

**Town of Montville Town Council**  
**Regular Meeting Minutes**  
**October 11, 2023, 7:00 p.m.**  
**Montville Town Hall – Town Council Chambers**

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, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Also present was Mayor Ronald McDaniel.

4. Special Recognitions/Presentations

Patrick McCormack, Director of Health, Uncas Health District introduced representatives from NLC Cares (New London County Coordinated Access Resources Engagement and Support) who provided a brief presentation regarding the work they engage in to provide access and support for the treatment and recovery of individuals and their loved ones who are living with substance use disorders. The program is offered to the region in partnership with Alliance for Living and the Ledge Light Health District.

Jennifer Muggeo, Director of Health, Ledge Light Health District, expressed her honor to work with the Uncas Health District to bring additional resources to the region, including their coordinated response and efforts to the ongoing opioid epidemic. They have been tracking overdose data for several years and seeking ways to collaborate with various partners, specifically Alliance for Living. In 2017, funding was secured for the formation of NLC Cares, a multi-faceted project aimed at making it easier for individuals to access information, support, and resources that will help them reach their health goals. Their services include increasing access to evidence-based treatment for opioid use disorder, saturating communities with naloxone, building relationships with community service providers and the general public, providing information to help the providers and public recognize and respond to overdose as well as how to communicate with those who are affected, grounding all of the work with harm reduction, and reducing the stigma and discrimination, which ultimately leads to death. She introduced community-based Navigators Shannon Santini, who heads the team, and Trish Rios and Donny Rose, who have been with the program since its inception and provide individual support to the community.

Shannon Santini, Director of NLC Cares, explained their approach and their goals to meet with the individuals, remove the stigma, and provide participant-centered resources through their Peer Navigators — each of whom has personally experienced drugs and drug-related issues. She noted that the Navigators focus on the issues affecting the individual at that moment and can include housing and other barriers.

Trish Rios, Lead Navigator, who has been drug-free for 14 years, actively builds relationships and personally engages with individual members of the community. Her goal is to provide ongoing and continuous support before, during, and after their relationship with drugs and break the ongoing stigma, which affects individuals around the world. She looks forward to continuing to build relationships in the Town.

Navigator Donny Rose thanked everyone for inviting them to speak. After 27 years of personal experience with addiction, he has been clean for over 18 years and is now a homeowner as a result of the types of services the organization offers. He provides hands-on support to individuals by providing them with access to transportation to obtain the necessary resources that they need at that moment, including doctor visits. He stated the importance of maintaining their relationships, being accessible, and having open and honest conversations on a regular basis to help ensure that they are on track. He also works on the Outreach Vehicle, which provides primary care physicians and provides transportation for

individuals in need of obtaining i.d.'s, services, including utilities and telephones. He thanked them for the opportunity to serve the community.

In conclusion, Ledge Light Health District Director of Health Muggeo stated that the Navigators may be reached by calling or texting (860) 333-3494. They are available to respond to any questions and/or support individuals and family members, provide naloxone strips, or connect with individuals interested in achieving their personal health goals.

Promotional Efforts (Councilors McNally and May) – They are always seeking opportunities to increase their partnerships and awareness and are open to suggestions. Understanding that not all individuals would like to engage with a Navigator, they also offer other services, which are very broad, and support the community in other ways. The approaches differ between municipalities. For example, the New London Fire Department provides pocket-sized NLC Cares cards that can be discreetly handed to an individual at the scene. In the interest of privacy and to protect the safety and comfort of individuals, any overt and visible approaches are avoided.

Physical Location (Councilor Yuchniuk) – While they are based at the Alliance for Living Office, they are primarily working out of one of their mobile vans in the communities they serve. They are open to any recommendations or insights as to an ideal location where those who may need their service(s) gather. Referrals are also made through connections made through others, including the Uncas Health District staff, the courts, various service providers, and the public defender's office — all of whom have been made aware of the Navigators. Many substance abusers talk amongst themselves and the organization has built and continues to build a reputation that has helped those in need seek them out for aid. In addition, they have partnered with Yale University on two research projects aimed at viewing different treatment modalities and ways to offer treatment, which has also opened up some connections. It was noted that their goal is to also educate and guide families and communities as a whole as well as the individuals themselves.

The Councilors expressed their heartfelt appreciation to the organization. Councilor Caron, who has been personally affected, felt that there is a great need for people, such as themselves, who care about individuals and help the community. Councilor Bunnell, who has also been personally affected, thanked them for providing the presentation and informing them of their services, adding that educating the community is an important aspect. Councilor Mandler, who has also been personally affected, felt that the service they provide is invaluable. Mayor McDaniel echoed the Councilors and recalled a presentation by Ledge Light Health District Director of Health Muggeo during which she stated the availability of free Naloxone boxes. She informed them that they were able to secure grant funding to purchase 24/7 Naloxone Weatherproof Distribution Boxes. Each kit includes Naloxone, test strips, cards, and a QR Code linking individuals to their website which includes a short training video. She stated the importance of saturating communities with Naloxone and making them more accessible, especially for individuals who feel deep shame and stigma. The Town may reach out to Uncas Health District Director of Health McCormack to have a box installed.

5. Alterations to the Agenda

Motion made by Councilor Caron, seconded by Councilor Bunnell, to approve the following alterations to the Agenda:

16(c) **THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize Mayor Ronald McDaniel to enter into a 99 (ninety-nine) year lease agreement for ~~8, 14,~~ ~~and 22~~ Bridge Street. (Councilor McNally)

16(e) **THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve and adopt the Referendum Resolution entitled "Resolution Establishing A Date of *December 12, 2023* For A Referendum And The Preparation of Explanatory Text Related To (Resolution Authorizing An Appropriation Of \$15,500,000 For The

Montville Schools Air Conditioning Project And The Financing of Said Appropriation By The Issuance Of General Obligation Bonds Of The Town And Notes In Anticipation Of Such Bonds In An Amount Not To Exceed [TBD – \$15,500,000/\$6,000,000] Therefor,” a copy of which resolution is attached hereto as Exhibit B; and to waive the reading of the entire resolution and to incorporate its full text into the minutes of the meeting. The Town Council will decide at the meeting whether to authorize bonds in the amount of \$15,500,000 or \$6,000,000. (Councilor McNally)

Discussion: None. Voice vote, 7-0, all in favor. Motion carried.

Councilor Bunnell requested that Eagle Scout Tyler Lawton, who is currently at work, be allowed to provide a brief report regarding the conclusion of his Eagle Scout project to create a walking trail behind the Public Safety Building when he arrives.

6. To Consider and Act on a Motion to Approve:
  - a. The Regular Meeting Minutes of September 11, 2023  
Motion made by Councilor Caron, seconded by Councilor Rix. Discussion: None. Voice vote, 7-0, all in favor. Motion carried.
  - b. The Special Meeting Minutes of September 27, 2023 (Tyl Middle School Roof Project)  
Motion made by Councilor Rix, seconded by Councilor Caron. Discussion: None. Voice vote, 7-0, 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 candidate for the Montville Housing Authority. Discussions to include members of the Town Council and Mayor Ronald McDaniel.  
Motion made by Councilor May, seconded by Councilor Rix. Discussion: None. Voice vote, 7-0, all in favor. Invited parties exited Town Council Chambers for Executive Session at 7:25 p.m. Chairman McNally resumed the meeting at 7:39 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 September 2023 Financial Reports from Finance Director Barbara Griffin
  - b. Copy of the legal bills from Halloran & Sage for the month of July 2023
  - c. Copy of the legal bills from Halloran & Sage for the month of August 2023
  - d. Copy of the legal bills from Suisman -Shapiro for the month of July 2023
  - e. Copy of the legal bills from Suisman-Shapiro for the month of August 2023
  - f. Copy of a letter from the Eastern Regional Tourism District regarding the appointment of a representative from the Town of Montville to the Board of Directors
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 reported that meetings have been held to discuss the Cook Hill Water Tank Project. All of the paperwork is in order, the design is complete, the contract has been awarded, and the site work should soon begin. A meeting was also held with the Economic Development Consultant for the Land Use & Development Department, who is also planning to meet with some of the Councilors and Bill Pieniadz. A meeting was also held with the Union, Fire Chiefs, and Dispatchers to settle issues before the October 1 start date, and are in the process of working through them. A Swearing-In Ceremony was held for Officer Victor DeSimone, a lateral hire who will undergo minimal training before going on patrol. A joint press event to celebrate the Mohegan Tribal Nation’s acquisition of Saint

Bernard School, which includes a concurrent agreement for a 20-year lease with the School, was held. The Girl Scouts were invited to the Town Hall for Democracy Night. Next week, he will be engaging in a working group with Ledyard Mayor Fred Allyn, III, to examine the taxation of Federally-recognized Tribal Nations on personal property tax issues and its effects; the legislation was part of the appropriations bill during the Legislators' last session.

Land Use & Development Director Liz Burdick reported that the Planning & Zoning Commission approved a subdivision application on Old Colchester Road and tabled a Site Plan/Coastal Site Plan application for a Marine Materials Management Transloading Facility at the existing Gateway Terminal on Depot Road, pending staff reviews and comments from CT DEEP Coastal, during their September Regular Meeting. The latter application involves a proposal to utilize the site to combine dredging material with a type of cement material for use as residential fill. A Demonstration Permit has been issued by CT DEEP (Connecticut Department of Energy & Environmental Protection). The goal is to reuse and recycle dredge material for a positive use, rather than depositing the matter into a landfill. In October, the Commission will be holding Public Hearings to consider a Subdivision application on Route 163 and a six-month extension of the Moratorium for Cannabis Establishments. Other items that will be on this month's agenda include a Subdivision application on Moxley Road and a Site Plan application for the ACO (Animal Control Facility). If the latter application is approved, it will be valid for a period of five (5) years and may be extended for an additional five (5) years.

*Dredging Material (Councilor Bunnell) – The number of cubic yards of dredging material that will be produced will be limited by both month and in total. The CT DEEP Permit will expire in January and can be extended. The dredging season is from October through January/February.*

*Hazardous Materials (Councilor May) – All of the material, that will derive within the state, will be tested before it is brought to the site to ensure that it does not contain any hazardous materials. Land Use & Development Director Burdick stated that she has requested an Odor Control Plan and an explanation regarding any material that is found to contain hazardous material.*

*On-Site Storage (Councilor May) – No material will be stored on the site and material will not be transported off the site during the peak hours of the local salt facility. The receiving site will be located at a remediated old mill in Griswold.*

She also reported that the paperwork for the Grant funding for Dakota Partners was finalized and the work is estimated to be completed in August 2024. The first RFP for the geotechnical and structural engineering for the Fishing Pier was awarded to Race Engineering. She also informed the Councilors that, oftentimes, their agenda includes resolutions for items that should have undergone a §8-24 Referral Review by the Planning & Zoning Commission before being approved by the Town Council. The only exception that an item need not undergo the Review is when the Commission has failed to respond within the 35-day timeframe. The Referral, she noted, is only advisory, and, should an unfavorable Referral be offered by the Commission, the Town Council may overrule the decision by a two-thirds majority vote. Examples of cases where this has occurred were provided, including the Resolution for a \$15 million Bond for the Schools which is included on this evening's Agenda. An e-mail regarding the same was also sent to the Councilors.

*Chairman McNally requested that the issue also be brought to the attention of the Town's Departmental Heads. Mayor McDaniel admitted that the Landfill Project was overlooked due to staffing transitions. He also clarified that, with respect to the School Bond Project, it was the opinion of the Bond Counsel that it would not be necessary to send the item to the Commission for a §8-24 Review. To err on the side of caution, the item will be added to the Commission's October Agenda, after the fact. Discussion ensued regarding the issue, including the need to improve their communication concerning §8-24 Referrals.*

Lastly, she announced that she was recently appointed as the Chairperson of the Connecticut Mobile Manufactured Home Advisory Council, which will be discussing possible public outreach campaigns to remove some of the old stigmas and investigate the possibility of reforming the zoning laws to allow mobile homes in more areas as a way to increase more affordable living spaces.

Finance Director Griffin provided a brief update regarding LoCIP (Local Capital Improvement) Grant projects, which must be included in the Town's current year Capital Improvement Plan and approved by the Town Council. The current LoCIP Grant projects include the Camp Oakdale Storage Building, Desjardins Park Upgrades, Camp Oakdale Large Pavilion, and Camp Oakdale Basketball Courts. The Town currently has just over \$1.2 million in LoCIP funds. Starting next year, the LoCIP Grant process will be changed such that the state will be providing the funding upfront and municipalities may report the details to the state after the funds are expended. As such, projects will no longer be required to be included in the Town's Capital Improvement Plan. Finance Director Griffin will investigate the possibility of amending the Capital Improvement Plan during the fiscal year, allowing particular projects to be funded through the Grant.

*Councilor May recommended she present the items to the Town Council after the election.*

Councilor Bunnell introduced Eagle Scout Lawton, who provided a completion report with photographs highlighting key areas along the newly created Horton Cove Trail. The Trail also includes a kiosk that houses a trail map, rules, and a list of donors who contributed \$100.00 or more to the project. The only outstanding item is the placement of the benches, which have been ordered. He has submitted the necessary paperwork to the Scouts for approval. He hopes that the Trail will be enjoyed by many people, including the Councilors, for many years to come.

Councilor Bunnell commended and expressed his appreciation to Eagle Scout Lawton for his outstanding efforts and persistence to bring the Trail to fruition, including overcoming monetary issues, manpower needs, environmental concerns, and safety issues, and submitting and presenting applications to various boards and commissions for approval. He added that the area also has significant historical value, including as a drilling ground for the Colonial Army and home to a witch hazel factory and icehouse, etc. The Councilors concurred and congratulated him on an excellent job. Mayor McDaniel expressed his pleasure in working with him and his pride as he signed the paperwork, adding that many individuals have already begun using the trail, which is a true benefit to the town and its residents.

12. Reports from Standing Committees

- a. Town Administration/Rules of Procedure – *no meeting*
- b. Finance – *no report; items included on the Agenda*
- c. Public Works/Solid Waste Disposal

The bids for the Fair Oaks Bathroom Project came in higher than projected, the Moxley Road Project was completed today, and work will begin on two additional roads next week.

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. The Public Works and Parks & Recreation Department Directors met to discuss the playground, football area, and Simpson Lane Courts. Multiple cameras with feeds to the Police Department will be installed on poles. Three (3) separate bid options for the Camp Oakdale Large Pavilion Project will be sent out. Recommendations are being

sought to reduce the Camp Oakdale Basketball Courts Project by \$50,000.00. The new tennis/pickleball courts, which remain very active, now don new signage indicating the rules of the courts. The Commissioners are in the process of reviewing three (3) proposed designs for Desjardins Park. The Commission will request CLA Engineers, Inc., to prepare two (2) preliminary site plans for the Community Center – one that includes a pool and another without a pool. The Trick or Trunk event will be held on Saturday, October 28. An inclusive playground celebration will be organized for the early spring, following the installation of a communication board. The Commission also discussed the Camp Oakdale Fitness Trail.

Raymond Hill Library will be hosting an Open House event to celebrate National Friends of the Library Week on October 19, from 6:00 to 8:00 p.m.

- b. Councilor Caron: Commission on Aging, Social Services, Non-Profit Organizations  
As the holiday season approaches, the Department of Social Services is growing busier. The carpeting and new windows were installed, the exterior has been painted, and the bathrooms are approximately 90% complete at the old Town Hall, which will house the Department.

The Commission on Aging, which now boasts approximately 2,100 members, is planning additional programs and trips and looks forward to the receipt of new computers and printers. The Mohegan Tribe has agreed to donate 300 turkeys. He reminded everyone that the need for food items and funding is year-round.

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

Ad-Hoc Covid-19 Impact Study Committee – *No meeting due to lack of a quorum*

The Water Pollution Control Authority approved funding a study regarding the conversion of an existing clarifier tank into an anaerobic digester to help reduce costs.

- d. Councilor May: Conservation Commission

The Conservation Commission attended the Raymond Hill Library's well-attended Community Fair. The Montville Lions Club donated a park bench made from recycled plastic bags.

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

The Farmers Market Committee will be hosting a Holiday Market on Saturday, November 11, from 10:00 a.m. to 2:00 p.m. at Tyl Middle School.

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

Economic Development Commission – *no meeting*

Youth Services Bureau and Advisory Board – *No meeting due to lack of a quorum.*

Public Safety Commission – *No meeting was held due to lack of a quorum.* The Police Department received 945 Calls for Service and issued 113 citations. The numbers continue to be inaccurate for the Fire Companies' Calls for Service.

#### 14. Appointments and Resignations

- a. To Consider and Act on a motion to appoint Joseph Summers to fill a vacancy on the Planning & Zoning Commission with a term to expire on November 12, 2024.

Motion made by Councilor May, seconded by Councilor Caron. Discussion: None. Voice vote, 7-0, all in favor. Motion carried.

- b. To Consider and Act on a motion to re-appoint John Biederka to the Building Code Board of Appeals with a term to expire on November 11, 2028.

Motion made by Councilor May, seconded by Councilor Bunnell. Discussion: None. Voice vote, 7-0, all in favor. Motion carried.

- c. To Consider and Act on a motion to re-appoint Gary S. Allyn to the Uncas Health District with a term to expire on November 14, 2026.

Motion made by Councilor Rix, seconded by Councilor Bunnell. Discussion: None. Voice vote, 7-0, all in favor. Motion carried.

- d. To Consider and Act on a motion to re-appoint Karen Perkins to the Commission on Aging, with a term to expire on November 20, 2026.

Motion made by Councilor May, seconded by Councilor Rix. Discussion: None. Voice vote, 7-0, all in favor. Motion carried.

15. Unfinished Business – *none*

16. New Business

- a. **Resolution #2023-108. THE TOWN OF MONTVILLE HEREBY RESOLVES** to refund taxes due to overpayments and corrections in the amount of \$8,570.55 (eight thousand five hundred seventy dollars and fifty-five cents) as requested by the Tax Collector. (Councilor McNally)

Motion made by Councilor May, seconded by Councilor Rix. Discussion: None. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- b. **Resolution #2023-109. THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve the use of \$400,000.00 (four hundred thousand dollars) of the State LoCIP (Local Capital Improvement) funds for the Camp Oakdale Storage Building. (Councilor McNally)

Motion made by Councilor Rix, seconded by Councilor May. Discussion: The new Storage Building will be located between the two fields. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- c. **THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize Mayor Ronald McDaniel to enter into a 99 (ninety-nine) year lease agreement for 14 Bridge Street. (Councilor McNally)

Motion made by Councilor Rix, seconded by Councilor May. Discussion: Chairman McNally stated that 8 and 22 Bridge Street were previously approved and sold to the individual. Because 14 Bridge Street is a remediated (Level C) brownfield site and, as such, it is in the best interest of both the Town and the Buyer to lease the property. Because the paperwork might not be finalized before his term expires, Mayor McDaniel recommended amending the Resolution to read as follows:

**Resolution #2023-110. THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize Mayor Ronald McDaniel *or his successor* to enter into a 99 (ninety-nine) year lease agreement for 14 Bridge Street. (Councilor McNally)

Motion made by Councilor Rix, seconded by Councilor Mandler, to amend the Resolution as stated. Discussion: None. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- d. **Resolution #2023-111. THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve and adopt the Bond Resolution entitled “Resolution Authorizing An Appropriation Of \$15,500,000 For The Montville Schools Air Conditioning Project And The Financing of Said Appropriation By The Issuance Of General Obligation Bonds Of The Town And Notes In Anticipation Of Such Bonds In An Amount Not To Exceed \$15,500,000 Therefor,” a copy of which resolution is attached hereto as Exhibit A; and to waive the reading of the entire resolution and to incorporate its full text into the

minutes of the meeting. The Town Council will decide at the meeting whether to authorize bonds in the amount of \$15,500,000. (Councilor McNally)

Motion made by Councilor Rix, seconded by Councilor Caron. Discussion: Chairman McNally stated that the School Board conducted an HVAC Study of the schools and estimated the cost of the project to be approximately \$15,000,000.00. To apply for the state Grant, the entire cost of the project must be approved for funding. Should the Grant be awarded, the Town's responsibility would be \$6,000,000.00. It was also noted that there is a possibility that the state will mandate new requirements for HVAC systems requiring upgrades. The Town Council's approval is necessary to send the item to a referendum. Explanatory text, drafted by Bond Counsel, will be included with the referendum. Any cost overruns were considered in the determination of the amount. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- e. **Resolution #2023-112. THE TOWN OF MONTVILLE HEREBY RESOLVES** to approve and adopt the Referendum Resolution entitled "Resolution Establishing A Date For A Referendum And The Preparation of Explanatory Text Related To (Resolution Authorizing An Appropriation Of \$15,500,000 For The Montville Schools Air Conditioning Project And The Financing of Said Appropriation By The Issuance Of General Obligation Bonds Of The Town And Notes In Anticipation Of Such Bonds In An Amount Not To Exceed \$15,500,000 Therefor," a copy of which resolution is attached hereto as Exhibit B; and to waive the reading of the entire resolution and to incorporate its full text into the minutes of the meeting. The Town Council will decide at the meeting whether to authorize bonds in the amount of \$15,500,000. (Councilor McNally)

Motion made by Councilor Rix, seconded by Councilor Bunnell. Discussion: Chairman McNally stated that the Registrar of Voters provided the two (2) date options: December 5 and December 12. Because the Town Clerk will not be available on December 5, the date of December 12 was selected. The Grant application deadline is December 31, 2023. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- f. **Resolution #2023-113. THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize the Leonard J. Tyl Middle School HVAC Project at a total cost of \$6,000,0000 and to approve the local funding of \$5,374,060 for the HVAC Project based upon the Town's November 8, 2022 referendum and issuance of the bond which includes funding for replacement of the Leonard J. Tyl rooftop ventilation units and boilers. (Councilor McNally)

Motion made by Councilor Rix, seconded by Councilor Mandler. Discussion: This and the following Resolutions include verbiage required by the state. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- g. **Resolution #2023-114. THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize the Montville Public School Superintendent to apply to the Commissioner of Administrative Services and to accept or reject the HVAC Indoor Air Quality Grant at Leonard J. Tyl Middle School for the HVAC Project which includes replacement of the ventilation system, adding air conditioning to un-air-conditioned spaces, replacement of the boilers and related work. (Councilor McNally)

Motion made by Councilor May, seconded by Councilor Rix. Discussion: None. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- h. **Resolution #2023-115. THE TOWN OF MONTVILLE HEREBY RESOLVES** to establish the Leonard J. Tyl Middle School HVAC Project Building Committee,



comprised of the Board of Education and the Superintendent, as the building committee for the HVAC Indoor Air Quality Grant for the Leonard J. Tyl Middle School HVAC Project. (Councilor McNally)

Motion made by Councilor Rix, seconded by Councilor May. Discussion: None. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- i. **Resolution #2023-116. THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize at least the preparation of the schematic drawings and outline specifications necessary for the HVAC Indoor Air Quality Grant application for the Leonard J. Tyl Middle School HVAC Project. (Councilor McNally)

Motion made by Councilor May, seconded by Councilor Rix. Discussion: None. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

- j. **Resolution #2023-117. THE TOWN OF MONTVILLE HEREBY RESOLVES** to authorize Mayor Ronald McDaniel to execute the Agreement between the Towns of East Lyme, Waterford and the Town of Montville concerning becoming a member of S.T.A.R.T. (Shoreline TRAFFIC Accident Reconstruction Team). (Mayor Ronald McDaniel)

Motion made by Councilor Rix, seconded by Councilor May. Discussion: Mayor McDaniel confirmed that the Agreement would be finalized before the end of his term. Councilor Bunnell was pleased to see that the Agreement was initiated and will be implemented as it will prove beneficial for the towns involved. The Team will be investigating automobile accidents and will provide them with the ability to secure grants. Roll Call vote, 7-0, all in favor. Voting in Favor: Councilors Bunnell, Caron, Mandler, May, Rix, Yuchniuk, and McNally. Voting in Opposition: None. Resolution passed.

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

On behalf of the BOE, School District, staff, and students, Board of Education (BOE) Chairman Wills Pike thanked the Councilors for addressing and approving the HVAC Project. He informed the Councilors that the HVAC Report was received by the BOE on September 12 and a thorough review was conducted.

Superintendent of Schools Laurie Pallin also expressed her appreciation to the Town Council for their support. She noted that the administrative team is also in attendance this evening to support the Resolution.

Montville Police Department Lieutenant David Radford, II, thanked the Councilors for supporting the S.T.A.R.T. Program, which the Police Department(s) have already begun utilizing. He also stated that, with the hiring of Officer DeSimone, the Department will be fully staffed and will be able to assign a third SRO (School Resource Officer).

18. Remarks from the Councilors and the Mayor

Mayor McDaniel announced that this evening constitutes his 353rd Town Council meeting as the Mayor of the Town. He expressed his appreciation to the residents for all of their support during his tenure and thanked and commended the Councilors who work hard behind the scenes, attend numerous meetings, and help make the Town a better place. While they might have their disagreements, they all do so in the best interest of the Town. He looks forward to working with the new Mayor and help ensure a smooth transition.

Councilor Bunnell thanked his colleagues for serving with him for the last two (2) years. The experience has been rewarding and the Town has reaped the benefits of their work together. He also stated his pleasure working for and with the Mayor who has always had the Town's best interest at heart and thanked him for all of his attention and for entertaining his thoughts.

Councilor Caron wished those who were running good luck and thanked the Mayor for his service, adding that it has been a pleasure serving the Town with him. He has served as a Town Councilor for the past 16 (sixteen) years and on the WPCA for five (5) years. While the job is sometimes thankless, it is also very rewarding. He also expressed his pleasure serving with Councilor Rix, who always spoke her mind though it sometimes conflicted with her Party. He expressed his admiration for her and commended her love and care for the community; he will miss her presence.

Councilor May commended the Mayor on an excellent job. The Mayor has accomplished an incredible amount which he does not receive credit for, including the Solarize Montville Program and the numerous grants that have been awarded to the Town. He thanked him for his hard work, dedication, and love for the Town. He also commended Councilor Rix who he considers a good friend and who he will miss. He hopes she will return to the dais in the future. He wished everyone good luck and hoped to serve on the Town Council alongside them for another term.

Chairman McNally also thanked his fellow Councilors. Having served on the Town Council for three (3) terms, this was his most enjoyable. While there is a lot of work involved and many meetings, they got along well and accomplished many things, with little to no contention.

Councilor Rix, who has served on the BOE and the Town Council, thanked the Mayor and the current and past Councilors she has served with for their mentorship and support. Most of all, she thanked the citizens of Montville for supporting her, speaking with her, believing in her, and her family for dealing with her absence.

Councilor Yuchniuk, who is completing his first term in office as a Town Councilor, stated that it has been a valuable learning experience and wishes that more citizens would get involved in local politics. He wished those who were running good luck and thanked those who were not for their service.

Councilor Mandler, who is also completing his first term, stated that it has been “a learning experience beyond learning experiences” as he gained insight into the inner workings of town government through his many interactions with each of the Councilors, the members of the BOE, and the community. Regardless of their disagreements, he has made many new friends in the process. He added that the Town Hall staff exhibits “bar none” professionalism. He wished the Mayor good luck on his retirement and thanked Councilor Rix for working with them.

19. Adjournment

Motion made by Councilor Rix, seconded by Councilor May, to adjourn the meeting at 8:55 p.m. Discussion: None. Voice vote, 7-0, 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**

**EXHIBIT A**  
**BOND RESOLUTION**

RESOLUTION AUTHORIZING AN APPROPRIATION OF \$15,500,000 FOR THE MONTVILLE SCHOOLS AIR CONDITIONING PROJECT AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$15,500,000 THEREFOR

**RESOLVED:**

Section 1. That the sum of \$15,500,000 is appropriated by the Town of Montville, Connecticut (the “Town”), for school air conditioning and HVAC improvements and upgrades at school buildings within the Town, including:

Montville High School HVAC Project	\$6,609,000
Palmer Building HVAC Project	884,000
Mohegan Elementary School HVAC Project	2,535,500
Oakdale Elementary School HVAC Project	2,999,000
Dr. Charles E. Murphy Elementary School HVAC Project	<u>2,472,500</u>
<b>Total</b>	<b>\$15,500,000</b>

including expenditures for planning, design, remediation, equipment, acquisition, construction, materials, site improvements, architects’ fees, engineering fees, and other costs related to the projects, interest on borrowings and other financing costs, and for administrative, printing, advertising, financing and legal and costs of issuance related thereto (collectively, the “Project”). Superintendent (or designee) and the Mayor (or designee) are authorized to determine the scope and particulars of the Project. Superintendent (or designee) and the Mayor (or designee), with the approval of the Town Council, may reduce or modify the scope of the Project if funds are insufficient to complete the Project, and the appropriation authorized hereby may be spent on the Project as so reduced or modified. Superintendent (or designee) and the Mayor (or designee), with the approval of the Town Council, may reallocate the appropriation among the Project, so long as the aggregate amount of the appropriation is not increased.

Section 2. That to finance said appropriation for the Project, the Town shall issue bonds, notes or other obligations in an Amount Not To Exceed \$15,500,000 after considering the estimated amount of State of Connecticut (“State”) or federal grants-in-aid of the Project, or the actual amount thereof if this be ascertainable, and the anticipated times of receipt thereof. The bonds, notes or other obligations shall be issued pursuant to Chapter 109 of the Connecticut General Statutes, Revision of 1958, as amended (the “Connecticut General Statutes”), including, without limitation, Section 7-369 of the Connecticut General Statutes, and any other enabling acts. The Town will apply for grants from the State under the “HVAC Indoor Air Quality Grant Program for Public Schools” and, if committed by the State, are estimated as follows:

	<b>Total</b>	<b>Estimated State Reimbursement</b>	<b>Estimated Town Portion</b>
Montville High School HVAC Project	\$6,609,000	\$4,697,016	\$1,911,984
Palmer Building HVAC Project	884,000	628,259	255,741
Mohegan Elementary School HVAC Project	2,535,500	1,801,980	733,520
Oakdale Elementary School HVAC Project	2,999,000	2,131,389	867,611
Dr. Charles E. Murphy Elementary School HVAC Project	<u>2,472,500</u>	<u>1,757,206</u>	<u>715,294</u>
<b>Total</b>	<b>\$15,500,000</b>	<b>\$11,015,850</b>	<b>\$4,484,150</b>

Section 3. That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds, notes or other obligations for the Project or the receipt of grants for the Project. The amount of the notes outstanding at any time shall not exceed \$15,500,000. The notes shall be issued pursuant to Section 7-378 of the Connecticut General Statutes. The Town shall comply with the provisions of Section 7-378a of the Connecticut General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

Section 4. That the Mayor and the Director of Finance of the Town (the "Officials") be authorized to sign said bonds, notes or other obligations by their manual or facsimile signatures and to determine the amounts, rates of interest, dates, maturities, dates of principal and interest payments on such bonds, notes or other obligations, the form of such bonds, notes or other obligations; the provisions for protecting and enforcing the rights and remedies of the holders of such bonds, notes or other obligations and all other terms, conditions and particular matters regarding the issuance and securing of such bonds, notes or other obligations and to execute, sell and deliver the same and all other documents, agreements and certificates related to the sale, issuance or delivery of said bonds, notes or other obligations, and provide all supporting documentation as may be necessary or desirable to accomplish such purposes and to comply with the requirements of the Internal Revenue Code of 1986, as amended, Securities and Exchange Commission Rule 15c2-12 (the "Rule"), and in accordance with the Connecticut General Statutes and any other applicable provision of law thereto enabling. Pursuant to Section 7-370 of the Connecticut General Statutes, except as otherwise provided herein, the Officials are delegated authority to determine the terms, details and particulars of borrowings authorized by this resolution. The bonds and notes authorized hereby shall be general obligations of the Town secured by the full faith and credit of the Town.

Section 5. That the Officials are hereby authorized to designate a bank or trust company to be the certifying bank, registrar, transfer agent and paying agent for such bonds and notes; to provide for the keeping of a record of the bonds, notes or other obligations; to designate a financial advisor to the Town in connection with the sale of the bonds, notes or other obligations; to designate the law firm of Pullman & Comley, LLC, Hartford, Connecticut, as the attorneys at law, to render an opinion approving the legality of such issue or issues.

Section 6. That the Officials are authorized to sell the bonds and notes by a competitive offering or by a negotiated sale, at public or private sale, at their discretion; to deliver the bonds, notes or other obligations; and to perform all other acts which are necessary or appropriate to issue the bonds, notes or other obligations, including, but not limited to, entering into a continuing disclosure agreement pursuant to the "Rule". If the bonds, notes or other obligations authorized by this resolution are issued on a tax-exempt basis, the Officials are authorized to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes or other obligations, including covenants to pay rebates of investment earnings to the United States in future years.

Section 7. That the Town hereby declares its official intent under Section 1.150-2 of the Federal Income Tax Regulations (the "Treasury Regulations") that project costs may be paid from temporary advances of available funds, which are paid within sixty days prior to and any time after the date of passage of this resolution, and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings (the "Obligations") in an aggregate principal amount not in excess of the amount of borrowing authorized above for the Project. Such Obligations shall be issued to reimburse such expenditures not later than eighteen months after the later of the date of the expenditure or the substantial completion of the Project, or such later date the Treasury Regulations may authorize. The Treasurer, or designee, is authorized to pay Project expenses in accordance herewith pending the issuance of reimbursement Obligations. The Officials are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds, notes or other obligations authorized by this resolution, if issued on a tax-exempt basis.

Section 8. That the Officials are hereby authorized, on behalf of the Town, to enter into agreements or otherwise covenant for the benefit of bondholders to provide information on an annual or other periodic basis to information repositories designated by the Municipal Securities Rulemaking Board and to provide notices to such repositories of certain events as enumerated in the Rule, as may be necessary, appropriate or desirable to effect the sale of the bonds and notes authorized by this resolution. Any agreements or representations to provide information to such repositories made prior hereto are hereby confirmed, ratified and approved.

Section 9. It is hereby found and determined that it is in the public interest to issue all, or a portion of, the bonds, notes or other obligations of the Town authorized herein as qualified private activity bonds, or with interest that is includable in gross income of the holders thereof for purposes of federal income taxation. The Officials are hereby authorized to issue and utilize without further approval any financing alternative currently or hereafter available to municipal governments pursuant to law including but not limited to any "tax credit bond," "tax-advantaged bond," including direct payment and tax credit versions of such bonds.

Section 10. That the Officials and other proper officers of the Town are authorized to take all other actions which are necessary or desirable to complete the Project consistent with the foregoing and to issue bonds, notes or other obligations to finance the aforesaid appropriation.

Section 11. That the Town hereby authorizes the Board of Education to apply to the State of Connecticut Commissioner of Administrative Services and to accept or reject a grant for the proposed (1) Montville High School HVAC Project, (2) Palmer Building HVAC Project, (3) Mohegan Elementary School HVAC Project, (4) Oakdale Elementary School HVAC Project, and (5) Dr. Charles E. Murphy Elementary School HVAC Project.

Section 12. That the proposed (1) Montville High School HVAC Project, (2) Palmer Building HVAC Project, (3) Mohegan Elementary School HVAC Project, (4) Oakdale Elementary School HVAC Project, and (5) Dr. Charles E. Murphy Elementary School HVAC Project are each hereby assigned to the BOE Building Committee comprised of the superintendent of Montville public schools, Laurie Pallin, and the elected members of the Board of Education, which as of the date of the Town Council meeting approving this resolution consists of: Sheelagh Lapinski\*, Timothy Shanahan, Lisa Terry\*, Lilyana Sherbanee\*, Wills Pike, Robert R. Mitchell Jr.\*, Tina Grove, Carol Burgess\*, and James B. Wood\*. (\* Term expires November 13, 2023 and will be replaced as appropriate in accordance with the results of the November 7, 2023 election).

Section 13. That the Town authorizes the preparation of schematic drawings and outline specifications for the proposed (1) Montville High School HVAC Project, (2) Palmer Building HVAC Project, (3) Mohegan Elementary School HVAC Project, (4) Oakdale Elementary School HVAC Project, and (5) Dr. Charles E. Murphy Elementary School HVAC Project.

Section 14. That this resolution shall become effective after approval at referendum vote.

**EXHIBIT B**  
**REFERENDUM RESOLUTION**

RESOLUTION ESTABLISHING A DATE FOR A REFERENDUM AND THE PREPARATION OF EXPLANATORY TEXT RELATED TO “RESOLUTION AUTHORIZING AN APPROPRIATION OF \$15,500,000 FOR THE MONTVILLE SCHOOLS AIR CONDITIONING PROJECT AND THE FINANCING OF SAID APPROPRIATION BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN AND NOTES IN ANTICIPATION OF SUCH BONDS IN AN AMOUNT NOT TO EXCEED \$15,500,000 THEREFOR”

**RESOLVED:**

Section 1. That the resolution entitled “Resolution Authorizing An Appropriation Of \$15,500,000 For The Montville Schools Air Conditioning Project And The Financing of Said Appropriation By The Issuance Of General Obligation Bonds Of The Town And Notes In Anticipation Of Such Bonds In An Amount Not To Exceed \$15,500,000 Therefor” shall be submitted to the electors and eligible taxpayers of the Town of Montville qualified to vote, at a referendum pursuant to Section C709 of the Charter of the Town and Chapter 152 of the Connecticut General Statutes, and held on Tuesday, December 12, 2023, between the hours of 6:00 A.M. and 8:00 P.M., for yes or no vote, in the designated voting location(s) in the manner provided by said Charter and the Connecticut General Statutes, and that the Town Clerk is directed to post and publish notice of such referendum in accordance with the provisions of said Charter and the Connecticut General Statutes, which notice shall state the question to be voted on as follows:

“Shall the resolution entitled, ‘Resolution Authorizing An Appropriation Of \$15,500,000 For The Montville Schools Air Conditioning Project And The Financing of Said Appropriation By The Issuance Of General Obligation Bonds Of The Town And Notes In Anticipation Of Such Bonds In An Amount Not To Exceed \$15,500,000 Therefor,’ be approved? Yes \_\_\_\_ No \_\_\_\_”

The ballot label for said question shall read as follows:

“Shall the Town of Montville appropriate \$15,500,000 for school air conditioning projects for the (1) Montville High School, (2) Palmer Building, (3) Mohegan Elementary School, (4) Oakdale Elementary School, and (5) Dr. Charles E. Murphy Elementary School, and authorize the issuance of general obligation bonds and notes in the amount of \$15,500,000 to finance said appropriation (with State grants to be applied for in the amount of approximately 71.07% of eligible costs of the projects, leaving the Town portion in the amount of approximately 28.93% of eligible costs plus all ineligible costs of the projects)? Yes \_\_\_\_ No \_\_\_\_”

The warning of said referendum shall state that the full text of said resolution is on file open to public inspection at the office of the Town Clerk.

The voting will be by paper/electronic ballot. Those desiring to vote for the question shall fill in the box in front of the question on the ballot at “YES”. Those desiring to vote against the question shall fill in the box in front of the question on the ballot at “NO”. Absentee ballots will be made available in accordance with law.

The warning (i.e., notice) shall also state that the full text of the aforesaid resolution and question are on file, open to public inspection, in the office of the Town Clerk, that the vote on the aforesaid Resolution is taken under the authority of the Charter of the Town and Chapter 152 of the Connecticut General Statutes, as amended, and that absentee ballots will be made available in accordance with law.

Section 2. That the Town Council hereby authorizes the preparation and printing of explanatory text by the Town Clerk in accordance with Section 9-369b of the Connecticut General Statutes for the questions to be voted upon at the referendum approved above. Subject to the approval of the Town Attorney, the Town Council further authorizes the preparation and printing of materials concerning the questions to be voted upon at the referendum approved above in accordance with Section 9-369b of the Connecticut General Statutes.