



TOWN OF MONROE

TOWN COUNCIL

REGULAR MEETING MINUTES

Session # 2020-25

Regular Meeting - Monday, October 26, 2020 – 8:00 P.M.

PRESENT (via phone):

Chairperson Enid Lipeles
Vice-Chairman Sean O'Rourke
Councilmember Jennifer Aguilar
Councilmember Jonathan Formichella
Councilmember Dee Dee Martin
Councilmember Jason Maur
Councilmember Tony Scott
Councilmember Kevin Reid
Councilmember Terry Rooney

ABSENT:

ALSO PRESENT:

First Selectman Kenneth Kellogg

Chairperson Lipeles led the Pledge of Allegiance.

Chairperson Lipeles stated that "This public meeting is being conducted as a hybrid meeting as follows: Town Council Members, designated staff, invited presenters, and members of the Press may attend in-person or remotely. Public access to this meeting will be limited to joining this meeting. **A LIMITED NUMBER of IN-PERSON** public attendees will be permitted, based upon the reduced capacity of the meeting room, pursuant to the Governor's Executive Orders. Any member of the public wishing to attend in-person must email Meetings@MonroeCT.org at least 24 hours in advance. You will be notified as to whether or not space is available.

ALL MEMBERS OF THE PUBLIC may attend remotely in compliance with Section 1 of Governor Lamont's Executive Order No. 7B dated March 14, 2020 using GoToMeeting electronic conferencing technology. Using this technology, the public shall participate in real-time in this meeting via computer, tablet, smartphone or telephone using the access information set forth on the meeting agenda. Please be advised that each meeting has unique participation information so please be sure that you have accessed the correct meeting. Notice is hereby given that only 250 participants may access this remote electronic public meeting at any one time. Access to this meeting using this technology is granted solely by the technology provider on a first access basis and is not controlled by the Town of Monroe. While it is anticipated that we will not exceed this participant limit for this meeting, should it appear that we are approaching said limit so that any member of the public is denied access to this meeting, I, as Chairman, reserve the right to adjourn and continue the meeting at a later date using technology appropriate to ensure all members of the public may participate.

Please take notice of the following regarding this remote electronic public meeting:

1. That this meeting is being conducted in real-time;
2. That this meeting is open to the public;
3. That any member of the public may listen or view to this meeting anonymously;
4. That this meeting is being recorded, and while we ask that you “mute” your microphones unless recognized to speak, that anything you say, do or is displayed on your screen may become part of the recording.
5. That the recording shall be posted to the Town’s website within 7 days;
6. That the recording shall be made available to the public within a reasonable time (in Town Hall or upon written request)

As set forth on the agenda, this meeting will feature and permit public participation.

Any written comments from the public regarding any business which would otherwise be germane to public participation and received between the dates the agenda was posted through one hour before the start of this meeting will be read into the record during the public participation portion of this meeting.”

Meeting Business Ground Rules

Chairperson Lipeles further stated “Please permit me to cover some ground rules to ensure the meeting runs smoothly, the comments are audible and an accurate record is maintained. This meeting shall follow standard parliamentary procedure. However, I ask all participants to follow these special rules in addition:

Please “mute” your microphone so as reduce background noise at all times you are not speaking.

Prior to speaking on each occasion, you must clearly state your name for the record.

The use of chat features is prohibited and will not be considered during the meeting at any time.

With regard to matters of Business on the agenda, The Chair will introduce each matter on the agenda. If subject to Motion or Resolution, the Chair will ask for same and a Second. After doing so, the Chair will invite each Member by name for comment. After all Members have had an opportunity to speak for the first time, the Chair will repeat the invite to each Member in the same order until there is no further comment. Please hold your comments until are recognized. Everyone will have an equal opportunity to speak.

Once discussion is complete or a vote has been compelled by parliamentary procedure, the Chair will call for a roll call vote on the Motion. The Chair will state each Member by name and ask for your vote. The Chair will tally the votes, announce the vote, and whether the Motion passed or failed.

Again, please remember to mute your phone or computer when you are not speaking; and lastly,

Please remember to speak clearly and in a way that helps generate accurate minutes”

CONSENT CALENDAR

- A.** Approval of the minutes and voting record of the Town Council Regular Meeting held on October 13, 2020 (Session 2020-24).
- B.** Acceptance of donations received for the following programs:

- i. **EWML:** \$17.95 and In-Kind donations of 11 books and café supplies
- C. Resolution #20-103: RESOLVED,** that Kenneth M. Kellogg, First Selectman of the Town of Monroe, is authorized to execute and deliver on behalf of the Town of Monroe, the Bill of Sale Contract and Warranty Agreement and any associated documents by and between Freightliner of Hartford, Inc. for the purchase of a 2021 Freightliner 114SD truck for the Department of Public Works.
- D. RESOLUTION #20-104: RESOLVED,** that the Monroe Town Council hereby approves the First Selectman's reappointment of **Angelo Lisi (D)** of 30 Farm View Road to the Parks & Recreation Commission with a term ending October 21, 2024
- E. RESOLUTION #20-105: RESOLVED,** that the Monroe Town Council hereby approves the First Selectman's reappointment **of Pat Tomchik (D)** of 35 Farm View Road to the Parks & Recreation Commission with a term ending October 21, 2024.

Councilmember Martin requested that item C be moved to New Business as item G.

COMMUNICATIONS

- A.** Memo from the First Selectman to the Town Council Chair dated October 21, 2020 regarding donations for various departments and programs.
- B.** Memo from the First Selectman to the Town Council Chair dated October 22, 2020 regarding various reappointments.
- C.** Letter from Special Counsel Vincent Marino to the First Selectman dated October 2, 2020 regarding the Request to Abandon Old Webb Road aka Old Stationhouse Road.
- D.** Memo from the First Selectman to the Town Council Chair dated October 19, 2020 regarding an Request to Abandon Old Webb Road aka Old Stationhouse Road.
- E.** Memo from the First Selectman to the Town Council Chair dated October 22, 2020 regarding an Appointment to the First Selectman's Business & Industry Advisory Committee.
- F.** Memo from the First Selectman to the Town Council Chair dated October 22, 2020 regarding the transfer of funds from the Board of Finance contingency.
- G.** Letter of Opinion from the Town Attorney to the First Selectman dated October 22, 2020 regarding the Bill of Sale Contract and Warranty Agreement with Freightliner of Hartford, Inc.
- H.** Memo from the First Selectman to the Town Council Chair dated October 22, 2020 regarding Bill of Sale Contract and Warranty Agreement with Freightliner of Hartford, Inc. for the purchase of a 2021 Freightliner 114SD truck.
- I.** Memo from the First Selectman to the Town Council Chair dated October 23, 2020 regarding the Engagement Letter with Rosemark Law.

Chairperson Lipeles requested to add the two following items to the communications:

- J.** Letter from Attorney Gail McTaggart to Attorney Vincent Marino dated October 26, 2020 regarding Mondo request to abandon, disclaim or discontinue Old Webb Road AKA Old Stationhouse Road.
- K.** E-Mail from Attorney Vincent Marino to Attorney Gail McTaggart dated October 26, 2020 regarding Mondo request to abandon, disclaim or discontinue Old Webb Road AKA Old Stationhouse Road.

1st PUBLIC PARTICIPATION – None

APPOINTMENTS

A. Resolution #20-106: To consider and act upon a resolution approving the appointment of **Michael O'Reilly (R)** 100 Webb Circle, to the First Selectman's Business & Industry Advisory Committee, as an ex-officio member representing the Chair of the Planning & Zoning Commission.

Motion: (S. O'Rourke)

RESOLVED, that the Monroe Town Council hereby approves the First Selectman's appointment of Michael O'Reilly (R) 100 Web Circle, the First Selectman's Business & Industry Advisory Committee, as an ex-officio member representing the Chair of the Planning and Zoning Commission.

Second: (J. Maur)

Discussion: *First Selectman Kellogg* stated that is a tragic loss of the former Planning and Zoning Commissioner, Mr. Bill Porter and has also resulted in a vacancy on the First Selectman's Business & Industry Advisory Committee. Mr. Porter had been appointed to the Business & Industry Advisory Committee as an ex-officio member to represent the Chair of the Commission. Mr. Michael O'Reilly is currently the Chairman of the Commission.

Councilmember Maur requested that we observe a moment of silence for Mr. Porter.

Motion passed 9-0

ACTION ITEMS

Town Council Committee on Planning & Zoning, Public Works and Park & Recreation Matters

Councilman Rooney stated that this committee did meet for the purposes of electing leadership. He was elected chairman of this Committee.

Councilmember Martin stated that she had attended the meeting for Parks & Recreation. Ms. Orosz wanted Council to know that Parks & Rec had a successful season, with many outside activities. In addition, Camping at Webb Mountain was also very successful.

Town Council Committee on Legislative & Administrative Matters

Councilmember Reid stated that L & A met and all of the items that were discussed at L& A are before Council this evening.

EMS Building Committee

Councilmember Rooney stated that they met to discuss the progress. They will be going out to bid for this project by the end of November. They are also getting a cost perspective in real time to give them a better idea of where they are at this time. *Councilmember Martin* asked that the end date may be. She was told that they are going to be accepting bids on November 18th.

First Selectman's Update

Today, the Governor's office reported that the state's positivity rate at 2.2% and the state's currently rolling weekly average is 2.4%. The update as of Friday, which had the total cases as of the DPH Thursday report at 181. Friday's report totaled 187 and today's report indicates 196. The number of total positive cases is increasing, and we are seeing case totals that have not been observed since May. However, it is important to note that we are seeing instances of test results being reported for test dates over a week prior, and several as early as August. This is likely due to routine data correction by DPH, such as an address correction. The trend is towards younger people and less impact in hospitalizations and deaths.

Councilmember Aguilar asked First Selectman about the Youth Commission. She was concerned that they had disbanded. First Selectman Kellogg stated that he had received a few resignations recently. He

further stated that he is in the process of appointing new members to this commission. He further explained that there are two commission members left.

NEW BUSINESS

A. Resolution #20-107: To consider and act upon a resolution regarding a §8-24 Municipal Referral for the Abandonment of Old Webb Road aka Old Stationhouse Road.

Motion: (S. O'Rourke)

RESOLVED, that in accordance with Connecticut General Statutes §8-24, the Monroe Town Council hereby refers the Abandonment of Old Webb Road, aka Old Stationhouse Road, as depicted on that certain map entitled "SITE SPECIFIC EXISTING CONDITIONS PLAN TOPOGRAPHIC SURVEY OF PROPERTY LOCATED AT 1603 AND 1615 MONROE TURNPIKE (C.D.O.T. ROUTE NO. 111) MONROE CONNECTICUT PREPARED FOR BRUCE C. MONDO SHEET 3 OF 3" Scale 1" = 30 ' date 11-17-2016 and prepared by Lewis Associates," to the Planning and Zoning Commission for its review and report.

Second: (J. Formichella)

Discussion: *First Selectman Kellogg* stated that he attached a formal request, from legal counsel representing Bruce Mondo, that the Town abandon Old Webb Road, aka Old Stationhouse Road. He also stated that he has been aware of a longstanding civil matter between Mr. Mondo and William and Geralyn Wiley, of which this roadway is a component. The Town has been advised that these parties have reached a settlement in their civil dispute over the matter.

The road in question has served as a means of access for both Mr. Mondo and the Wiley family. Attorney Vin Marino, Special Counsel for the Town, has determined, as research can best reveal, that the road was formerly a state road that was transferred to the Town in the 1930s. There is no information on this transfer with the Town. Attorney Marino is relying on research and representations from the State.

I have confirmed with appropriate department heads that we are unaware of any public purpose that would cause concern for the Town in considering abandonment of the road.

Motion passed 9-0

Motion: (J Maur)

To amend Resolution 20-107 to add "(Discontinuance pursuant to Connecticut General Statutes §13a-49a)" after the word Abandonment in Resolution 20-107

Second: (J. Formichella)

Discussion: *First Selectman Kellogg* stated that there was a change to the original resolution. Councilman Maur made the motion to amend the wording.

Motion passed 9-0

The motion was passed and reads as follows:

RESOLVED, that in accordance with Connecticut General Statutes §8-24, the Monroe Town Council hereby refers the Abandonment (Discontinuance pursuant to Connecticut General Statutes §13a-49a) of Old Webb Road, aka Old Stationhouse Road, as depicted on that certain map entitled "SITE SPECIFIC EXISTING CONDITIONS PLAN TOPOGRAPHIC SURVEY OF PROPERTY LOCATED AT 1603 AND 1615 MONROE TURNPIKE (C.D.O.T. ROUTE NO. 111) MONROE CONNECTICUT PREPARED FOR BRUCE C. MONDO SHEET 3 OF 3" Scale 1" = 30 ' date 11-17-2016 and prepared by Lewis Associates," to the Planning and Zoning Commission for its review and report.

B. Resolution #20-108: To consider and act upon a resolution regarding transfer of funds from contingency.

Motion: (S. O'Rourke)

RESOLVED that the First Selectman is authorized to appropriate up to \$80,000 from the Board of Finance contingency account for the fiscal year ending June 30, 2021 pursuant to Chapter VIII, Section 7(i) of the Charter for the Town of Monroe; and that this appropriation of available funds are necessary to effectuate budget revisions resulting from previously authorized wage adjustments not reflected in the FY2020-2021 adopted budget.

Second: (J. Formichella)

Discussion: *First Selectman Kellogg* stated that During the FY 2020-2021 budget process, certain wage increases for the FY 2019-2020 remained in the process of approval, and funds were therefore budgeted in the Board of Finance Contingency line. A prior resolution subsequently authorized the transfer of funds during the last fiscal year. However, the impact of these prior year wage adjustments, as previously approved, must also be transferred from Contingency for the current fiscal year.

Motion passed 9-0

C. Resolution #20-109: To consider and act upon a Letter of Engagement with Rosemark Law.

Motion: (S. O'Rourke)

RESOLVED, that Kenneth M. Kellogg, First Selectman of the Town of Monroe, is authorized to execute and deliver on behalf of the Town of Monroe, the Engagement Letter and any associated documents by and between Rosemark Law for legal services as special counsel.

Second: (J. Maur)

Discussion: *First Selectman Kellogg* As you are aware, the Town is currently in the process of contemplating a ground lease agreement regarding a proposed communications tower on Town property. The Town Attorney has recommended that special counsel from a subject matter expert be engaged to assist in this regard. *Councilmember Maur* stated that this did go before L & A and was approved to be considered by Council.

Motion passed 9-0

D. Resolution #20-103: To consider and act upon a resolution regarding the purchase of a 2021 Freightliner 114SD truck for the Department of Public Works

Motion: (S. O'Rourke)

RESOLVED, that Kenneth M. Kellogg, First Selectman of the Town of Monroe, is authorized to execute and deliver on behalf of the Town of Monroe, the Bill of Sale Contract and Warranty Agreement and any associated documents by and between Freightliner of Hartford, Inc. for the purchase of a 2021 Freightliner 114SD truck for the Department of Public Works

Second: (J. Formichella)

Discussion: *First Selectman Kellogg* stated that this is the same procedure as they have followed in the past. *Councilmember Aguilar* asked where this item was in the budget. She was told that this was a part of the Capital budget.

Motion passed 9-0

2nd PUBLIC PARTICIPATION – None

ADJOURNMENT

Chairperson Lipeles adjourned the meeting at 8:55 p.m.

Respectfully submitted,

Carol Sardinha
Town Council Clerk