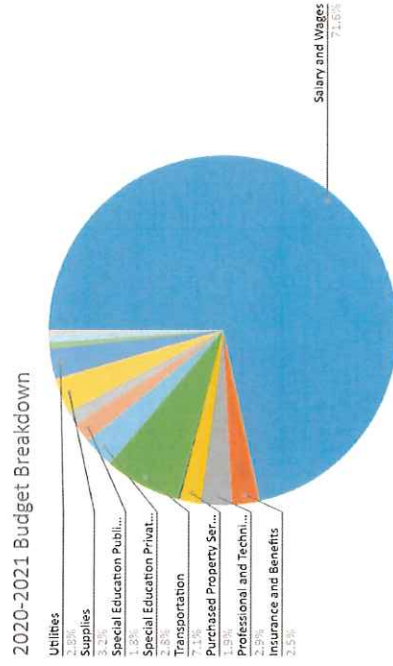
Mr. Hartling provided an overview of the Board of Education’s budget process as follows:

- October – Held initial meetings with each of the Schools’ Principals:
 - Developed a *Request List* for each Principal.
 - Followed up with a series of meetings with the Principals to prioritize expenses.
- Critical Needs, Strategic Plan, etc. This resulted in color coding the expenses:
 - Green – Include in the proposed budget.
 - Yellow – Not included in the proposed budget, but were under consideration.
 - Red – Not included in the proposed budget and were forwarded to the following years.
- December – Mr. Hartling and Director of Finance and Human Capital Rachel Moser reviewed the proposed budget again to look for savings. This involved conducting analysis to determine anticipated savings in areas such as:
 - Solar panels
 - New Copiers
 - Maintenance

Mr. Hartling presented a PowerPoint highlighting areas of the Fiscal Year 2020/2021 Education Budget.

Mr. Hartling reviewed the Budget Breakdown as follows:

- Salary & Wages 71%. Contractual Agreements increase costs were about \$500,000.
- Insurance & Benefits 2.5% - This does not include Healthcare Benefits for employees. The Board of Education’s Healthcare Insurance costs was on the General Government’s side of the ledger.

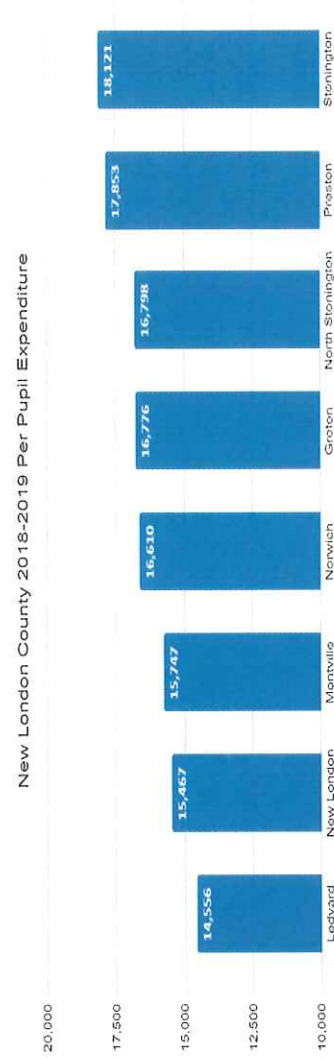


- Modest Electrical expense savings of \$40,000 for the solar panels on the Middle School and Gallup Hill School.

The increase in student enrollment over the past three years, mainly at the elementary level and within the special education population, has necessitated staffing adjustments.

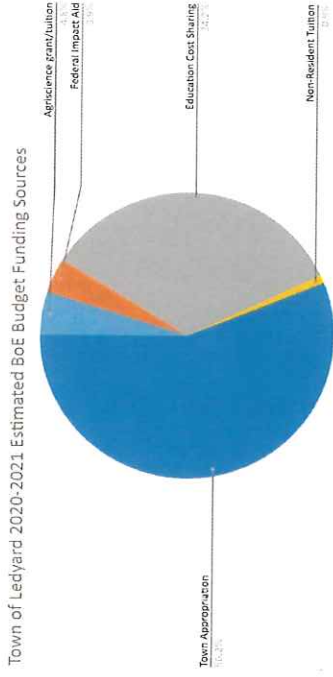
- In the last three years, increased Federal Impact Aid has added a total of \$2,045,091 in unbudgeted revenue to the town’s budget.

Ledyard’s Per Pupil Expenditure currently ranks 156 out of 166. Ledyard’s Per Pupil Ranking has declined from 118 in 2016. The lower the number the better the ranking. Ledyard’s Per Pupil Expenditure was inclusive of all spending such as healthcare insurance costs and *In-Kind* services provided by the General Government. In 2018-2019 school year Per Pupil Expenditure cost to educate Ledyard students was \$14,940. The state average Per Pupil Expenditure was \$18,791.



Mr. Hartling presented the Board of Education's Projected Funding Sources as follows:

- 56% Town Appropriation
- 34.2% Education Cost Sharing
- 3.9 % Impact Aid
- Agri-Science 4.8%
- 0.9% Non-Resident Tuition



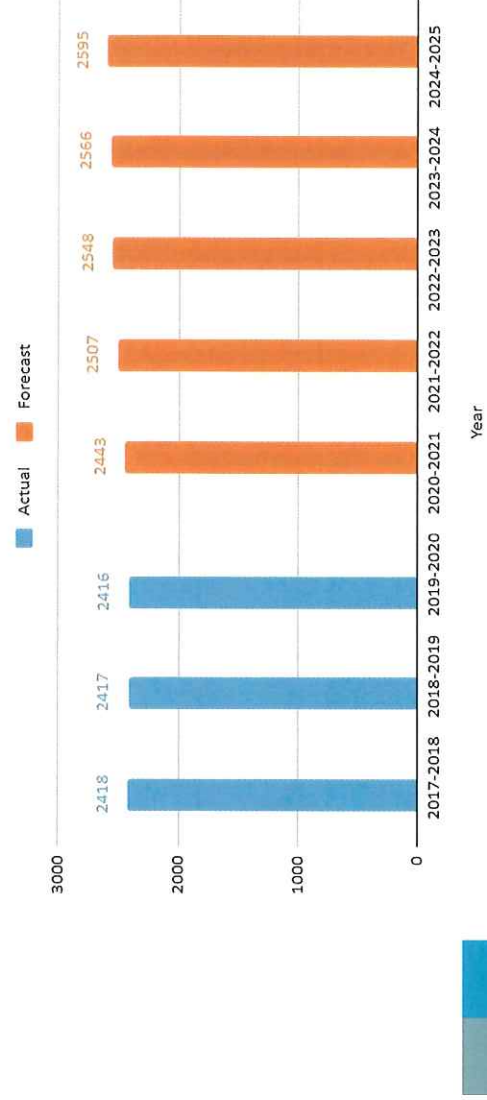
State of Connecticut/Federal Revenues

	Town's Budget 2017-18 (MUNIS)	Actual 2017-18	Town's Budget 2018-19 (MUNIS)	Actual 2018-19	Town's Budget 2019-20 (MUNIS)	Superintendent Proposed 2020-21
FPL 503	\$500,000	\$920,350	\$700,000	\$1,666,770	\$700,000	\$1,300,000
Agri-Science & Operating	\$709,151	\$638,309	\$570,736	\$790,062	\$570,736	\$695,736
Education Cost Sharing	\$8,115,136	\$10,366,665	\$10,418,444	\$11,674,207	\$10,418,444	\$11,350,278
Total	\$9,324,289	\$11,945,324	\$11,689,180	\$14,131,039	\$11,689,180	\$13,346,014

Tuition Based Revenue

	Actual 2017-18	Actual 2018-19	Town's Budget 2019-20 (MUNIS)	Superintendent Proposed 2020-21
Non-Resident Tuition	\$100,789	\$169,951	\$199,615	\$221,000
Non-Resident Tuition(\$)	\$76,944	\$63,354	\$50,000	\$75,000
Agri-Science Tuition	961,393	\$878,120	\$989,335	\$910,000
Total	\$1,141,126	\$1,131,425	\$1,239,150	\$1,206,000

Mr. Hartling addressed Enrollment noting that the projections, which were based on birth rates, show that Ledyard's student enrollment will increase by 6% over the next five to six years as follows:



- Estimated 5 teachers will be retiring, and the Board would experience some savings because the five teachers would be replaced with teachers coming in at lower salary tiers.
- 4.5 positions have been added due to increasing needs and increasing enrollment as follows:
 - 2 full-time math interventionists; one at Gales Ferry/Juliet Long School and one at Gallup Hill School.
 - 1 full-time health teacher at the Middle School.
 - 1 full-time Special Education Teacher in the Gales Ferry School High Needs Program.
 - Part-time English Language Tutor to one full-time teacher, which would be shared and partially paid for by the Title I Grant. The number of students requiring English language support has increased from 7 – 30 students.

Mr. Hartling stated Gallup Hill School receives about \$270,000 from Federal Title I Funding to help support education programs in higher poverty schools. He explained Title I was based on the number of students at the poverty level and school readiness. Therefore, he stated that there would be a difference in funding at that schools explaining that staff was allocated based on the needs of the school and that things were done on an equitable distribution, not “*everyone gets the same*”. He stated that they would continue to monitor the schools’ needs.

Mr. Hartling went on to note that the District’s student body profile has continued to change noting that their free/reduced lunch has increased from 18% in 2016 to 30% this year. He stated for a small School District that Ledyard had a growing population of students who require additional support and he noted the following has been included in the upcoming year’s budget:

- Continuing Wilson Foundations Training (foundational literacy skills)
- 1 full-time Literacy Paraprofessional at Gales Ferry School
- 1 Paraprofessional adjustment in hours for High Needs/Social Emotional Programs.

Mr. Hartling stated although the Board of Education’s budget has increased each year, that Ledyard’s education funding stream has grown less than other municipalities in the State on a Per Pupil Expenditure rate because Ledyard’s enrollment numbers have increased. He noted as an example that last year the third-grade class increased by 24 new students, which necessitated the addition of one third-grade teacher. He explained that it was difficult to project class sizes and manage the enrollment with the fluctuating pieces.

Mr. Hartling concluded his presentation noting that the Board of Education’s proposed 2020/2021 Budget was in the amount of \$33,189,420. This was an increase of \$640,851 or 1.97% above the current year’s \$32,548,569 education budget.

The Town Council and Mr. Hartling discussed the following:

- Class Size – Mr. Hartling stated the Teachers’ Contract was the only place where class size was addressed. He stated that he would like to see their Kindergarten to Grade 2 at 21 students or lower if possible. He stated for Grades 3 – 5 between 23 – 25 students; however, during the past few years they have seen some class sizes spike to 29 students.
- Residency Verification Program – Mr. Hartling stated this program was to make sure the citizens of Ledyard were paying for citizens of Ledyard to attend Ledyard schools. He stated the Board of Education has been using a part-time Investigator to follow-up on cases that were brought to the Central Office’s attention. He stated during the past four years about 40 students have been removed from attending Ledyard’s Public Schools for falsification. He explained that there were some misnomers noting that some people think that because they own property in Ledyard and pay taxes that they can shuttle their children into town to attend Ledyard schools. However, he stated that the child has to sleep in Ledyard and be a resident of Ledyard to attend their schools. He stated that this was an on-going and challenging effort. He stated people want to do the best for their children and they want them to attend Ledyard’s schools. However, he stated that he has to abide by Board’s Policies and the expectations of the Town. He stated because they get to know the kids that it was a painful process to remove the kids from the District.

Chairman Davis thanked Mr. Favry and Mr. Hartling for presenting the Board of Education’s proposed Fiscal Year 2020/2021 Budget this evening. She stated that she looked forward to seeing them again as the Town moved through the Annual Budget Process.

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

Mr. Robert Burnett, 61 Church Hill Road, Ledyard, addressed the “*Ordinance Regulating Short-Term Rentals in the Town of Ledyard*” that the Town Council would be acting on later this evening. He thanked the members of the Town Council for the substantial amount of time and energy they devoted to the subject of Short-Term Rentals and for considering all the pro’s and con’s in drafting the proposed Ordinance. He stated that he believed that the proposed Ordinance has done a great job to address the “Party House” problem and that he hoped in two-years from now that Ledyard would no longer have a “Party House” problem and that they would have moved forward to recognize the benefits of having Short-Term Rentals in town. He noted the Southeastern Connecticut Council of Governments (SCCOG) Whitepaper stated: “*that were benefits primarily economic in nature that could be obtained by communities*”. In addition, The Morton School of Business notes that “*Governments would derive substantial benefits for their economies and their communities.*” Mr. Burnett stated over the next two-years that Ledyard might decide that these economic benefits were not worth the trouble of the Short-Term Rentals for various reasons; or that Ledyard might want to promote and facilitate Short-Term Rentals as something that was economically beneficial for the town as a whole. He stated with Ledyard being centrally located in the Mystic Coast & Country Area that he believed there was a lot of potential. He questioned in two-years what would be the most efficient way for all parties to present their concerns and solutions to the Town Council regarding the Short-Term Rental process. He noted as an example should there be presentations or discussions with the Land Use/Planning/Public Works Committee or Administration Committee; or that perhaps this topic would warrant its own Short-Term Rental Commission, who could then make a presentation to the Town Council. He stated based on the proposed Ordinance, as written, that he was going to have to transfer the ownership of one of his two properties to his Daughter, and he noted the gift tax, conveyance tax, the accountant or lawyer fees would not benefit him or the town. Therefore, he stated that he hoped that maybe they could be *Grandfathered-in*.

Mr. Steve Fagin, 63R Long Pond Road, Ledyard, thanked the Town Council for the amount of time they spent addressing the proposed “*Ordinance Regulating Short-Term Rentals in the Town of Ledyard*” and he urged them to approve the Ordinance later this evening. He stated the proposed Ordinance was not perfect, but that it would satisfy some of the concerns that neighbors have had.

Mr. Timothy Mullane, 4 Buttercup Lane, Gales Ferry, stated he wished they had more time to look at the issue of Short-Term Rentals, noting that he found the proposed “*Ordinance Regulating Short-Term Rentals in the Town of Ledyard*” at 5:00 p.m. this afternoon when someone posted it on the internet. He questioned whether tonight’s meeting would decide if the proposed “*Ordinance Regulating Short-Term Rentals in the Town of Ledyard*” would be final. Chairman Davis stated that the Town Council would be voting on the proposed *Ordinance Regulating Short-Term Rentals in the Town of Ledyard*” later this evening. Mr. Mullane stated he lived across the street from a property on Bittersweet Drive and that he has seen Short-Term guests start to arrive around 1:00 p.m. on a Friday afternoon and that it builds up and was a party all weekend. He stated it was a 45 foot Ranch style house with three bedrooms but they advertise room for 20 people, with multiple beds in each room. He stated the property could park about 15 cars, however, the parking overflows onto Bittersweet Drive and up onto Buttercup Lane. The parking hinders emergency vehicles, and it puts children in harms way and that trash/litter was a problem and that this activity pulled down the value of the homes across from the property. He stated that he did not believe that much thought has gone into the drafting of the proposed Ordinance. Chairman Davis stated the Bittersweet Drive property that Mr. Mullane was expressing concerns about was talked about at length during the September 25, 2019 Public Hearing. Mayor Allyn stated because of the parking and excessive noise at that Bittersweet Drive property that it was being addressed thru action by the Police Department. He stated the proposed “*Ordinance Regulating Short-Term Rentals in the Town of Ledyard*” would address Mr. Mullane’s concerns regarding occupancy noting that only two adults were permitted per bedroom. Mr. Mullane addressed the septic systems, noting that the system could not be adequate with the amount of rental activity the house was having. Chairman Davis stated the

septic system would be addressed by Ledge Light Health District. She stated that the Building Official or Ledge Light Health District would know whether the septic system has been expanded. Mayor Allyn stated if the septic system failed that the onus to replace the septic system would be on the property owner. He stated if the house was not inhabitable because of the septic system that it would be shut down. Councilor Ingalls explained that the rental occupancy would be limited to two people per bedroom, age 12 and older. Therefore, she stated per the proposed Ordinance that it would not permit the owners of a three-bedroom house to rent it to 16 adults. She continued by noting Mr. Mullane's comment that the Town Council did not give the proposed Ordinance much thought and she questioned whether he had an opportunity to read the proposal. Mr. Mullane noted that he glanced at the proposed Ordinance this evening. Councilor Ingalls encouraged Mr. Mullane to read the proposed "*Ordinance Regulating Short-Term Rentals in the Town of Ledyard*" stating that the proposed document was written to prevent the issues that Mr. Mullane discussed this evening. Chairman Davis thanked Mr. Mullane for his comments, noting that they appreciated his opinion. She explained the difference between an Ordinance and the Town Charter was that an ordinance can be changed or rescinded in a month from now should they find that it was not working for the Town. Whereas it could be years before they could correct something in the Town Charter. She went on to state that this initiative was a two-year process which amassed a lot of background information along with hours of hours of public comments and many letters from residents that were considered in drafting the proposed Ordinance. She concluded by stating the proposed Ordinance would address a lot of Mr. Mullane's concerns.

Mr. Mullane noted an article headline that read "*Air BNB Not Allowed in Ledyard*" and he expressed concern that the Town was not living up to this article and that they were doing a poor job protecting the taxpayers. Councilor Dombrowski reviewed the news article that Mr. Mullane presented and he explained the Town's Land Use Staff and a legal opinion found that because of the way Air BNB's operated, that they would fall outside of the Zoning Regulation;) and therefore, they could not get a Zoning Permit. He stated the article that was published in the newspaper stated just that. He went on to note that this was the same opinion that came out of the Southeastern Connecticut Council of Governments (SCCOG).

VI. COMMITTEE COMMISSION AND BOARD REPORTS - None.

VII. COMMENTS OF TOWN COUNCILORS

Councilor McGrattan reported that the Census Committee held an Informational Session at the Bill Library on February 19, 2020 at which thirteen people attended. She stated fifteen people submitted applications to be a Census Worker, and that there was still ten positions that need to be filled in Ledyard for anyone interested in a temporary job, noting that the jobs were paying \$23.00 per hour. She stated the Census Committee was planning a Census Day that would be held at the Library sometime in April. She stated every household would be receiving a letter from the Census Bureau around March 12, 2020.

Councilor Saums announced that Ledyard High School Senior Elizabeth Jantzi placed first in the Voice category at the Annual Musical Club of Hartford High School Performance Competition in voice performing the "he Piper" by John Duke and Mozart's "Das Veilchen". He stated that Ms. Jantzi also placed third in the piano competition performing Bach's "French Suite No. 2 in C Minor". He congratulated Ms. Jantzi noting that he had the privilege to see Lizzy perform at Saint Luke's stating that she was a stunning performer.

Councilor Ingalls stated that she wanted to address the political sign that posted in Ledyard a few weeks ago and was a topic of discussion at the Town Council's February 12, 2020 Meeting. She stated the following was her comments, noting that Chairman Davis would be sharing a Statement that was co-written and endorsed by the Town Council; however the following were her own additional thoughts about the political sign and the swastika.

"Mayor Fred has shared details about the display of a political sign, later tagged with a spray-painted swastika, the symbol of the Nazi party. For so many reasons, it's despicable. During the holocaust, Nazis targeted for extermination Gypsies, Poles, the mentally and physically disabled, homosexuals, Jehovah's Witnesses, and especially Jews. In our present political context, the swastika has been co-opted as an anti-Trump symbol, used to label the

US President a Nazi, tag Trump signs and vandalize the property of people hosting them. This current trend provides critical context to the recent episode in Ledyard. I personally suspect this particular act was not meant to be anti-Semitic. Given the context, it seems more likely this message was meant to be anti-Trump. To be perfectly clear, either way, it is unacceptable.

One person who initially expressed concern about the swastika later realized that in this case, it was probably anti-Trump. And this highlights the reason it's a really bad idea to let emotions get the best of us. How awful for our town's reputation to involve the news media, highlight the rotten behavior of a few bad actors, declare our town racist, and only then realize the leading narrative was wrong! Can we slow down at least long enough to gather evidence and context? I object to the accusation that anyone was trying to sweep the event under the rug. The point is that this episode was carried out by a couple of bad actors who DO NOT represent the character of our community. Why give them a public platform? Why should the lousy behavior of a couple of people smear our collective reputation?

If folks are genuinely concerned about hateful messaging, let's commit NOT to policing everyone else's speech, but our own. It feels good to scold and shake a self-righteous fist at others, but it's much more challenging to muster the humility and courage to look in the mirror.

Of course, there is 'hate' in Ledyard. It's here because you and I live here. Hate is part of the human condition and, yes, we should counter it. But hate isn't 'out there' somewhere vague. It's personal and it looks like something. Sometimes it's obvious, like spray painting a swastika. Sometimes it's less brazen like recklessly calling one's opponent a nasty name instead of presenting a cogent argument. It's in judging another's motives, accusing them of the worst, while excusing ourselves from the hassle of understanding their perspective. It's dripping from the condescending tone used to let that person know they are unworthy of courtesy or respect. It's the string of dehumanizing insults that many these days mistake for wit.

Of course, there is lots of love in Ledyard, too. It's here because you and I live here. Love is also part of the human condition and, yes, we should promote it. Love isn't 'out there' somewhere vague. It's personal and it looks like something. It looks like:

- the people who volunteer to coach our kids sports teams;
- the donors and volunteers who help feed our hungry neighbors and who make sure our kids have proper seasonal clothing, shoes and coats;
- the churches that joined forces to help neighbors in financial crisis;
- a little girl who presented cupcakes to leaders all over town just to spread some cheer;
- residents, young and old, who pick up trash and nip bottles by the thousands off the sides of our roads;
- the folks who donated and planted hundreds and hundreds of daffodil bulbs to beautify our town. They'll bloom in mere weeks – look for them.
- Love looks like the prayers prayed, meals made, and encouraging words offered to lift others.

This is the overwhelming character of our community. Maybe somebody should call the news.

Two quick shout-outs then I'll stop. First, thank you to Linda Davis for actively shutting down nastiness by disallowing vulgarity and insults on the Ledyard Community Forum. Few people actually stand up to it the way she does on a regular basis. Ironically, she is despised by some for this very reason. Second, thank you to Bill Saums for setting an example by going out to coffee with an ideological challenger. In his own words, "...planned coffee next month with a new friend! A: *We can argue publicly on FB, or B: sit down and really understand each other in person. I like B.*"

Our town has a better story to tell. I hope those who are concerned are sincerely concerned enough to pause in the mirror; then take an opponent out for coffee and re-humanize them eye to eye, heart to heart, voice to voice."

Chairman Davis stated that last week she sent an e-mail to the Town Council asking them for input for a public statement. She stated that she received comments from most of the Councilors and that she has worked them into a Statement. She stated that she believed that those who provided input would find their comments woven into the following Statement:

“The Ledyard Town Council strongly condemns the use of the swastika and any racist symbols as hateful actions. Regardless of their intent, these symbols are unacceptable to each of us. Additionally, we recognize an individual's protected right of free speech and decry the desecration of anyone's property or beliefs. The Ledyard Town Council stands together in denouncing any racist acts and encourages immediate reporting of such actions to the Ledyard Police. Advancing these actions on social media only serves to widely promote a hateful message and could also hinder proper investigation of these actions.

Understanding there is work to be done in every community, the Ledyard Town Council encourages all of its citizens to reflect on the lessons of history, and to engage in respectful dialog with each other, rather than rhetoric, anger, and further promulgation of such destructive and divisive acts which are an affront to all of us.”

VIII. REVIEW AND APPROVAL OF PRIOR MEETING MINUTES

MOTION to approve the following:

Public Hearing Minutes of February 12, 2020

Regular Meeting Minutes of February 12, 2020

Moved by Councilor Dombrowski, seconded by Councilor Marshall
9 – 0 Approved and so declared

VOTE:

IX. COMMUNICATIONS

Chairman Davis stated a Communications List has been provided and can be found on iCompass portal and she noted the referrals listed.

Chairman Davis noted that she would forward an e-mail dated February 26, 2020 from the Tri-Town Trail Association to the Town Council Office; and she referred the communication to the Land Use/Planning/Public Works Committee.

COMMUNICATIONS LISTING FOR FEBRUARY 26, 2020

INCOMING CORRESPONDENCE

1. Mayor ltr dated 2/25/2020 to McHale re: Social Services Board Dissolved – Members Released
2. Mayor ltr dated 2/25/2020 to L. Allyn re: Social Services Board Dissolved – Members Released
3. Mayor ltr dated 2/25/2020 to Strout re: Social Services Board Dissolved – Members Released
4. Mayor ltr dated 2/25/2020 to Anderson re: Social Services Board Dissolved – Members Released
5. Mayor ltr dated 2/25/2020 to Dykes re: Social Services Board Dissolved – Members Released
6. Mayor ltr dated 2/25/2020 to Duzy re: Social Services Board Dissolved – Members Released
7. Mayor ltr dated 2/25/2020 to Hall re: Social Services Board Dissolved – Members Released
8. Board of Education ltr dated 2/14/2020 re: Proposed Facilities Projects – Juliet W. Long & Ledyard High School
9. DTC Appointment Application dated 2/21/2020 re: P. Hary to Farmers' Market Cmt
10. DTC Appointment Application dated 2/20/2020 re: Buhle to Ledyard Beautification Cmt
11. RTC Appointment Application dated 2/20/2020 re: Thorne to Farmers' Market Cmt
12. Cemetery Cmt & DTC ltr dated 2/20/2020 re: Endorse Reappointment of Cemetery Cmt Members

13. Mayor e-mail dated 2/24/2020 re: Ms. Gray withdrew Appointment Application – Senior Citizens Commission
14. Tri-Town Trail Association e-mail dated 2/26/2020 re: Application Process – Joe Brook Bridge – North & Trail Construction

OUT GOING CORRESPONDENCE

1. Admin Asst ltr to Mayor dated 2/13/2020 re: Action ltr. Town Council Meeting February 12, 2020
2. LTC ltr dated 2/13/2020 to Wadecki re: Reappointed to Pension Board
3. LTC ltr dated 2/13/2020 to Panosky re: Reappointed to Pension Board
4. LTC ltr dated 2/13/2020 to Duzy re: Reappointed to Housing Authority
5. LTC ltr dated 2/13/2020 to Duzy re: Corrected Waterhouse Housing Authority Term
6. LTC ltr dated 2/13/2020 to Juskiewicz re: Reappointed to Permanent Municipal Building Cmt (PMBC)
7. LTC ltr dated 2/13/2020 to Schneider re: Reappointed to Permanent Municipal Building Cmt (PMBC)
8. LTC ltr dated 2/13/2020 to Jones re: Reappointed to Water Pollution Control Authority (WPCA)
9. LTC ltr dated 2/13/2020 to Juber re: Reappointed to Water Pollution Control Authority (WPCA)
10. Admin Asst ltr dated 2/13/2020 to Land Use Director re: Road Widening Strips Vinegar Hill Road, Long Cove Road & Open Space 79 Vinegar Hill Road (102.25 acres)
11. Admin Asst ltr dated 2/13/2020 to Town Clerk re: Extend Ordinance extend Archery Hunting on Certain Town Owned Lands for one-year; in accordance with provisions in Ordinance #100-018 "*An Ordinance Providing Archery Hunting on Certain Town Owned Lands*".
12. Admin Asst ltr dated 2/13/2020 to Board of Ed re: Additional 2020 ASTE Grant Funding

NOTICE OF AGENDAS

1. Permanent Municipal Building Cmt Agenda 2/3/2020
2. Zoning Board of Appeals Agenda 2/19/2020 - Cancelled
3. Pension Board Agenda 2/18/2020
4. Senior Citizens Commission Agenda 2/22/2020
5. Historic District Commission Agenda 2/24/2020
6. Library Commission Agenda 2/24/2020
7. Water Pollution Control Authority Agenda 2/25/2020
8. Finance Cmt Agenda 2/19/2020 – Cancelled
9. Finance Cmt Sp. Agenda 2/26/2020
10. Town Council Sp. Agenda 2/26/2020
11. Town Council . Agenda 2/26/2020

MINUTES

1. Permanent Municipal Building Cmt Minutes 2/3/2020
2. Pension Board Minutes 1/21/2020
3. Senior Citizens Commission Minutes 1/22/2020
4. Historic District Commission Minutes 1/27/2020
5. Library Commission Minutes 12/16/2019
6. Water Pollution Control Authority Minutes 1/28/2020
7. Finance Cmt Minutes 2/5/2020; Sp. Joint Minutes 2/6/2020; Sp. Minutes 2/12/2020
8. Town Council Public Hearing Minutes 2/12/2020
9. Town Council Minutes 2/12/2020

REFERRALS

Administration Committee

1. DTC Appointment Application dated 2/21/2020 re: P. Hary to Farmers' Market Cmt
2. DTC Appointment Application dated 2/20/2020 re: Buhle to Ledyard Beautification Cmt
3. RTC Appointment Application dated 2/20/2020 re: Thorne to Farmers' Market Cmt
4. Cemetery Cmt & DTC ltr dated 2/20/2020 re: Endorse Reappointment of Cemetery Cmt Members
5. Mayor e-mail dated 2/24/2020re: Ms. Gray withdrew Appointment Application – Senior Citizens Commission
6. Tri-Town Trail Association e-mail dated 2/26/2020 re: Application Process – Joe Brook Bridge – North & Trail Construction

X. COUNCIL SUB COMMITTEE, LIAISON REPORTS

Administration Committee

Councilor Ingalls noted that the Administration Committee has a number of items on tonight's Agenda, including the proposed "*Ordinance Regulating Short-Term Rentals in the Town of Ledyard*".

Finance Committee

Councilor Saums stated the Finance Committee held a Special Meeting at 6:00 p.m. earlier this evening, and he noted those action items were on tonight's Agenda. He announced the upcoming Fiscal Year 2020/2021 Budget Schedule as follows:

- March 5, 9, 12 Finance Committee Budget Work Session with Department Heads & Committees starting at 1:00 p.m.
- April 27, 2020 Public Hearing proposed Fiscal Year 2020/2021 Budget
- May 18, 2020 Annual Town Meeting – Fiscal Year 2020/2021 Budget
- May 19, 2020 Town-wide Referendum Fiscal Year 2020/2021 Budget

Councilor Saums stated all these meetings were open to the public and residents were encouraged to attend.

Councilor Malone stated the Budget Work Sessions were a good opportunity for residents to see how the annual budget process worked and to learn about how their tax dollars were being allocated. He stated that all the information regarding projected revenues and projected expenses would be available to the public during the work session meetings.

Chairman Davis stated that the Town Council recognizes that some members of the public cannot attend meetings during the day. However, she explained the reason the Budget Work Sessions were held during daytime hours was because the Finance Committee would be meeting with Town Employees.

Land Use/Planning/Public Works Committee

Councilor Dombrowski stated the LUPPW Committee has not met since the last Town Council Meeting.

Historic District Commission

Councilor Saums stated the Historic District Commission met on February 24, 2020 and discussed the following: (1) Donations continue to come in for the Historic District, and budget expenditures were on track at 69% Year to Date; (2) Up-Down Sawmill - Commissioner Jim Sweet Chairs the Up Down Sawmill Committee, and will be moving to Maine. Mr. Sweet would be sorely missed; (3) The Nathan Lester House Driveway – Nathan Lester House Committee was rethinking the Lester House driveway to relieve congestion and driver confusion. He stated the refiguration of the driveway would allow overflow parking to access the lower field. This would enable vehicles to enter and exit the

lower field at far end of the driveway exit, rather than in front of the house; (4) Nathan Lester House Hours – The hours were extended into October 2019, which brought more traffic to the property overall. Since 95% of the visits occur on weekends, and there were very few visits on Tuesdays and Thursdays, the house would no longer be open on weekdays for tours, but that folks could call ahead and make an appointment for a tour during the week. Going forward the Lester House would now be open into October to extend the season; (5) Woodshed Door - A new white oak door made by Chairman Vin Godino was hung on the woodshed at the Nathan Lester House.

Water Pollution Control Authority

Councillor Saums stated the WPCA met on February 25, 2020 and addressed the following: (1) Waste Water Treatment Facility SCADA System - Xylem Controls continues to correspond with Fuss & O'Neill regarding payment for the work they did not complete on the Supervisory Control and Data Acquisition (SCADA), with the latest letter in the thread dated February 6, 2020; (2) Loftus Wellfield Abandonment - The WPCA received three bids to complete the abandonment of the Loftus Well Field, and voted to award the bid to the lowest bidder for \$7,100; (3) Fiscal Year 2020/2021 Budget - The WPCA continued reviewing water and sewer budgets; (4) Rate Increase - Groton Utilities has notified the WPCA that it has applied for a rate increase in October 2020 and 2021. Groton Utilities (GU) assured the WPCA that recent legal costs incurred by the power utility would not affect water costs, because the departments were separate. The WPCA would be submitting its Fiscal Year 2020/2021 Budget based on current water costs because the water rate increase from GU has not been set or approved. If approved, an increase in water charges would also affect the sewer rate, because it is set at a fraction of the water rate. GU would be asking for a 4-5% rate increase, which will translate to a 2% increase for Ledyard customers. Since the rate increase would not go into effect until October 2020, and if it's approved, the net difference in the current year budget for Ledyard would equal 0.5%. Because the WPCA would have to apply for its own rate increase, the WPCA voted to submit the water budget as is, for a total of \$895,575.70. The increase to the bottom line was about \$4,000, and there was time to adjust the final budget pending receipt of further information; (5) Ledyard Center Sewer Feasibility - The WPCA voted to request the Town Council approve a \$15,000 capital expenditure for a Ledyard Center Sewer Feasibility Study to update previous studies that were conducted by Weston & Sampson in 2006 and later studies by the Maguire Group to accommodate a new private development at 740 Colonel Ledyard Highway and 26 Iron Street.

Ledyard Beautification Committee

Chairman Davis stated last fall the Beautification Committee planted 3,000 daffodil bulbs that were expected to come up this Spring. However, she stated they were starting to peek out with the warmer winter they have experienced this year. She stated that she was planning to have a phot contest and that she may have to start the contest early.

Ledyard Farmers' Market Committee

Chairman Davis noted that the last Winter Market of the 2020 Season was held on Saturday February 22, 2020, noting that this year's Winter Market Season was well attended. She stated the Committee was wrapping up their Winter Market activities and were turning their attention and planning for the Summer Market. She stated the Committee was accepting Vendor Applications for the Summer Market and she noted that the food trucks were very interested in Ledyard's Farmers' Market, because the word was out that *Ledyard likes to eat a lot*. She stated that the Summer Market Opening Day has been scheduled for June 3, 2020.

XI. MAYOR'S REPORT

Mayor Allyn, III, reported on the following: (1) Bottle Bill – Mayor Allyn stated Southeastern Connecticut Council of Governments (SCCOG) supported the Bottle Bill as part of their 2020 Legislative Agenda. He stated that he also supported the proposed Bottle Bill, to increase the bottle deposit/redemption from 0.05 cents to 0.10 cents. He stated it was time to change the bottle/can return refund deposits. He noted the State of Oregon increased their bottle returns in 2016 and that it increased the returns from 45% to over 80%. He stated that he hoped the State Legislature would approve the Bottle Bill this year noting that it would help clean-up their

streets; (2) Police Recruiting – Mayor Allyn stated when a police department sends a recruit to the Police Academy that there was a two-year protection clause on those recruits. He explained should a municipality decide to lure a recruit from another town that they would have to pay the town for the expenses incurred for the training, etc. He stated although being paid for the expenses that were spent training the recruit does not help the town from a staffing standpoint, that they would recover the funds to support sending another recruit to the Police Academy. However, he stated he did not know if the same process would apply if the State lured a recruit from a municipality; (3) Southeastern Connecticut Alliance Work Shop February 19, 2020 – Mayor Allyn stated Southeastern Connecticut Council of Governments (SCCOG) appointed him to the Alliance this week. He stated that he attended the Work Shop that was held at United Way in Gales Ferry noting that they discussed affordable housing and how various communities throughout the state address affordable housing options; (4) Tighe & Bond 2019 Municipal Water & Sewer Rate Study – Mayor Allyn stated that he has graphed each of the municipalities and that he would share the Report with the Town Council; (5) 2019 Grand List – Mayor Allyn noted Ledyard’s Grand List saw a slight increase of 0.47% or about \$81.5 million. The top ten taxpayers were: Eversource, Mashantucket Pequot Tribal Nation; Fox Run, Trinseo; Yankee Gas; CVS Pharmacy; Ocean State Job Lot; Ledyard Meadows (32 housing units); Stonegate Village; and U-Store It. He noted as a comparison that Ledyard’s top five taxpayers equaled about half of Stonington’s top five taxpayers. He stated if they added-up Ledyard’s top ten taxpayers on their Grand List that would equal 42% of Greenwich’s number one top taxpayer; (6) Town Green Project – Mayor Allyn stated that the underground conduits have been installed to carry electric power to the buildings at the Town Green and that topsoil has been delivered and was being spread. He explained that although there was electrical service at the Town Green that it was not weather proof and the electrical panels were outdoor and exposed; (7) Fiscal Year 2020/2021 Budget – Mayor Allyn stated the Board of Education’s Budget was delivered on Monday, February 24, 2020, in accordance with the Town Charter, and that he was on schedule to deliver the proposed Budget to the Town Clerk on Monday, March 2, 2020; (8) Economic Development Summit March 19, 2020 - 5:30 p.m. – 7:30 p.m. Mayor Allyn stated *Advanced CT* sent an invitation to the Town Council regarding the EDC Summit. He stated that *Advanced CT*, formerly known as Connecticut Economic Resource Center (CERC), would be looking to discuss Ledyard’s economic development vision and goals and how to achieve their vision. This information would be used to develop a Study, noting that Eversource would pay for the Study. He asked that Councilors RSVP to the Summit Invitation.

Questions to the Mayor – None.

XI. OLD BUSINESS – None.

XII. NEW BUSINESS

Administration Committee

1. MOTION to adopt a proposed "Ordinance Regulating Short-Term Rentals in the Town of Ledyard" as contained in the draft dated February 10, 2020.

DRAFT:2/10/2020 Revisions based on final review & comments of Attorney Lloyd Langhammer and LLHD Dir. Steve Mansfield

Ordinance # _____

ORDINANCE
REGULATING SHORT-TERM RENTALS IN THE
TOWN OF LEDYARD

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

Section 1. Purpose

It is the intent of this Ordinance to accommodate the desire of some property owners to rent their residential dwelling on a short-term basis and to establish appropriate requirements to mitigate the disruption that short-term owner-occupied and vacation rental dwellings may have on a neighborhood.

All types of Short-Term Rentals (“STR”) as defined in this Ordinance are required to be minor, low intensity and not generate a nuisance to any neighbor or cause any detrimental impact to the surrounding residential neighborhood.

This Ordinance is not intended to regulate the rental of residential property for the purpose of a primary residence, except as otherwise provided herein.

Section 2. Definitions.

For the purpose of this Ordinance, the following words and phrases shall have the meaning respectively ascribed to them:

Designated Short-Term Rental Enforcement Official (“Designated Official”): An employee appointed by the Mayor to enforce this Short-Term Rental Ordinance.

Dwelling Unit: As defined in this Ordinance is any single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, cooking, sleeping, bathing and sanitary facilities for use as a residential living quarters by only one family.

Local Property Representative (“LPR”): Person designated by the property owner to act in his/her absence to manage the STR.

Non-Hosted Rental: A dwelling unit that is not the owner’s primary residence and is not occupied overnight by such owner during the non-hosted rental period. A non-hosted rental may be used as a STR for no more than 21 consecutive days with no consecutive rental agreements allowed with the same tenants.

Off-Street Parking Area: An area located on the STR property, under or outside of a building or structure, designed and used for the temporary parking of motor vehicles, including all-weather surfaced off-street parking spaces, garages, or private driveways.

Primary Residence Rental: A dwelling unit that is the owner’s primary place of residence.

Reasonable documentation, such as driver’s license, motor vehicle registration or voter registration shall be submitted with the STR application. A primary residence may be used as a STR for twenty-one (21) or fewer days with no consecutive rental agreements allowed with the same tenants.

Property Owner (“Owner”): All owners of the subject property and improvements thereon.

Short Term Rental (“STR”): The use of a dwelling unit, in whole or in part, for dwelling, sleeping or lodging by Short-Term Rental Guests (“Renters”) for compensation, either directly or indirectly, for twenty-one (21) or fewer days, with no consecutive rental agreements allowed with the same tenants.

Town: The Town of Ledyard.

Section 3. Permit Requirements for Short-Term Rental Property.

A. Permit. A Permit shall be required for the STR use of a dwelling unit. Any person operating a STR in the Town of Ledyard without an approved Permit shall be in violation of this Ordinance. No more than one STR permit shall be granted to any one individual or entity controlled by the same individual, regardless of number of properties owned in the Town of Ledyard. Once a permit is issued, it is not transferable to another person, entity or property.

B. Procedure. Permit application forms, instructions and permit fee information shall be available at the Ledyard Land Use Office and on the Town's website. Approved permits are valid for one year and permits shall be renewed annually.

C. Permit Application Requirements. An application for a permit for Short-Term Rental (STR) Property permit shall include:

1. Completed application form and supporting documentation as detailed on the STR application form.

2. Payment of the STR permit fee. Permit fees shall be established by the Town Council upon the recommendation of the Mayor; and may be amended from time to time. The permit fee shall be stated on the STR Permit application.

3. Insurance. The property owner shall maintain an up-to-date certificate of insurance documenting that the dwelling unit is insured as a STR. A copy of a certificate of insurance evidencing the property will be used as a STR shall be provided at the time the STR Permit Application is submitted and for its annual renewal.

4. Fire & Building. All STR property in the Town of Ledyard shall be required to have an annual inspection of smoke detectors and/or carbon monoxide detectors by the Fire Marshal. Inspection Fees shall *not* be included as part of the Permit Fee.

5. Health.

a. Private water supplies shall be tested for potability at the time of the application for a permit by a State of CT certified water testing lab. A current list of certified labs may be obtained from Ledge Light Health District or from the State of CT Department of Public Health (DPH) Certified Environmental Labs website. A record of the results of the required water tests required by this Ordinance shall be provided to the Town at the time an Application is submitted for a STR Permit.

b. Any of these fees associated with said inspections/testing are not included in the Application Fee.

6. Information Packet. A copy of the required STR Informational Packet in accordance with this Ordinance shall be submitted with the application or renewal per Section 4.2.

Section 4. Requirements, Conditions and Required Conduct for All Str Properties.

As defined in this Ordinance, STRs are permitted in a legal residential dwelling unit as defined by this ordinance with conditions necessary for the protection of public health, public safety, public convenience, and neighboring property values as follows:

1. Local Property Representative - STR property owners must designate a Local Property Representative (LPR) who shall be available 24-hours per day, seven days per week, for the purpose of:

- a. Responding within two hours to complaints regarding the condition, operation, or conduct of occupants of the short-term rental.
- b. Taking remedial action to resolve any such complaints.

The name, address, and telephone contact number of the Owner and the LPR shall be kept on file in the town. The failure to provide up to date contact information, failure to respond in a timely manner to complaints, and/or the occurrence of repeated complaints may result in revocation of the STR permit.

2. Informational Packet. An Informational Packet shall be provided to Renters and shall be posted conspicuously in the common area of the STR displaying the requirements of this Ordinance applicable to the STR use, including, but not limited to:
 - a. Information on maximum occupancy.
 - b. Applicable noise and use restrictions.
 - c. Location(s) of off-street parking.
 - d. Direction that trash shall not be stored within public view, except within proper containers for the purpose of collection, and provision of the trash collection schedule;
 - e. Contact information for the LPR.
 - f. Emergency information, including but not limited to, Ledyard Police Department address & directions from the property and phone numbers (emergency and non-emergency); Directions to nearest medical facilities such as hospitals & urgent care centers; Evacuation routes.
 - g. The Renter's responsibility not to trespass on private property or to create disturbances.
 - h. Notification that the Renter is responsible for complying with this Ordinance and that the renter may be cited by the town for violating any provisions of this Ordinance.
3. Occupancy. Maximum occupancy of the rental shall be two persons per provided bedroom. Children over the age of twelve (12) shall count toward occupancy. Unaccompanied minors shall not be permitted.
4. Restrictions on Use. A Short-Term Renter may not use a residential property for a purpose not incidental to its use for lodging or sleeping purposes. This restriction includes, but is not limited to, using the STR for a wedding, reception, bachelor or bachelorette party, banquet, concert, fundraiser, sponsored event, corporation party/retreat, or other special event. Such activities/events or any similar group activity are commercial activities/uses and are prohibited.
5. Parking. The STR Owner must list parking restrictions in their advertisement(s) for rent, limiting vehicles to available off-street spaces in accordance with this Ordinance. Renters shall be limited to one vehicle per bedroom and sufficient off-street parking, as defined by this Ordinance, shall be provided.
6. Noise and Nuisance. Disruptive noise shall be prohibited at all times. Quiet hours shall be observed between the hours of 9:00 p.m. and 8:00 am.
7. Appearance & Signage. No outdoor advertising signs marketing the STR, such as, but not limited to, "For Rent" or "Vacancy", allowed on the site. Signage, not to exceed two (2) square feet, is permitted to identify the owner name and street number of the dwelling. There shall be no exterior indication that the home is available for a STR.
8. Compliance with Town Ordinances. STRs shall comply with all Town Regulations and/or Ordinances.

9. Subletting. Subletting of a STR by a party who is not the owner of said property is prohibited.
10. Dwelling. STRs are permitted only within the principal residential dwelling unit. The use of any accessory structure for a STR is prohibited.
11. Inspection. STR Property is subject to inspection, with a minimum of twenty-four (24) hour notice, by the Designated Official to determine compliance with these requirements.

Section 5. Miscellaneous Provisions

1. Granting or Denial of Application. The application shall be granted unless:
 - a. The Application does not meet the conditions and requirements of this Ordinance.
 - b. The Applicant fails to demonstrate the ability of the dwelling to comply with applicable zoning, building, fire, health and department requirements and/or other applicable laws.
 - c. The Applicant is delinquent on property taxes (or any other municipal charges, including, but not limited to liens on the property) or the property has existing zoning, building, fire, health department or other violations at the property.
2. Suspension or Revocation Procedure. If the Designated Official has reasonable cause to believe that any of the requirements for STRs in accordance with this Ordinance have been violated, he/she may revoke or suspend the Short-Term Rental Permit.
3. False Statements. Any false statements or information provided in the Application are grounds for revocation and/or imposition of penalties in accordance with this Ordinance.
4. Penalties. Any person found in violation of the provisions of this Ordinance may have the STR Permit revoked and/or legal action may be commenced in order to bring the property into compliance.
5. Severability. If any provision of this Ordinance shall be held invalid by a court having competent jurisdiction, such invalidity shall not affect any of the other provisions of this Ordinance that can be given effect without the invalid provision and for this purpose the provisions of this Ordinance are hereby declared severable.
6. Effective Date. In accordance with the Town Charter this Ordinance shall become effective on the twenty-first (21) day after such publication following its final passage.
7. Expiration. This Ordinance shall cease to have effect after two (2) years from date of enactment, unless further legislative action is taken to extend this Ordinance.

Adopted by the Ledyard Town Council on: _____.

Linda C. Davis, Chairman

Approve / Disapprove on: _____

Fred B. Allyn, III, Mayor

Published on: _____

Effective Date: _____

Town Clerk

History: To address residents' desire to rent their residential homes on a short-term basis the Town Council adopted "*Ordinance Regulating Short-Term Rentals in the Town of Ledyard*" included requirements for parking, safety and health.

Moved by Councilor Ingalls, seconded by Councilor McGrattan

Discussion: Councilor Ingalls provided some background explaining that it was the desire of some property owners to rent their residential homes on a short-term basis. She stated in October, 2018 the Town Council and its Sub Committees began working with Land Use Director Liz Burdick, Attorney Langhammer and the Residents to draft the proposed "*Ordinance Regulating Short Term Rentals in the Town of Ledyard*".

Councilor Ingalls went on to state that the Town Council has worked to allow short-term rentals in Ledyard noting that there were communities everywhere banning short-term rentals. She stated after working thru the process to determine the best approach for Ledyard and drafting the proposed Ordinance that she could understand the reason communities were not allowing short-term rentals. She stated that the Town Council did not want to fundamentally prevent property owners from renting their residential homes on a short-term basis. However, they did want a mechanism to prevent the "Party House" situation and to prevent commercial entities from buying up residential properties and turning them into primarily commercial endeavors in residential zones. She stated that she believed that the "*Ordinance Regulating Short Term Rentals in the Town of Ledyard*" presented this evening accomplished that. She noted that Section 5. "Miscellaneous Provisions"; Subsection 7 "Expiration" stated: "*This Ordinance shall cease to have effect after two (2) years from date of enactment, unless further legislative action is taken to extend this Ordinance*". Therefore, she stated that she believed that it was time to approve the proposed Ordinance. She stated that she expected to learn something during the next two years and if they find the proposal does not work out as intended that the Ordinance would expire after two years, or they could amend it.

Councilor Malone noted the public comments this evening regarding the proposed "*Ordinance Regulating Short Term Rentals in the Town of Ledyard*". He stated that he has been contacted by at least 6 – 8 constituents noting that the biggest concern was the "Party House" situation. He stated that he would like assurance that if the Ordinance was approved that it would be enforced with legitimacy, noting that when the Police are called, that they respond, and issue a summons and not just ask the renters to quiet down. He stated these short-term rental properties were in residential neighborhoods, there were children in the area and property owners who would just like to enjoy their homes in peace and quiet. He stated that he was in-favor of the proposed Ordinance as presented.

Councilor Ingalls stated short-term rentals have been operating quietly and well for a long time. However, she stated like most legislation, they have to put in rules to address a couple of people who ruined it for everybody else.

Councilor Washington stated although they have put enough time into drafting the proposed "*Ordinance Regulating Short Term Rentals in the Town of Ledyard*" that he would agree that it was probably not a perfect document, but that it was a good document. He stated, as currently written, the Ordinance was a two-year document; and therefore, it provides the ability for people to conform to the process and to provide valuable input on what worked well and areas for improvements. He stated after two years the Town Council could revisit Ordinance and make adjustments to provide a better product, if they find the need to do so. He stated that he believed that the proposed Ordinance was a good product.

Councilor McGrattan thanked everyone who contributed to the drafting of the proposed “*Ordinance Regulating Short Term Rentals in the Town of Ledyard*”. She stated that the Ordinance would expire in two-years; therefore, she stated that she would like to see them approve it, get it out there, try it, and see what worked and what did not work. Then the Town Council could revisit the Ordinance at that time.

Councilor Saums stated no one likes laws and regulations, however, he stated every law and regulation that came up was because someone abused a privilege. He stated although the “Party House” received a lot of attention, that there were some other aspects as well. He noted one of those aspects was “*Why regulate me, I am not doing anything harmful or causing any problems?*” He stated for those people who have been renting their residential homes on a short-term basis and have not caused any issues that he understood their position. However, he stated that they also have to regulate for health and human safety. He explained that there were liabilities involved, such as someone who was not familiar with the home waking up in the middle of the night to a fire, noting that those people could lose their life in a fire in a house that was not protected. He stated that they also have to worry about pollution to streams, lakes and ponds and that they also have to be fair to other businesses in town. He stated they have hotels, bed and breakfasts and country inns that were all heavily regulated. He stated it was not fair for other commercial entities, in the same business, not to be regulated. He stated he was in-favor of the proposed Ordinance and that he was in-favor or regulating both hosted and non-hosted short-term rentals. He stated that he also agreed with the other Councilors’ comments that if the proposed Ordinance was not perfect that they have the opportunity to make it more perfect. He concluded his remarks by stating that they have to do something; and if they don’t then the Town would just have to make Short-Term Rentals illegal in Ledyard; however, he did not think that would be fair either.

Chairman Davis stated that it would be nice if they could all circle something in the proposed Ordinance that they did not like. However, she stated everyone would dislike something different; which was how they end up with the proposed “*Ordinance Regulating Short Term Rentals in the Town of Ledyard*” as presented this evening. She stated that Ledyard would continue to monitor the short-term rentals and she stated the enforcement was going to be key for this particular document.

VOTE:
9 – 0 Approved and so declared

RESULT: ADOPTED 9 - 0

MOVER: Andra Ingalls, Town Councilor

SECONDER: Mary McGrattan, Town Councilor

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

2. MOTION to appoint Mr. Glen Graebner (D) 42 Eagle Ridge Drive, Gales Ferry, as an Alternate Member to the Inland Wetlands and Water Courses Commission to complete a two (2) year term ending October 31, 2020 filling a vacancy left by Ms. Jantzi.

Moved by Councilor Ingalls, seconded by Councilor Marshall
Discussion: Councilor Ingalls explained that Ledyard’s residents apply to volunteer to serve on a town committee to fill open positions. She stated although she may not know each of the applicants personally that these residents get endorsed by their respective political parties, noting that someone was vouching for them. She stated she was grateful to all the people who want to give something of their skill set and their time to the community.

VOTE:
9 – 0 Approved and so declared

RESULT: ADOPTED 9 - 0

MOVER: Andra Ingalls, Town Councilor

SECONDER: John Marshall, Town Councilor

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

3. MOTION to appoint Ms. Meredith Robinson (D) 4 Maid Marion, Drive Gales Ferry to the Parks and Recreation Commission for to complete a three (3) year term ending December 29, 2022 filling a vacancy left by Mr. Davies.

Moved by Councilor Ingalls, seconded by Councilor Marshall

Discussion: See above (Item #1).

VOTE: 9 – 0 Approved and so declared

RESULT: ADOPTED 9 - 0

MOVER: Andra Ingalls, Town Councilor

SECONDER: John Marshall, Town Councilor

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

4. MOTION to appoint Ms. Cheryl Schulman (D) 61 Inchecliffe Drive, Gales Ferry to the Senior Citizens Commission for complete a two (2) year term ending December 9, 2021 filling a vacancy left by Mr. Holmes.

Moved by Councilor Ingalls, seconded by Councilor McGrattan

Discussion: Councilor Ingalls stated the Town Council had a rare occurrence in which that they received three Applications to fill two positions on the Senior Citizens Commission. Therefore, the Committee had to choose between the three Applications. She stated because one Applicant was already serving on a Commission that that Administration Committee decided to move forward two new volunteers, noting that there was no slight to Ms. Schulmann. However, she stated since Administration Committee's February 12, 2020 meeting that Ms. Gray withdrew her Application. Therefore, she stated that they were pleased that Ms. Schulmann was interested and willing to serve on more than one Committee.

VOTE: 9-0 Approved and so declared

RESULT: ADOPTED 9 - 0

MOVER: Andra Ingalls, Town Councilor

SECONDER: Mary McGrattan, Town Councilor

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

5. MOTION to appoint Ms. Paula Crocker, (U) 1500 Route 12, Gales Ferry, to the Senior Citizens Commission to complete a two (2) year term ending December 9, 2021 filling a vacancy left by Ms. Rodriguez.

Moved by Councilor Ingalls, seconded by Councilor Marshall

Discussion: Discussion: See above (Item #1).

Councilor Saums stated Ms. Rodriguez was present this evening and he thanked her for her service on the Senior Citizens Commission. He noted that Ms. Rodriguez was recently elected to the Board of Education; and therefore, she could not continue to serve on the Senior Citizens Commission.

VOTE: 9- 0 Approved and so declared

RESULT: ADOPTED 9 - 0

MOVER: Andra Ingalls, Town Councilor

SECONDER: John Marshall, Town Councilor

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

6. MOTION to appoint Ms. Margaret Boyd (R) 257 Whalehead Road, Gales Ferry to the Housing Authority to complete a five (5) year term ending March 31, 2023 filling a vacancy left by Ms. Constatine.

Moved by Councilor Ingalls, seconded by Councilor McGrattan

Discussion: Chairman Davis stated that Ms. Boyd would serve as the Housing Authority's Recording Secretary. She noted that the Housing Authority was a five

member Board and that Chairman Charles Duzy insists that each member serves as an Officer. Therefore, the Authority was happy to have Ms. Boyd join them.

VOTE:

9 – 0 Approved and so declared

RESULT: ADOPTED 9 - 0

MOVER: Andra Ingalls, Town Councilor

SECONDER: Mary McGrattan, Town Councilor

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

7. MOTION to appoint Mr. William Thorne (R) 3 Adios Lane, Ledyard to the Farmers Market Committee to complete a three (3) Year term ending February 26, 2023. Moved by Councilor Ingalls, seconded by Councilor Marshall
Discussion: Chairman Davis stated on October 9, 2029 that the Town Council updated the “*Resolution Establishing a Farmers’ Market Committee for the Town of Ledyard*” to increase their membership from seven members to nine members. She stated that she was pleased to see that the Town Council would be appointing two new members to the Committee. She stated with tonight’s appointments that the Farmers’ Market Committee would have one vacancy remaining.

Councilor Saums stated Mr. Thorne would be a great addition to the Farmers’ Market Committee.

9 – 0 Approved and so declared

VOTE:

RESULT: ADOPTED 9 - 0

MOVER: Andra Ingalls, Town Councilor

SECONDER: John Marshall, Town Councilor

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

8. MOTION to appoint Mr. Peter Hary (D) 973 Shewville Road, Ledyard to the Farmers Market Committee to complete a three (3) Year term ending February 26, 2023.

Moved by Councilor Ingalls, seconded by Councilor Marshall

Discussion: Chairman Davis noted that Mr. Hary’s wife Lauriann currently serves on the Committee and that Peter would like to help. She stated that Mr. Hary has a background in Marketing noting that he would be a great addition to the Farmers’ Market Committee.

9 – 0 Approved and so declared

VOTE:

RESULT: ADOPTED 9 - 0

MOVER: Andra Ingalls, Town Councilor

SECONDER: John Marshall, Town Councilor

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

Chairman Davis noted all the new appointments this evening and she thanked all of them for volunteering to serve the town.

9. MOTION to set a Public Hearing date to be held on March 25, 2020 at 6:30 p.m. in the Council Chambers, Annex Building, 741 Colonel Ledyard Highway, to receive comments and recommendations regarding proposed Amendments to Ordinance #300-029 (formerly #34) “*An Ordinance Regarding Control of Alcoholic Beverages At Town of Ledyard Facilities*” as contained in the draft dated February 3, 2020.
Moved by Councilor Ingalls, seconded Councilor Marshall

Discussion: Councilor Ingalls noted that in accordance with Chapter III, Section 5 “Public Hearing on and Passage of Ordinances” of the Town Charter that a public hearing was required to be held prior to the adoption of an Ordinance.
9 – 0 Approved and so declared

VOTE:

RESULT: ADOPTED 9 - 0

MOVER: Andra Ingalls, Town Councilor

SECONDER: John Marshall, Town Councilor

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

Finance Committee

10. MOTION to adopt a proposed *Fair Housing Resolution for the Town of Ledyard*, as contained in the draft dated February 10, 2020.

DRAFT: 2/10/2020

FAIR HOUSING RESOLUTION
TOWN OF LEDYARD

WHEREAS, All persons are afforded a right to full and equal housing opportunities in the neighborhood of their choice; and

WHEREAS, Federal Fair Housing laws require that all individuals, regardless of race, color, religion, sex, handicap, familial status or national origin, be given equal access to all housing-related opportunities, including rental and homeownership opportunities, and be allowed to make free choices regarding housing location; and

WHEREAS, Connecticut fair housing laws require that all individuals, regardless of race, creed, color, national origin, ancestry, sex, marital status, age, lawful source of income, familial status, learning disability, physical or mental disability, sexual orientation, or gender identity or expression be given equal access to all housing-related opportunities, including rental and home ownership opportunities, and be allowed to make free choices regarding housing location; and

WHEREAS, The Town of Ledyard is committed to upholding these laws, and realizes that these laws must be supplemented by an Affirmative Statement publicly endorsing the right of all people to full and equal housing opportunities in the neighborhood of their choice.

NOW THEREFORE, BE IT RESOLVED, That the Town of Ledyard hereby endorses a Fair Housing Policy to ensure equal opportunity for all persons to rent, purchase, obtain financing and enjoy all other housing-related services of their choice on a non-discriminatory basis as provided by state and federal law; and

BE IT FURTHER RESOLVED, That the chief executive officer of the Town of Ledyard or his/her designated representative is responsible for responding to and assisting any person who alleges to be the victim of an illegal discriminatory housing practice in the Town of Ledyard and for advising such person of the right to file a complaint with the State of Connecticut Commission on Human Rights and Opportunities (CHRO) or the U.S. Department of Housing and Urban Development (HUD) or to seek assistance from the CT Fair Housing Center, legal services, or other fair housing organizations to protect his or her right to equal housing opportunities.

Adopted by the Ledyard Town Council on _____ 2020.

Linda C. Davis, Chairman

Moved by Councilor Saums, seconded by Councilor Malone
Discussion: Councilor Saums explained that to be eligible to apply for certain Grant Funds, the Town annually must adopt a "Fair Housing Resolution". He stated that this was an administrative action to state that the Town supported fair housing opportunities.

VOTE: 9 – 0 Approved and so declared

RESULT: ADOPTED 9 - 0

MOVER: Bill Saums, Town Councilor

SECONDER: Tom Malone, Town Councilor

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

11. MOTION to approve one tax refund in the amount of \$3,480.06 that exceeds \$2,400.00 in accordance with tax collector departmental procedures.

Moved by Councilor Saums, seconded by Councilor Malone

Discussion: Councilor Saums stated in accordance with policies established for the Tax Collector's Department, refunds to taxpayer exceeding \$2,400 are required to be approved by the Town Council. He stated this refund was due because the taxpayer paid the second half of their real estate taxes twice.

9 – 0 Approved and so declared

VOTE:

RESULT: ADOPTED 9 - 0

MOVER: Bill Saums, Town Councilor

SECONDER: Tom Malone, Town Councilor

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

Land Use/Planning/Public Works Committee

12. MOTION to adopt proposed Amendments to Ordinance #400-007 (formerly #146) "An Ordinance Regarding Waste Management and Recycling in the Town of Ledyard" as contained in the draft dated October 16, 2019.

DRAFT: 10/16/2019

Ordinance: #400-007(rev.-1)

AN ORDINANCE
REGARDING WASTE MANAGEMENT AND RECYCLING
IN THE TOWN OF LEDYARD

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

Section 1. Authority:

Section 22a-220 of the Connecticut General Statutes requires municipalities to provide a safe means of disposal for solid waste generated within its boundaries. Section 22a-241b requires a municipality to recycle any item designated by the Department of Environmental Protection as recyclable.

Section 2. Purpose:

The purpose of this ordinance is to promote waste reduction and recycling and to provide an environmentally safe means of waste disposal for the residents, commercial, and industrial establishments of the Town of Ledyard. The intent of this ordinance is to a) require separation of recyclable materials from solid waste by the generators of those materials, and b) regulate the collection and disposal of solid waste and recyclable materials generated in the Town of Ledyard.

The Town of Ledyard has executed a Municipal Solid Waste Management Services Contract with Southeastern Connecticut Regional Resources Recovery Authority (SCRRRA), including an Amendment no. 5 to such Municipal Solid Waste Management Services Contract (collectively with such Amendment No.5, the MSA). The MSA defines the System (the SCRRRA System) to include the solid waste disposal and resource recovery facility located in Lisbon, Connecticut and operated by Wheelabrator Lisbon Inc. or its successors or assigns (the SCRRRA Facility) pursuant to a Solid Waste Disposal Agreement between SCRRRA and Wheelabrator Lisbon Inc. (the Wheelabrator Agreement), and designates the SCRRRA Facility as the “Facility” within the SCRRRA System. Pursuant to the MSA, the Town of Ledyard has agreed to deliver or cause to be delivered all Solid Waste (as defined in the MSA) generated within the corporate boundaries of the Town of Ledyard to the SCRRRA System as directed by SCRRRA for ultimate delivery to the SCRRRA Facility for disposal, subject to and in accordance with the Wheelabrator Agreement.

Section 3. Definition:

- a. “Boxboard” - non-corrugated cardboard containers without wax or foil, including but not limited to cereal boxes.
- b. “Bulky Waste” - any construction, demolition, and land clearing debris.
- c. “Cardboard” - corrugated boxes and similar corrugated and Kraft paper materials which have a minimum of contamination by food and other material.
- d. “Clean wood” - used pallets, cable spools, and other manufactured products of unpainted or unfinished wood.
- e. “Drink boxes” - any plastic, paper, and/or aluminum layered beverage packing, including but not limited to, juice boxes and milk cartons.
- f. Eligible “residential properties” includes single family, two family, and three family homes, and condominiums.
- g. “Glass container” - any unbroken clear, green or brown glass bottle or jar of any size or shape used to package food or beverage products suitable for human or animal consumption. This category does not include windowpanes, colored glass or ceramics.
- h. “Hauler” - any commercial or private trucking company that transports solid waste and/or recyclable materials in the Town of Ledyard.
- i. “Hazardous wastes” - solid and liquid wastes in the following classifications:
 - (i) explosives
 - (ii) pathogenic or pathological wastes
 - (iii) radioactive wastes
 - (iv) cleaning fluids, acids, poisons or other chemical wastes which either create an immediate safety hazard to persons disposing of the waste or which by virtue of their chemistry and/or the method of disposal presents a threat to the quality of ground or surface waters
 - (v) hospital operating room wastes
- j. “Household Waste” – Solid waste produced within a residential home due to routine household activities. It includes non-recyclable and recyclable components. It may include occasional and minor home- project-related waste in nominal quantities.

- k. “Metal container” - any aluminum, bi-metal steel, tin-plated steel, or other metallic can, plate, tray, or foil of any size or shape used to package food or beverage products suitable for human or animal consumption.
- l. “Newspaper” - any used or discarded newsprint which has a minimum of contaminants by food and other material. The only gloss-printed paper stock in this category are the color-print inserts commonly found in Sunday or special editions.
- m. “Office paper” - any used or discarded high grade white paper, computer print-out, manila cardstock, photocopying paper which is suitable for recycling and has a minimum of contamination.
- n. “Plastics” – any plastic item designated by RIC code #1-7, usually identified as such by a stamped symbol of the respective number within a triangle.
- o. “Recyclables” - any items commonly regarded as wastes which are designated by this ordinance or by the Town Council to be presorted for separate handling and delivered to the scrap materials market.
- p. “RIC” – Resin Identification Code: an ASTM standardized system of identifying various plastics by type.
- q. “Scrap metal” - used or discarded items which consist predominantly of ferrous metals, aluminum, brass, copper, lead, chromium, tin, nickel, or alloys thereof, including but not~ limited to, white goods.
- r. “Scrap tires” - discarded rubber or synthetic rubber tires used by or manufactured for vehicles, including but not limited to, automobiles, trucks, buses, and trailers.
- s. “SCRRRA” - Southeastern Connecticut Regional Resource Recovery Authority.
- t. “Single Stream” – Single stream recycling whereby all eligible recyclables are commingled for collection and disposal.
- u. “Solid Waste” - unwanted and discarded solid materials, but does not include:
 - (i) liquid wastes including, but not limited to, semi-solid, liquid materials collected in a municipal sewage system or a septic system;
 - (ii) bulky wastes;
 - (iii) hazardous wastes; or
 - (iv) any other material which may not be lawfully disposed of in a sanitary landfill or a resource recovery facility.
- v. “Special wastes” – non-hazardous commercial and industrial wastes, which, by virtue of their properties and/or volume require special handling.
- w. “Storage battery” - batteries used in motor vehicles, airplanes, boats, recreational vehicles, tractors, and like applications, or other lead acid batteries.
- x. “Waste oil” – crank case oil that has been utilized in internal combustion engines.
- y. “White goods” – hot water heaters, refrigerators, stoves, washers, dryers, and air conditioners.

Section 4. Residential Solid Waste Disposal and Recycling:

A) CONTRACTURAL AUTHORITY

The Mayor is authorized to employ and/or negotiate and enter into contracts for the operation of the Transfer Station and with individual persons, corporations, or governmental agencies for the separation, recovery, collection, removal, storage, or disposition of solid waste and/or recyclables including specially designated materials.

B) GENERAL PROVISIONS

The curbside collection service is provided for eligible residential properties. Tax-paying properties are eligible according to the number of assessed dwelling units on the property. The service provides for collection of household waste and recyclables. Guidelines are established accordingly, and service is provided uniformly (i.e., the Town administers service equally according to eligible dwelling units, not according to tailored arrangements according to a private subscription service). Residents are to conform to the terms of the guidelines established for this service.

The Town of Ledyard may levy fines against any repeated violator of this ordinance as stated in Section 8.

C) USE OF TOWN TRANSFER STATION

Transfer Station fees shall be set by the Town Council. Fees for bulky waste will be determined at the transfer station according to the size of the load. Items accepted at the transfer station can be added or deleted by the Town Council. Residents can also contract services for these materials from a private entity.

D) CURBSIDE RECYCLABLES COLLECTIONS

Materials regarded as curbside recyclables are as follows: glass containers, metal containers plastic bottles/tubs/jugs identified by RIC #11-7, drink boxes, boxboard, cardboard, newspaper, magazines, white and color office paper, paperback books, phone books, open mail and greeting cards, paper egg cartons, loose metal jar lids and bottle caps, empty aerosol cans, and aluminum foil and pans. Items may be added or deleted by Town Council.

Residents shall commingle all recyclable items for single stream collection. Residents shall place designated recyclables in the Town-issued blue container by the curb on the designated collection date. Collection dates will be set by the Mayor of the Town of Ledyard.

The Town of Ledyard may levy fines against any repeated violator of this ordinance as stated in Section 8.

E) ILLEGAL DUMPING

No person shall dump any material upon any public property or public roadway in the Town or upon private property in the Town not owned by him whether from a vehicle or otherwise, except when such property is designated by the Town for dumping, and such person is authorized to use such property. No person shall dump any garbage, rubbish, or other refuse in any catch basin, fire hole, drain, river, or other waterway in the Town. The Town of Ledyard may require any person responsible for dumping to remove such material. In addition, the Town of Ledyard may levy fines against such person as stated in Section 8 of this ordinance.

F) HAZARDOUS SUBSTANCES

No person shall dispose of, within the Town of Ledyard, materials which are identified by the Department of Energy and Environmental Protection (DEEP) as hazardous materials.

Section 5. Commercial/Industrial Solid Waste Disposal and Recycling

Commercial/industrial enterprises shall contract with a private hauler of their choice for the collection and disposal of wastes and recyclables, providing the hauler is permitted to conduct business in the Town of Ledyard. All ~~Municipal~~ solid waste generated ~~within~~ the Town of Ledyard shall be *delivered or caused to be delivered to disposed-of-at* the SCRRRA System for so long as the MSA remains in effect, as directed by SCRRRA ~~waste-to-energy-facility-in-Preston~~. And for ultimate delivery to the SCRRRA Facility. To the extent any such solid waste is not acceptable for disposal at the SCRRRA Facility, such unacceptable solid waste shall be delivered or caused to be delivered to such other facility designated by SCRRRA. After the MSA is no longer in effect, the Town Council shall designate the facility for the delivery of solid waste generated in the Town of Ledyard. The person delivering solid waste to the SCRRRA Facility or other designated place shall pay any applicable disposal charge. All regulations of the Town of Ledyard and any direction or designation by the Mayor or Town Council about the disposal of waste generated in the Town of Ledyard shall be consistent with this Section 5

Commercial/industrial enterprises operating within the Town of Ledyard shall recycle glass containers, metal containers, cardboard, newspaper, office paper, waste oil, storage batteries, scrap metal, and leaves. Office paper, magazines, waste oil, storage batteries, scrap metal, bulky waste, tires, and leaves can be taken to the transfer station. Fees for disposal will be set by the Town Council. Bulky waste fees are determined by the size of the load.

The Town of Ledyard may levy fines against any repeated violator of this ordinance as stated in Section 8.

Section 6. Private Hauler Guidelines

Private haulers must hold a valid permit from the Mayor's Office prior to operation in the Town of Ledyard.

All solid waste generated within the Town of Ledyard ~~boundaries~~ shall be ~~disposed of-at-the-SCRRRA-waste-to-energy-facility-in-Preston~~ delivered or caused to be delivered for disposal as provided in Section 5.

Haulers shall provide recycling provisions for the customers they service in the Town. Haulers shall notify the Town of Ledyard of persons or enterprises responsible for discharging significant amounts of recyclables not separated from their solid waste.

Town-contracted residential solid waste haulers shall not mix solid waste from other towns and/or commercial/industrial solid waste with Town of Ledyard residential solid waste.

Permits issued to private haulers may be denied or revoked for violating this ordinance. In addition, fines may be levied against violators of this ordinance as stated in Section 8.

Section 7. Commercial Tipping Fee Backcharge

A) TERMS

Haulers shall be backcharged for tipping fees paid by the Town of Ledyard for delivery of commercial waste to the *SCRRRA Facility*. ~~Preston-waste-to-energy-plant~~.

B) FEES

The per ton rate shall be the current SCRRRA tipping fee for Member towns plus an administrative fee of \$4.

C) PAYMENTS

Payments are due by thirty (30) days of the date of the invoice.

D) PENALTIES

- 1) Upon written notice from the Director of Sanitation Services, haulers in arrears shall be denied access to the **SCRRRA Facility**. Access will not be restored until payment is received.
- 2) Haulers in arrears shall pay a penalty of one and one-half percent (1-1/2%), per month, on the unpaid balance, until paid.

Section 8. Penalties for Non-Compliance

Any resident violating Section 4 of this ordinance shall receive the following penalties:

First Offense - written warning

Subsequent Offenses – suspension of service and/or fine of not less than \$25.00 and not more than \$100.00.

Any commercial/industrial enterprise violating Section 5 of this ordinance shall receive the following penalties:

First Offense - written warning

Subsequent Offenses - fine of not less than \$50.00 and not more than \$500.00.

Any hauler violating Section 6 of this ordinance shall receive the following penalties:

First Offense - written warning

Subsequent offenses - fine of up to \$1,000.00.

The law enforcement agency of the Town of Ledyard and town officers, as designated by the Mayor, shall be charged with the enforcement of this ordinance. The Public Works Department shall maintain records of non-compliance.

Section 9. Repealing of Inconsistencies

All ordinances or parts of ordinances, resolutions, regulations, or other documents inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Ordinance #66 entitled “*Town of Ledyard Waste Management and Recycling Ordinance*” Adopted April 27, 1994; Amended and adopted on November 10, 2010 is hereby rescinded.

Ordinance #86 entitled “*An Ordinance Establishing Tipping Fees for Haulers of Commercial Waste in the Town of Ledyard*” adopted on October 23, 2002 is hereby rescinded.

Ordinance #144 entitled “*An Ordinance Amending a Town of Ledyard Waste Management and Recycling Ordinance*” adopted on December 14, 2016 is hereby rescinded.

Ordinance #146 entitled “An Ordinance Amending a Town of Ledyard Waste Management and Recycling Ordinance” adopted on: October 11, 2017 is hereby rescinded.

Section 10. Severability

This ordinance and the various parts, sentences, sections, clauses thereof, are hereby declared to be severable. If any part, sentence, sections, or clause is adjudged invalid, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Section 11. Effective Date

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

Amended and Adopted by the Ledyard Town Council on: _____

Linda Davis, Chairman

Approved / Disapproved on: _____

Fred B. Allyn, III, Mayor

Published on:

Effective Date: _____

Patricia A. Riley, Town Clerk

Revision: Ordinance #66 “Town of Ledyard Waste Management Ordinance” Adopted April 27, 1994; Ordinance #66 Amended and Adopted November 10, 2010. Ordinance # 86 “An Ordinance Establishing Tipping Fees for Haulers of Commercial Waste in the Town of Ledyard” Adopted October 23, 2002; Ordinance #144 “An ordinance Amending a Town of Ledyard Waste Management and Recycling Ordinance” Adopted December 12, 2016; Ordinance #146 “An ordinance Amending a Town of Ledyard Waste Management and Recycling Ordinance” Adopted October 11, 2017. Ordinance #400-007 “An Ordinance Regarding Waste Management and Recycling in the Town of Ledyard” Adopted September 25, 2019.

History:

The Twenty-fourth Town Council (2017- 2019) Ordinance Update Initiative: Renumbered Ordinance # 146 “An ordinance Amending a Town of Ledyard Waste Management and Recycling Ordinance” to Ordinance #400-007.

2010: Changed the word “Landfill” to “Transfer Station” throughout the document. Section 7. “Penalties for Non-Compliance”; paragraph 7 added the following language: “and town officers, as designated by the Mayor,... The Planning Department shall maintain records of non-compliance.”

2016 Combined Ordinance # 86 “An Ordinance Establishing Tipping Fees for Haulers of Commercial Waste in the Town of Ledyard” adopted on October 23, 2002 with Ordinance # Ordinance #144 entitled “An Ordinance Amending a Town of Ledyard Waste Management and Recycling Ordinance” adopted on December 14, 2016. Updated document to reflect changes in curbside collection process, other services and terminology (single stream collection, automated services, etc.). The following paragraphs were added to Section 3: “Definitions” (i) was added. The following language was removed “HDPE (2) bottles” - High Density Poly-Ethelene blow-molded containers with necks more narrow than bases. These materials will have a number two of the plastics coding system located on the bottom of the container enclosed in a triangle”. Added paragraph (m). “Plastics” – any plastic item designated by RIC code #I-7, usually identified as such by a tamped symbol of

the respective number within a triangle” Added paragraph “RIC” – “Resin Identification Code: an ASTM standardized system of identifying various plastics by type”. Added paragraph (s) “Single Stream” – *Single stream recycling whereby all eligible recyclables are commingled for collection and disposal.* Section 4: “Residential Solid Waste Disposal and Recycling” Added paragraph B “The curbside collection service is provided for eligible residential properties. Tax-paying properties are eligible according to the number of assessed dwelling units on the property. The service provides for collection of household waste and recyclables. Guidelines are established accordingly, and service is provided uniformly (i.e., the Town administers service equally according to eligible dwelling units, not according to tailored arrangements according to a private subscription service). Residents are to conform to the terms of the guidelines established for this service. The Town of Ledyard may levy fines against any repeated violator of this ordinance as stated in Section 8”. Paragraph C “Use of Town Transfer Station” removed the following language: *Residents can obtain an annual transfer station permit from Town Hall or a daily permit directly from the transfer station for a fee to be set by the Town Council. No fees or permits are required for residents to dispose of leaves, waste oil, office paper, or magazines. A permit but no fee is required for a resident to dispose of furniture, storage batteries, and scrap metal. A permit and a fee are required for a resident to dispose of tires, white goods, and bulky waste.”* Paragraph D “Curbside Recyclables Collections” was updated as follows: Materials regarded as curbside recyclables are as follows: glass containers, metal containers,(Removed: HDPE) (Added) plastic bottles (Added: tubs/jugs identified by RIC #1-7,) drink boxes, boxboard, cardboard, newspaper, magazines, (Added: white and color office paper, (Added: paperback books, phone books, open mail and greeting cards, paper egg cartons, loose metal jar lids and bottle caps, empty aerosol cans, and aluminum foil and pans). Items may be added or deleted by Town Council. Residents shall (removed: separate recyclable materials into two categories for curbside collection. Glass containers, metal containers, HDPE bottles, and drink boxes are included in the container category. Newspapers, boxboard, cardboard, office paper and magazines are included in the paper category) (Added: commingle all recyclable items for single stream collection). Residents shall place designated recyclables in (removed: “a clearly marked”) (Added: “the Town-issued blue”) container by the curb on the designated collection date. Collection dates will be set by the Mayor of the Town of Ledyard. Section 5: Commercial/Industrial Solid Waste Disposal And Recycling - removed “Commercial/industrial enterprises can obtain an annual permit from the Mayor’s Office or a daily permit directly from the transfer station for a fee set by” -Replaced the following language “A fee set by the Town Council will be charged for each white good and tire” with “ Fees for disposal will be set by the Town Council”. Added a New Section 7 “Commercial Tipping Fee Backcharge”. Section 8 “Penalties for Non-Compliance” added: “suspension of service and/or”. Replaced “Planning” with Public Works”. Updated Section 9:”Repealing of Inconsistencies”

2017: Updated to address the collection of waste at mobile home parks. Section 2 “Definitions” added paragraph “(f) Eligible “residential properties” includes single family, two family, and three family homes, and condominiums located on residential property and taxed along with the dwellings; and re-lettered the remaining paragraphs accordingly. January 12, 2018 the Town Council voted to delay the implementation of Ordinance #146 “An ordinance Amending a Town of Ledyard Waste Management and Recycling Ordinance” Adopted October 11, 2017 in response to issues raised by residents and mobile home park owners.

2019: Title – Removed “Amending” – Per Town Attorney not required. Restored mobile home parks to eligible status by removing the following language contained in Section 3: “Definitions”: (f) deleted: “ located on residential property and taxed along with the dwellings as defined in Appendix A.”

2019 (rev.1): Southeastern Connecticut Regional Resource Recovery Authority (SCRRRA) signed a new ten (10) year Waste Disposal Contract with Wheelabrator and requested Ledyard update Ordinance #400-007 to be in compliance with the Agreement. The changes to the Ordinance are as follows:

Section 2: "Purpose" – Per SCRRRA the following language was added: "The Town of Ledyard has executed a Municipal Solid Waste Management Services Contract with Southeastern Connecticut Regional Resources Recovery Authority (SCRRRA), including an Amendment no. 5 to such Municipal Solid Waste Management Services Contract (collectively with such Amendment No.5, the MSA).The MSA defines the System (the SCRRRA System) to include the solid waste disposal and resource recovery facility located in Lisbon, Connecticut and operated by Wheelabrator Lisbon Inc. or its successors or assigns (the SCRRRA Facility) pursuant to a Solid Waste Disposal Agreement between SCRRRA and Wheelabrator Lisbon Inc. (the Wheelabrator Agreement), and designates the SCRRRA Facility as the "Facility" within the SCRRRA System. Pursuant to the MSA, the Town of Ledyard has agreed to deliver or cause to be delivered all Solid Waste (as defined in the MSA) generated within the corporate boundaries of the town of Ledyard to the SCRRRA System as directed by SCRRRA for ultimate delivery to the SCRRRA Facility for disposal, subject to and in accordance with the Wheelabrator Agreement"

Section 5 "Commercial/Industrial Solid Waste Disposal and Recycling" revised and added the following language: "All Municipal solid waste generated within the Town of Ledyard shall be delivered or caused to be delivered to disposed of at the SCRRRA System for so long as the MSA remains in effect, as directed by SCRRRA waste-to-energy facility in Preston. And for ultimate delivery to the SCRRRA Facility. To the extent any such solid waste is not acceptable for disposal at the SCRRRA Facility, such unacceptable solid waste shall be delivered or caused to be delivered to such other facility designated by SCRRRA. After the MSA is no longer in effect, the Town Council shall designate the facility for the deliver or solid waste generated in the Town of Ledyard. The person delivering solid waste to the SCRRRA Facility or other designated place shall pay any applicable disposal charge. All regulations of the Town of Ledyard and any director or designation by the Mayor or Town Council about the disposal of waste generated in the Town of Ledyard shall be consistent with this Section 5."

Section 6 "Private Hauler Guidelines" revised the second paragraph as follows: "All solid waste generated within the Town of Ledyard boundaries shall be disposed of at the SCRRRA waste-to-energy facility in Preston delivered or cause to be delivered for disposal as provided in Section 5."

Section 7 "Commercial Tipping Fee Backcharge" paragraph (A) was revised as follows: "Haulers shall be back charged for tipping fees paid by the Town of Ledyard for delivery of commercial waste to the SCRRRA Facility. Preston waste-to-energy plant." Paragraph (D) first paragraph was deleted as follows: Upon written notice from the Director of Sanitation Services, haulers in arrears shall be denied access to the Preston Incinerator. Access will not be restored until payment is received.

Moved by Councilor Dombrowski, seconded by Councilor Washington Discussion: Councilor Dombrowski stated a Public Hearing was held on February 12, 2020 regarding the proposed Amendments to Ordinance #400-007 (formerly #146) "An Ordinance Regarding Waste Management and Recycling In the Town of Ledyard". He explained that Ledyard's waste disposal was through Southeastern Connecticut Regional Resource Recovery Authority (SCRRRA). He stated that SCRRRA discontinued their Agreement with the Preston Incinerator, and has entered into a ten (10) year Agreement Waste Disposal Contract with Wheelabrator, Lisbon, Inc (Amendment No. 5). Therefore, he stated to comply with the requirements of the Wheelabrator Agreement that SCRRRA has requested Ledyard amend Ordinance #400-007 (formerly #146) "An Ordinance Regarding Waste Management and Recycling In the Town of Ledyard" to include language to satisfy their contractual obligation. He stated the additional language, as provided by SCRRRA Attorney Richard Barger, was intended to bring Ledyard's Ordinance into conformity with such contractual obligations.

Councilor Saums stated that Ledyard's recyclables would continue to go to Willimantic Waste noting that beginning in 2021 the Town would be paying \$70.00 per ton to dispose recyclables. He stated the Town was previously receiving payment of \$40.00 per ton for is recyclables, then it moved to a net zero, and now the Town would be paying more to dispose of its recyclables than they were paying in tipping fees. He stated the trash market was changing faster than they can adapt and that the Town was going to have to change the way they do business.

Chairman Davis stated because residents have a lot of questions regarding recycling that it would be helpful to have a whitepaper on recycling. Mayor Allyn stated Public Works Director/Town Engineer Steve Masalin could put together a whitepaper noting that he sits on the Southeastern Connecticut Recycling Resource Recovery Authority (SCRRRA) Board and was knowledgeable on the issues.
9 - 0 Approved and so declared

VOTE:

RESULT: ADOPTED 9 - 0

MOVER: Kevin Dombrowski, Town Councilor

SECONDER: Michael Washington, Town Councilor

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

13.

MOTION to adopt proposed Amendments to Ordinance #300-027 (formerly #152) “*An Ordinance Regulating Parking and Other Activities in Town Roads and Rights-of-Way and Providing Penalties for the Violation Thereof*” as contained in the draft dated November 18, 2019.

DRAFT 11/18/2019

Ordinance: #300-027 (*rev.-1*)

AN ORDINANCE
REGULATING PARKING AND OTHER ACTIVITIES IN TOWN ROADS
AND RIGHTS-OF-WAY AND PROVIDING PENALTIES
FOR THE VIOLATION THEREOF

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

Section 1. Purpose

It is hereby declared to be in the best interests of the public safety, convenience and welfare of the Town to regulate and place restrictions on the parking of vehicles and other activities in Town rights-of-way within the control and limits of said Town, in general and during periods of snow emergencies, so as to preserve proper material condition of roads and rights-of-way and to not impede the transportation and movement of food, fuel, medical care, fire, health, police protection and other vital facilities of the Town.

Section 2. Definitions

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

- a. The words "vehicle" shall be defined as in Connecticut Statutes Section 14-1(102).
- b. The words "parked vehicle" shall be defined as in Connecticut General Statutes Section 14-1(66).
- c. The word "street" shall mean any public highway, road or street in the Town of Ledyard.
- d. The words "snow emergency" is hereby defined to be a period of time as forecast by a contracted weather service or the United States Weather Bureau, during which period vehicular and/or pedestrian traffic is expected to be hazardous or congested due to the elements, and during which period the parking of vehicles could hinder, delay or obstruct the safe flow of such traffic and/or the proper cleaning, clearing and making safe of the public highways of the Town.

Section 3. General Restrictions

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

Section 4. Construction Regulations

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

e. For work not involving a CO or CC, the applicant shall deposit with the Town Treasurer security in the form of cash, in such amount as may be required by the Director of Public Works sufficient to cover the satisfactory completion of all work, including work required to repair the town street or ROW area.

f. If work governed by this ordinance is not completed within twelve (12) months of approval, the Town may utilize all or any necessary portion of the posted security to effect satisfactory completion.

g. The holder of this permit shall be responsible for any damage done to the town street or ROW area in the completion of said work.

Section 5. Declaration of "Snow Emergency"

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

The Mayor's Office shall cause public announcements of such determination of snow emergency prior to the time of becoming effective, after which time a snow emergency shall be in effect. The Mayor or his/her designee shall determine when such emergency no longer exists and shall make public announcement of the same.

Section 6. Parking Restrictions

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

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

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

Section 7. Owner

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

Section 8. Towing

Whenever any motor vehicle shall be found parked on any Town road during a period when parking is prohibited as herein set forth, such vehicle may be removed or conveyed under the direction of the Town Police Department by means of towing the same.

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

Section 9. Penalties

a. Any person, firm or corporation violation any provisions of Sections 3 or 4 of this ordinance shall be fined not more than Two Hundred (\$200.00).

b. Any person found in violation of the provisions of Section 6 of this ordinance will be subject to the issuance of an infractions summons and be subject to a fine in accordance with the State of Connecticut Superior Court schedule.

Section 10. Severability.

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

Section 11. Effective Date

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

Amended and Adopted by the Ledyard Town Council on:

Linda C. Davis, Chairman

Fred B. Allyn, III, Mayor

Published on:

Effective date:

Patricia A. Riley, Town Clerk

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

History:

The Twenty-fourth Town Council (2017- 2019) Ordinance Update Initiative: Renumbered Ordinance #152 “*An Ordinance Regulating Parking and Other Activities in town Roads and Rights-of-Way and Providing Penalties for the Violation Thereof*” to Ordinance #300-027.

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

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

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

2019 (rev.1): Section 3. General Restrictions: Inserted a new paragraph (b) as follows: "*In the case of clearing and handling leaves from and in proximity to private properties, no person, firm or corporation shall place or leave any leaves in the roadway or permanently place leaves on Town property. Residents who contract out leaf removal services at their property shall be liable also for violations of this provision of the party they hire*" and re-lettered the remaining paragraphs accordingly.

Moved by Councilor Dombrowski, seconded by Councilor Washington
Discussion: Councilor Dombrowski stated a Public Hearing was held on February 12, 2020 regarding the proposed Amendments to Ordinance #300-027 (formerly #152) "*An Ordinance Regulating Parking and Other Activities in Town Roads and Rights-of-Way and Providing Penalties for the Violation Thereof*". He explained that language was added to state that blowing or pushing leaves into the road was not permitted.

Chairman Davis stated Ordinance #300-027 addressed the issue of pushing snow out into the roads, however, it did not address blowing or pushing leaves out into the roads and into the catch basins, which was probably the biggest problem of them all. Therefore, she stated a new paragraph (b) was added into Section 3. General Restrictions: as follows: "*In the case of clearing and handling leaves from and in proximity to private properties, no person, firm or corporation shall place or leave any leaves in the roadway or permanently place leaves on Town property. Residents who contract out leaf removal services at their property shall be liable also for violations of this provision of the party they hire*". She stated that this was also an Ordinance that has to be enforced to be effective.

VOTE:

9 - 0 Approved and so declared

RESULT: ADOPTED 9 - 0

MOVER: Kevin Dombrowski, Town Councilor

SECONDER: Michael Washington, Town Councilor

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

General Items

14. Discuss Work Session Items as time permits.

Chairman Davis stated that assuming everyone will be present at the March 11, 2020 meeting that they would take the Town Council photo.

XIII. ADJOURNMENT

Councilor Dombrowski moved to adjourn, seconded by Councilor Sabilia.

VOTE: 9-0 Approved and so declared. The meeting adjourned at 8 58 p.m.



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 February 26, 2020.



Linda C. Davis, Chairman