

Town of Montville Town Council
Regular Meeting Minutes
April 10, 2023, 7:00 p.m.
Montville Town Hall – Town Council Chambers

Town of Montville has lifted the mask mandate effective Monday, February 28, 2022 throughout Town facilities in coordination with our schools. Although the mask mandate has been lifted, Uncas Health strongly recommends that all individuals, both vaccinated and unvaccinated, continue to wear masks indoors.

1. Call to Order
Chairman McNally called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance followed by a moment of silence in honor of our military.
3. Roll Call
Present were Councilors Bunnell, Mandler, May, Rix, Yuchniuk, and McNally. Absent was Councilors Caron. Also present was Mayor Ronald McDaniel.
4. Special Recognitions/Presentations
 - a. Hometown Heroes Award Presentations
A short video depicting the prolonged fire at Connecticut Scrap on November 16, 2022, was presented to the public. Public Safety Commission Liaison Councilor Yuchniuk, Public Safety Commission Chairman Gary Murphy, and Public Safety Commission Vice Chairman Stephen Stewart presented the Hometown Heroes Award to the members of the Montville Firefighters Association IAFF Local 3386, Montville Fire Company No. 1, Mohegan Fire Company No. 2, Chesterfield Fire Company No. 3, and Oakdale Fire Company No. 4 for fighting the large fire. The firefighters fought the fire for approximately 13 hours and pumped over 2 million gallons of water, with no recorded injuries. Montville Fire Company Chief Ronald Turner was especially recognized for his leadership during the fire.

Montville Police Department Officer William Kuckel was also presented with the Hometown Heroes Award for his selfless efforts to the community after observing and saving a three-year-old child with no shoes and light clothing on February 4, 2023, at approximately 1:00 a.m. lying on the sidewalk on one of the coldest evenings on record. Through Officer Kuckel and his fellow police officers' efforts, the parents were located, ending the incident on a positive note. It was determined that the child had been outdoors for approximately 15 minutes.
 - b. Audit Presentation
Finance Director Barbara Griffin introduced the Auditors who presented the results of the town's FY2021/22 Audit.

The Auditors provided an Unmodified Opinion, which is the best opinion available, on the town's basic financial statements. This year, they implemented GASB (Governmental Accounting Standards Board) 87, regarding lease assets and liabilities. The report on internal controls of financial recording was found to be clean with no internal control findings. The town's Governmental Activities resulted in a net balance of \$89.2 million and Business-Type Activities resulted in a net balance of \$57.6 million – both of which reflect an increase from the previous year. The Governmental Fund Summary, which includes the General Fund, Bonded Projects, American Rescue Plan Act (ARPA), and Nonmajor Governmental Funds, reflects a total Fund Balance of approximately \$22 million. The Funds include \$15 million for the General Fund and a negative balance for the Bonded Project Funds. The ARPA Funds are not included as part of the Fund Balance. The General Fund Balance of \$15 million includes Nonspendable, Restricted, Committed, Assigned, and Unassigned Funds. The Total Revenue was approximately \$1 million higher than estimated. The Financial Highlights

include the town's Sewer Department (\$47.3 million; an increased net position from the previous year), Water Department (\$10.3 million; a decreased net position from the previous year), and Internal Service Fund (\$2.6 million; decreased net position from the prior year).

Federal Single Audit – The town had \$3.7 million in Federal expenditures. One major program, the Child Nutrition Cluster, was tested and an Unmodified or Clean Opinion on the Major Program Compliance with no findings on the internal controls was issued.

State Single Audit – The town had \$19.5 in State expenditures. The MRSA (Municipal Revenue Sharing Account) and PiLOT (Payment in Lieu of Taxes) New Tiered Reimbursement Programs were tested and an Unmodified or Clean Opinion on the Major Program Compliance with no findings on the internal controls was issued.

Required Communications – The Required Communications included the implementation of GASB 87, a new standard, significant estimates in the formulation of the financials related to the net pension and net OPEB (Other Postemployment Benefits) liability and Capital Assets, uncollectible receivables, and incurred but unreported health insurance claims. There were no disagreements with either the prior or present management.

Uncorrected Misstatements – Errors that are deemed above trivial, but not material to the financials, include the Rehab Loans, which were recorded as revenue in the current year rather than in the year they were recorded. The error should not be an issue in the following years. Another error is the estimated School Construction Intergovernmental Receivable related to a Change Order that has not yet been approved by the state. There were no Directed Misstatements, no consultations with other Auditors, and no significant issues discussed prior to the start of the engagement, no significant findings, and no other audit findings or issues.

Upcoming GASB Standards – Three (3) new GASB Standards that will be implemented in the upcoming year include GASB Statement 91, regarding conduit debt obligations; 94, regarding public-private and public-private partnerships and availability payment arrangements, and; 96, regarding Subscription-based information technology arrangements.

5. Alterations to the Agenda – *none*
6. To Consider and Act on a Motion to Approve:
 - a. The Regular Meeting Minutes of March 13, 2023
Motion made by Councilor May, seconded by Councilor Bunnell. Discussion: None.
Voice vote, 6-0, all in favor. Motion carried.
7. Executive Session
 - a. To Consider and Act on a Motion to enter into Executive Session for the purpose of interviewing candidates for the Parks & Recreation Commission, Farmers Market Committee, and Economic Development Commission. Discussions to include members of the Town Council and Mayor Ronald McDaniel.
Motion made by Councilor Rix, seconded by Councilor May. Discussion: None.
Voice vote, 6-0, all in favor. Motion carried. Invited parties exited Town Council Chambers for Executive Session at 7:30 p.m. Chairman McNally resumed the meeting at 7:42 p.m. No votes were taken during Executive Session.
8. Remarks from the public relating to matters on the agenda with a three-minute limit – *none*
9. Communications
 - a. Copy of the March 2023 Financial Reports from Finance Director Barbara Griffin

- b. Copy of the legal bills from Suisman-Shapiro for the month of February 2023
- c. Copy of the legal bills from Halloran & Sage for the month of February 2023

10. Report from the Town Attorney on Matters Referred – *none*

11. Remarks from the Mayor and/or Administrative Department Heads to include Matters Referred

Mayor McDaniel recognized Social and Senior Services Director Kathie Doherty-Peck who was recently honored by The Masons for her services to the Town of Montville. A slideshow presentation is available, upon request. The bonding was locked in at 2.89%. Another bond will be issued next spring for the remaining bond. Montville Police Department Lt. David Radford and himself assisted the Town of Southbury's First Selectman and their Committee regarding the town's process to establish an Independent Police Department. He will be presenting testimony in support of a new bill presented by the Finance, Revenue, and Bonding Committee to establish a committee to study the taxation issues of real property and tangible personal property located on certain Indian lands.

Land Use and Development Director Liz Burdick reported that 14 housing units are currently under construction across the street from the Town Hall, a 9,000 SF light industrial warehouse building on Enterprise Drive was recently approved by the Planning & Zoning Commission, and; on Tuesday, April 25 at 6:00 p.m. the Planning & Zoning Commission will be holding a Public Hearing regarding a six-month moratorium on all cannabis establishments. The moratorium is a regulation text amendment and has been sent to the regional planning agency and the adjacent towns. It will also be forwarded to the Town Council for review and comment. Should the Commission approve the text amendment, they will begin working on the regulation. The moratorium may be extended for up to two years. Eric Kuczarski, Senior Development Director, Dakota Partners, was present to respond to any questions the Councilors might have regarding the resolution of the proposed tax assessment agreement on this evening's agenda. The office has been, otherwise, busy, meeting with developers, responding to zoning inquiries, handling enforcement issues, and helping residents.

Finance Director Griffin reported that cannabis retailers are required to report their revenue to the state, who calculates the 3% tax rate and notifies the town of the final amount to bill the retailer. The tax rate for the months of January and February totaled \$34,451.00, which will be deposited into a Special Revenue Fund that must be used for designated purposes, including streetscape improvements; education programs or youth employment and training programs; services of released individuals from the Department of Corrections, probation or parole; mental health or addiction services; youth service bureaus and municipal juvenile review boards, and; community civic engagement efforts. She also reported on the Fund 92 "Nip" Environmental Fee, which is on this evening's agenda. As of October 2021, wholesale distributors of nips began collecting a 5% Nip Environmental Fee, which is remitted to and distributed by the state to the municipality. The funds shall be expended on environmental measures intended to reduce the generation of solid waste or reduce the impact of litter. The funds were inadvertently deposited into a revenue line item during the last fiscal year; the proposed resolution will correct the matter and establish a new fund. For FY2021/22, \$18,279.00 was collected and \$21,000.00 has been collected year to date.

Public Works Director John Carlson spoke with respect to item 16(e) on the agenda regarding incentivizing the current Adopt-A-Road program for in-town non-profit 503-C organizations. While he supports the idea, he expressed his concerns regarding the minimum age of the children that would be participating in the program. He reported that paving on Chesterfield Road should begin soon and the paving on Chapel Hill Road will begin following the Gas Company's completion of their project this month. Next month,

they will begin working on paving part of Maple Avenue and installing the ADA-accessible playground at the Community Center. The Social Services building is slated to open in May. The tennis courts are in progress and the hot water will be hooked up and the sinks will be upgraded in the bathroom. New bathroom doors have been installed. At least part of the new fence will be installed at the large pavilion by the end of the month. The fencing will be completed once the sight line at the Route 163 is improved.

In response to Chairman McNally, Public Works Director Carlson will investigate the town's current Adopt-a-Road Policy regarding children and present his findings at the next Public Works/Solid Waste Disposal Standing Committee.

12. Reports from Standing Committees

a. Town Administration/Rules of Procedure

The Committee discussed the Pre-Employment Drug Testing Policy, which was approved by the Town Council during their April 3 Special Meeting.

b. Finance – *items included on Agenda*

c. Public Works/Solid Waste Disposal – *see Public Works Director Carlson's report (item 11)*

13. Reports from Special Committees and Liaison Councilors

a. Councilor Bunnell: Library Committee, Parks & Recreation Commission, Volunteer Fire Fighters' Relief Fund

The Library Committee and Volunteer Fire Fighters' Relief Fund held no meetings.

The Parks & Recreation Commission held an informational meeting due to a lack of a quorum. Six (6) residents expressed their opposition to scheduling the Summer Concert Series on Tuesday evenings following the Farmers Market events. Parks & Recreation Director Peter Bushway reported on the scheduled completion of the new tennis/pickleball courts, the Easter Egg Hunt, and the upgrading of the Community Center's alarm/access system. The Carnival Committee is seeking additional entertainment for Sundays and vendors for the event. The Commission also continued their discussion regarding the parking issues at Camp Oakdale during events.

b. Councilor Caron: Commission on Aging, Social Services, Non-Profit Organizations – *not present; no report*

c. Councilor Mandler: Water Pollution Control Authority (WPCA), Ad-Hoc Covid-19 Impact Study Committee

Water Pollution Control Authority – *Item regarding the Cook Hill Water Storage Tank is included on this evening's Agenda.*

Ad-Hoc Covid-19 Impact Study Committee – A request was made to the Finance Director to provide an updated list of the ARPA (American Rescue Act) Funds.

d. Councilor May: Conservation Commission

A well-attended presentation regarding Ceremonial Stonework: The Enduring Native American Presence on the Land by Author Markham Starr was held. Additional presentations are planned for the future. Approximately 120 feet of 270 feet of bog logs have been placed. New railings have been installed and the front garden is in progress. He expressed his appreciation to the Public Works Department for their help.

e. Councilor Rix: Board of Education, Farmers Market Committee, Planning & Zoning Commission

Opening Day for this year's Farmers Markets will be held on June 13. A full calendar is available on the Committee's Facebook page.

The Board of Education voted to appoint Math and Science Coach Elizabeth Dumond as the new Principal of Murphy Elementary School to replace retiring Principal Amy Espinoza. Tyl Middle School will be hosting its first musical, *Matilda*, on April 26 and 27 at 6:00 p.m.

- f. Councilor Yuchniuk: Economic Development Commission, Public Safety Commission, Youth Services Bureau and Advisory Board

The Economic Development Commission is working with the Director of Land Use & Development on the Policy to implement a Business of the Week or Month. The selected business will be highlighted in the Town Hall building.

Public Safety Commission – The Police Department reported 782 Calls for Service and 126 Citations. The Commission is working to compile the total numbers for the town's four (4) Fire Companies, each of which file separate reports.

14. Appointments and Resignations

- a. To Consider and Act on a Motion to re-appoint John Guetens as an Alternate Member of the Conservation Commission with a term to expire on May 10, 2025.

Motion made by Councilor May, seconded by Councilor Bunnell. Discussion: None. Voice vote, 6-0, all in favor. Motion carried.

- b. To Consider and Act on a Motion to re-appoint Kevin Clang as a Member of the Parks & Recreation Commission with a term to expire on May 11, 2027.

Motion made by Councilor Bunnell, seconded by Councilor May. Discussion: None. Voice vote, 6-0, all in favor. Motion carried.

- c. To Consider and Act on a Motion to accept the resignation of Karen Orbe from the Montville Farmers Market Committee, effective immediately.

Motion made by Councilor Rix, seconded by Councilor May. Discussion: None. Voice vote, 6-0, all in favor. Motion carried.

- d. To Consider and Act on a Motion to accept the resignation of Denise Gladue from the Parks and Recreation Commission, effective immediately.

Motion made by Councilor May, seconded by Councilor Rix. Discussion: None. Voice vote, 6-0, all in favor. Motion carried.

15. Unfinished Business – *none*

16. New Business

- a. **Resolution #2023-32. THE TOWN OF MONTVILLE HEREBY RESOLVES** to refund taxes due to overpayments and corrections in the amount of \$7,581.39 (seven thousand five hundred eighty-one dollars and thirty-nine cents) as requested by the Tax Collector. (Councilor McNally)

Motion made by Councilor May, seconded by Councilor Rix. Discussion: None. Roll Call vote, 5-0-1. Voting in Favor: Councilors Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Voting in Abstention: Councilor Bunnell. Resolution passed.

- a. **Resolution #2023-33. THE TOWN OF MONTVILLE HEREBY RESOLVES** to accept the fiscal year 2023-2024 Montville Water Pollution Control Authority proposed sewer budget in the amount of \$7,070,273.00 (seven million seventy thousand two hundred seventy-three dollars). (Councilor Mandler)

Motion made by Councilor Yuchniuk, seconded by Councilor Mandler. Discussion: None. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Bunnell, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- b. **Resolution #2023-34. THE TOWN OF MONTVILLE HEREBY RESOLVES** to adopt the fiscal year 2023-2024 Town of Montville Water Pollution Control Authority proposed water budget in the amount of \$1,909,150.00 (one million nine hundred nine thousand one hundred fifty dollars). (Councilor Mandler)

Motion made by Councilor Rix, seconded by Councilor May. Discussion: Councilor Mandler reported that a rate increase is expected. Roll Call vote, 6-0, all in favor.

Voting in Favor: Councilors Bunnell, Mandler, May, Rix Yuchniuk, and McNally.

Voting in Opposition: None. Resolution passed.

- c. **Resolution #2023-35. THE TOWN OF MONTVILLE HEREBY RESOLVES** to establish a Fund 92 “Nip” Environmental Fee for revenue and expense activity related to the collection of this fee and then expending these funds on environmental measures intended to reduce the generation of solid waste or reduce the impact of litter caused by such solid waste. (Councilor McNally)

Motion made by Councilor May, seconded by Councilor Rix. Discussion: None. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Bunnell, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- d. **Resolution #2023-36. THE TOWN OF MONTVILLE HEREBY RESOLVES** to incentivize the current Adopt-A-Road program for any in town Nonprofit 503-C organization. Such organizations can request from the public works Department a time and date for road clean up. The Organization will be paid \$100.00 (one hundred dollars) per hour up to five (5) hours per occurrence for cleaning litter on town roads. These funds will come from Fund 92 “Nip” Environmental Fee and be paid to the Organization providing all paperwork is completed including a W-9. This is for a one (1)-year trial period beginning July 1, 2023, and shall not exceed \$15,000.00 (fifteen thousand dollars) in payout for the said year. (Councilor McNally)

Motion made by Councilor May, seconded by Councilor Rix. Discussion: Chairman McNally stated that the current Adopt-A-Road Program will be revised for this trial program. Councilor May expressed his appreciation to the Town Council for considering the item, as introduced by the Conservation Commission. Councilor Bunnell agreed with the Public Works Director regarding the need to monitor the individuals who will be cleaning up the roads and suggested the possibility of utilizing part of the funds to hire police protection, in addition to providing orange vests and posting road signs, in the interest of safety. Councilor Rix questioned why the program would only be offered to non-profit 503-C organizations. Finance Director Griffin will confirm whether youth groups, cheerleaders, clubs, school teams, and the like are considered non-profit organizations and would be eligible to participate in the program. Councilor Yuchniuk also felt that businesses should also be eligible for participation. He also suggested the possibility of having the participants and/or their parents/guardians sign a waiver form rather than hiring police protection. Chairman McNally stated that waivers are included. Mayor McDaniel added that SCRRRA (Southeastern Connecticut Regional Resource Recovery Authority) also donates materials, including pick sticks, bags, vests, etc. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Bunnell, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- e. **Resolution #2023-37. THE TOWN OF MONTVILLE HEREBY RESOLVES** to hire an additional full-time summer help position for the sole purpose of litter removal along town roads and be funded out of Fund 92 “Nip” Environmental Fee with expense not to exceed \$12,000.00 (twelve thousand dollars) for Fiscal Year 2023-24. (Councilor McNally)

Motion made by Councilor May, seconded by Councilor Bunnell. Discussion:

Chairman McNally stated that the Finance Committee discussed the possibility of

hiring an additional seasonal, full-time employee whose sole job would be to pick up litter on town roads. The individual would work full-time from Memorial Day to Labor Day and would not be eligible to receive benefits. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Bunnell, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- f. **Resolution #2023-38. THE TOWN OF MONTVILLE HEREBY RESOLVES** to appropriate an amount not to exceed \$2,618,090.00 (two million six hundred eighteen thousand ninety dollars) for the construction of the Cook Hill Water Storage Tank at 50 Cook Drive, authorizing the town to enter into a project funding agreement with the State of Connecticut; and authorizing the issue of bonds and notes to finance the appropriation. (Councilor McNally)

Motion made by Councilor May, seconded by Councilor Rix. Discussion: WPCA Superintendent/Administrator Derek Albertson thanked the WPCA, WPCA Liaison Councilor Mandler, Town Council Chairman, Mayor, and Town Council for their consideration to award the bid and approve the financing of the project. The WPCA has been working on the project, which is a great opportunity for the town and its ratepayers, for over the past two (2) years with the Connecticut Department of Public Health (DPH). Half of the project would be funded by an ARPA-Funded DPH Drinking Water State Revolving Fund. Utilizing new technology, the Tank is estimated to have a lifetime of 30 years with little to no operations and/or maintenance needs. Barry Parfitt, P.E., Wright-Pierce, provided a brief background and overview of the proposed project. The proposed tank would be located on Cook Drive and would store water in the event of a fire demand and provide steady water pressure for the system in the area. An engineering study was conducted and various alternatives were investigated, including the possibility of rehabilitating the existing tank, which is rusting, among other deficiencies. The WPCA agreed to install a new glass-fused-to-steel water tank beside the old tank, similar to that which was recently constructed in Westminster, Massachusetts. The design of the tank has been completed, local permits have been received, and bids were solicited, received, and awarded to the lowest bidder. WPCA Superintendent/Administrator Albertson reiterated that over \$1 million (or half of the project's cost) in Grant Funding would be provided through the DPH. The funding includes the engineering costs, which would, most likely, not be offered in the future. The new water tank would not only provide storage but also offers the treatment of old water preventing the build-up of chemicals within the water system. In response to Chairman McNally, he stated that the radio towers cannot be attached to the new water tower and would remain on the old tower. The old tower has an effective life of 50 years and will not need to be dismantled in the immediate future. In response to Councilor May who questioned the decreased capacity of water storage by 60,000 gallons, he stated that, based on their analysis, it was determined that the fire pressure was appropriate for the height of the water tank. In addition, the goal of any tank is to keep its capacity at a minimum level to avoid the development of certain chemical concentrations as it ages. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Bunnell, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- g. **Resolution #2023-39. THE TOWN OF MONTVILLE HEREBY RESOLVES** to appropriate \$13,000.00 (thirteen thousand dollars from Reserve Account to Fire Protection, Uniforms (10880-53015) for new Class "A" Uniforms. (Councilor McNally)

Motion made by Councilor Rix, seconded by Councilor May. Discussion: Councilor Mandler expressed his support for the Resolution, adding that the Class "A" Uniforms were long overdue. He also questioned whether a Policy would be instituted for the replacement, mending, and/or alteration of the Uniforms and related funding and how

often the Uniforms would be inspected. Chairman McNally stated that a Policy is forthcoming. Councilor Mandler wished to open a dialogue with the Fire Fighters. Councilor May concurred, adding his belief that a line item for uniform maintenance was included in their respective budgets. Councilor Bunnell stated that the town provides the uniforms and funds should be appropriated annually for each individual for a complete uniform. The Resolution provides funding for the Class "A" Uniforms for the paid staff; the Volunteers already have their Class "A" Uniforms. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Bunnell, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- h. **Resolution #2023-40. THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve the Indemnity and Hold Harmless Waiver allowing Landfill Operators to fill trucks and trailers with free mulch at the Transfer Station. (Councilor McNally)
Motion made by Councilor Rix, seconded by Councilor May. Discussion: Chairman McNally stated that the Indemnity and Hold Harmless Waiver was reviewed by the Town Attorney. The document would be signed by the receiver of the mulch. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Bunnell, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.
- i. **THE TOWN OF MONTVILLE HEREBY RESOLVES** to into an agreement with OX Owner, LLC to amend the real estate tax assessment by agreement for the proposed Oxoboxo Lofts project located at 42 Pink Row, Uncasville, CT, pursuant to Connecticut General Statutes §12-65b, as stated in Exhibit B. (Mayor McDaniel)
Motion made by Councilor Rix, seconded by Councilor May. Discussion: Dakota Partners Senior Development Director Kuczarski presented the MOU (Memorandum of Understanding) for the revised real estate assessment schedule for the Oxoboxo Lofts. The revised agreement would offer 57 deed-restricted affordable units for a period of 50 years. According to the state, the town currently has 4.97% affordable housing units. The additional units would increase the percentage to 5.69% towards its 10% goal. In addition, per state statutes, the project would offer 125 points of the necessary 148 points towards a three-year moratorium from the 830-g Regulations. The assessed value of the completed project, as determined by the Tax Assessor, and the 2% annual increase remain, as previously presented, remain the same. The abatement period would begin on October 1, 2024, when the project is slated for completion, and conclude on September 30, 2034. Should the project not be completed by October 1, 2024, the Owner could defer the start date of the abatement by up to three (3) years. The end date would remain the same. Chairman McNally stated that the goal is to expedite the completion of the project rather than provide a three-year grace period. Councilor Mandler concurred. In response to Councilor May, Dakota Partners Senior Development Director Kuczarski stated that it would be possible for the owners to sell the property. Nevertheless, the agreement could remain the same should the new owners wish to continue with the affordable housing project. It was confirmed that the original project was slated for completion in 2019. Councilor Bunnell felt that the same risks are involved and maintained his position that the resolution would help the town meet its affordable housing goals and, should the town not meet the goal, the state would force the town to do so. Councilor Rix felt that they were in a difficult position as the project, which is well past its originally scheduled date of completion, is necessary to help them meet their affordable housing goal. Councilor May expressed his support for affordable housing, noted the unusual circumstances, reiterated his concerns regarding the impact of the housing units on its schools, and its fairness to similar existing businesses, and the resulting setting of precedence for future developers. Chairman McNally concurred, stating that, while he is aware that it is a viable and much-needed project, he was opposed to the tax abatement, which would be a disservice to existing developments and set a precedence for future developments. In

response to Councilor Yuchniuk, Dakota Partners Senior Development Director Kuczarski stated that should the Town Council oppose the resolution, the project would not be disbanded, but another hurdle would be created in the closing on the funding for the project. Mayor McDaniel clarified that the resolution does not approve a tax *abatement*. Rather it fixes the assessed value of the property for a period of ten years or less, regardless of the real estate market. The property would be skipping its five-year re-assessment and would be revaluated after ten years. He did not feel that the request was unfair as the town seeks to increase its affordable housing stock. He added that it would be counterproductive to slow down the project, which was not only endorsed by the Town Council but several accommodations have been made to help move the project forward. Councilor Bunnell concurred, adding that it would be to the town's benefit to move forward on the project. It was clarified that the resolution would be approved based on its affordable housing aspect and would not be open to all developers. Roll Call vote, 1-5. Voting in Favor: Councilors Bunnell. Voting in Opposition: Councilors Mandler, May, Rix, Yuchniuk, and McNally. Resolution failed.

- j. **Resolution #2023-41. THE TOWN OF MONTVILLE HEREBY RESOLVES** to receive the Mayor's proposed budget for the 2023-2024 Fiscal Year. (Chairman McNally)

Motion made by Councilor Mandler, seconded by Councilor Rix. Discussion: Mayor McDaniel recited his Budget Summary for his proposed FY2023/24 Budget and Capital Plan. While the town was fortunate to receive and utilize ARPA Funding to offset costs and expenses in previous years' budgets, approximately \$1 million in operating expenses has returned to the budget. In addition, the proposed budget will reflect the impact of the school infrastructure and road bondings. It is hoped that state funds will be leveraged for the school projects. Included in the proposed budget are seven (7) new staffing positions and their related benefit costs and take into consideration the rising cost of utilities. He is also proposing to utilize approximately \$2.9 million of the town's Unallocated Fund Balance to help mitigate the tax impact on its residents. He expressed his appreciation to the town staff for their hard work to propose a budget that works within their means and submit realistic requests and stated his continuing support and assistance to the Town Council. Roll Call vote, 6-0, all in favor. Voting in Favor: Councilors Bunnell, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

17. Remarks from the Public with a three-minute limit

Steven Frischling, 45 Carriage Hill Drive, Niantic, addressed the town's Social Media Policy which was instituted in November 2020. He reiterated his previous expression of dismay with the Public Safety's social media account which continues to block certain people from viewing the page's content, which is a violation of U.S. Federal Law. He felt that the Mayor and Town Council should work to enforce their Policy and ensure that the town is not in violation of the law.

Matt Suarez, 18 Cranberry Drive, Uncasville, thanked the Town Council for recognizing the town's Fire Companies and career staff, adding that Public Safety Commission Chairman Gary Murphy should also be recognized for all of his efforts for the Town of Montville, throughout the county, and beyond.

Tim Congdon, Montville Fire Company Firefighter, thanked the Town Council for this evening's ceremony honoring the town's firefighters and stated the importance of recognizing them and bringing everyone together, congealing the forces. He hopes that, through the establishment of the Independent Police Department, a day on which they would be able to honor his comrades formally will be established. He also expressed his appreciation to Chairman McNally for recognizing the importance of the Class "A"

Uniforms which is an expression of their dedication to the town and vice versa and would increase their level of professionalism.

18. Remarks from the Councilors and the Mayor

Mayor McDaniel thanked the public for attending the meeting and the Town Council for holding the ceremony.

Councilor Bunnell congratulated the Canteen for all of their services and their behind-the-scenes work. He also thanked Public Safety Commission Chairman Murphy for his efforts in organizing the ceremony. The successful result of their handling of the Scrapyard Fire demonstrates that the system and process that has been developed over the years is sound. He also congratulated Montville Fire Company Chief Turner for his diligence, coordination, and leadership and commended Officer Kuckel, who was aware of his surrounding conditions resulting in the saving of a young life, and thanked him for being there when he was needed.

Councilor May commented on a good night. He is pleased with the recognition and acknowledgment of the town's fire and police departments for all of their efforts. He reiterated his support for affordable housing and stated the Town Council's role in looking out for all of the residents in the town and relayed a past experience he had which led him to oppose the Resolution. While their role is to support their local businesses, it is not to help with their financial decisions. He appreciated the manner in which the Town Council conducted its duties and viewed the proposed resolution objectively.

Chairman McNally congratulated everyone on their awards, adding that additional awards will be presented in the near future, and expressed his appreciation to the recipients for their hard work and efforts.

Councilor Rix also expressed her appreciation to the firefighters for all of their hard work and efforts. She also invited everyone to see her daughter perform in the upcoming Tyl Middle School play.

Councilor Yuchniuk, as an Administrator of a governmental social media page, agreed with Mr. Frischling's comment, adding that it is the First Amendment that protects such rights. He suggested the Mayor and/or Chairman contact the Town Attorney for an opinion and resolve the matter.

Councilor Mandler congratulated and thanked the Hometown Heroes and is pleased with the passage for the Class A Uniforms.

19. Adjournment

Motion made by Councilor Mandler, seconded by Councilor Rix. to adjourn the meeting at 9:03 p.m. Discussion: None. Voice vote, 6-0, all in favor. Meeting adjourned.

Respectfully Submitted by:

Agnes T. Miyuki, Recording Secretary for the Town of Montville

AN AUDIO RECORD OF THE MEETING CAN BE FOUND ON THE TOWN'S WEBSITE LOCATED UNDER RESOURCES – MEETING RECORDINGS