



TOWN OF MONROE

TOWN COUNCIL

MEETING MINUTES

Session # 2024-10

Regular Meeting – Tuesday, April 23, 2024 – 7:00 P.M.

Meeting conducted in Council Chambers of Town Hall
& Remotely via Zoom

PRESENT: Chairperson Jonathan Formichella
Vice-Chairperson Enid Lipeles
Councilmember Vincent A. Duva
Councilmember Cathy Kohut
Councilmember Jason Maur
Councilmember Sean O'Rourke
Councilmember Janice Persico
Councilmember Kevin Reid (remote)
Councilmember Dona-Lyn Wales

ABSENT: None

ALSO PRESENT: First Selectman Terrence P. Rooney
Town Attorney Frank Lieto
Planning & Zoning Administrator Kathleen Gallagher

I. PLEDGE OF ALLEGIANCE

Formichella called the meeting to order at 7:26 PM and led with the Pledge of Allegiance.

II. ROLL CALL

Formichella took the roll call as noted above.

III. PUBLIC HEARING

Formichella opened the public hearing at 7:27 PM and stated that before the public input on exempting municipal property from zoning regulations, he asked if the Town Attorney and First Selectman wanted to speak.

Rooney stated that there was an issue on unfinished business with resolution #24-060 to consider and act upon a resolution regarding exempting municipal property from zoning regulations, which did not make it out of L&A. He noted there were many questions in the meeting for the Town Attorney to clarify and additionally citizens and Councilmembers in L&A had questions. **Rooney** deferred to the Town Attorney to address those questions.

Lieto noted that he presented information on this topic to L&A at the last meeting and through the First Selectman's office by members of this Council he was asked to address some questions relative to the proposal to exempt municipal property from zoning regulations and subdivision regulations pursuant to 8-2 of the Connecticut General Statutes. **Lieto** stated that one of the questions was to provide examples of other municipalities that have been exempted, and he would report on that. He noted that the other question was if limitations could be imposed on the resolution such as time limitations. **Lieto** stated with respect to the other municipalities, he would like to thank our State Representative Tony Scott and his team in Hartford for assisting him with providing information that would help him be responsive to

questions. **Lieto** stated through State Representative Scott's office he was able to provide a list of municipalities that the State had information on that followed the same exemption. He noted there were a couple of ways that Town's utilize the exemption process. He stated that the first was to consider this through the legislative body pursuant to the Connecticut General Statutes 8-2 and the other way would be through an ordinance. He noted additionally, each Planning & Zoning Commission through its Planning & Zoning regulation can provide exemptions within the documents. **Lieto** stated that the municipalities locally the he found were the Town of Trumbull, we were unable to determine when they passed the resolution but it was approved sometime in the 80's. **Lieto** stated as an ancillary question he was asked by a number of individuals, including Councilmembers Maur & Persico to determine if there were issues with the passing of those Statutes and he noted that Trumbull did not report any issues, problems, or complaints. **Lieto** stated that he did speak with Newtown and stated that they have spot exemptions within their Zoning regulations. He stated that they do not have a blanket exemption. He also noted that other municipalities he spoke with were interested by the existence of the regulation and the ability to use Statute 8-2 to exempt the Towns, but that most of the towns were exempt from the local regulations in one form or another. **Lieto** noted that with respect to a list provided through OLR it including Trumbull, Towns of Deep River, East Granby, Kent, Meriden, Newington, Sommers, Clinton, and Tolland, to name a few. He noted that there were numerous articles that presented for other communities that were believed to have utilized the exemption. He noted there were no known report issues that he would be able to report back to the Council. **Lieto** stated that with respect to the authority of this body, to limit terms and conditions associated with the exemption, research revealed and supported by OLR and through Representative Scott's office, supported the research that our legislative body could limit time for the exemption. **Lieto** noted that the only limitation that could not be included was that the exemption would have to apply to all municipal property and exempt the municipal property from all regulations. **Lieto** stated for the purpose of what was presented to Council, he recommended limiting the exemption to the zoning regulations and the subdivision regulations and that would exclude everything else such as building code, inland wetlands, fire, and health. **Lieto** stated the P&Z Administrator brought up a number of other provisions such as storm water regulations, various Federal regulations that would not be exempt such as FEMA, flood plains, and DEEP, things of that nature that may apply. **Lieto** stated he reviewed if the exemption would affect the historic district regulations and confirmed it would not. **Lieto** stated that Connecticut General Statute 8-24 in summary, requires that should the Town want to develop, relocate a road, develop a property in any way, shape or form, sell, lease, abandoned property, locate or extend utilities on public property, or publicly town owned property, then the Town must have a referral under 8-24 to the Planning & Zoning Commission, who would then consider the request. **Lieto** stated that the process for making recommendations to the body for as long as he could remember came from the First Selectman's Office and that this recommendation that came to him was in conjunction from Ms. Gallagher, the Planning & Zoning Administrator. **Lieto** stated that in reviewing and discussing the application of the regulations to municipal property, it was determined that the exemption would be the most efficient and cost-effective way for the Town to move projects forward such as St. Jude. **Lieto** stated it was not his opinion that it was absolutely necessary to do this in order for St. Jude to happen. He stated that there were ways to get that project done and that the project was going down that road already. **Lieto** stated this was not being presented as an oversight or to patch up deficiencies in that process. He stated that in prior years there was not an opportunity to review this matter and now that there was factual data to understand the application and how it would affect certain municipal projects, this was a good opportunity to bring this to Council. **Lieto** stated it was being presented because it was another measure to increase effectiveness and efficiency.

Formichella reminded Council that this was the public portion of the meeting and that there would not be a vote until later on the agenda. **Formichella** asked if anyone in Council Chambers would like to participate.

Paula Jelly, 288 Cottage St. – stated that she was concerned at the notion that municipal property could or would be exempt from zoning regulations. She stated that the opinion from Mr. Lieto from April 1, 2024, “stated in an effort to maximize municipal efficiency”. She stated that this impinged upon the resident’s interest and that zoning regulations are designed to protect the resident’s interests. She noted that this was all in the name of maximizing municipal efficiency and that resident’s interests are more important than maximizing efficiencies. Ms. Jelly stated that they had a right to have a public hearing on everything in town the Town wants to do, do not give away your rights. Ms. Jelly stated that the First Amendment to the United States Constitution states, “the right to petition government”. Ms. Jelly stated that she was most decidedly against this exemption.

Samantha Theoret, 5 Sunrise Terrace – inquired if the various towns mentioned who have enacted this and Mr. Lieto said that there were no negative comments, she was inquiring what the positives would be and if anyone had claimed whether or not they had experienced a big difference in efficiency levels. Ms. Theoret also inquired if the exemption in any way shape or form open the Town to liability if land owners or Town residents were to sue. **Mr. Lieto** noted that there was not much feedback provided to him through OLR but that he did have good conversation with Trumbull. He noted there was really no feedback, positive or negative and that he thought some of the communities that he spoke too appreciated the ability to maneuver in a most cost-effective manner. **Mr. Lieto** when it came to litigation, he said it would be an exemption and that there would not be issues, but with respect to checks and balances in place would be the Statute we discussed 8-24 which if the Town wanted to do something about a property, it would have to go to Planning & Zoning for their approval, then it would come back to Council. **Mr. Lieto** stated he did not believe it exposed the Town in any way, shape, or form.

Rooney stated he felt that it was important to complete more due diligence. He noted that he met with the Planning & Zoning Administrator to inquire how this would impact her role and what the benefits or negatives would be. He noted that aside from the bigger picture she had some smaller items that would benefit and she was here tonight to speak on those items. **Gallagher** stated that EMS had reached out regarding putting a sign up at their building, however they want the sign to be both an identification sign as well as a way to communicate to the community in Town. She stated that unfortunately, the zoning regulations are very strict related to signage and the Town does not have the availability to give them the sign they want. **Gallagher** stated they would have to go for a variance. She stated they were not potentially setting precedent to allow a sign up to that size for a commercial property and they would not have a hardship to lean on and that this was something we would want to get them to communicate. **Gallagher** stated if this exemption passed they would be able to work with them for. She noted they would still have to get a building permit and go through that process, but as it related to the size of the sign, Planning & Zoning would be able to give them a slight increase to give them the opportunity to communicate with the community

Formichella asked if anyone in online who would like to participate.

Charlie Kus, 18 Whispering Pine Road – stated that his concern would be that if there were a blanket where you can do what you want with a municipal property, does the public have any recourse to those changes? Mr. Kus stated that he appreciated the comments about efficiency, but inquired how much this would be saving.

Katelyn Johnson, 7 Shoals Road – stated that zoning laws are in place to allow rational planning to occur within towns and cities and they determine what kind of structure can be build and where. She stated that they protect the health and safety of the residents in the community which includes the population of wildlife, that she believed the majority of the Town residents would like to protect. Ms. Johnson stated that being in public facing roles, perception was everything and she feels that the Town would like unchecked freedom to build however they wish. She stated that she would like to have a better

understanding as to why such a broad scope of approval was necessary and why should municipals be entirely exempt. Ms. Johnson stated that does not grant much ability to residents to have a say in what goes on, and she struggled to believe that Planning & Zoning, with all the building that there currently pushing through, the community would push back too hard against municipal applications.

Peg Kelly, 38 Downs Road – stated that she did not think Planning & Zoning should have all this power. Ms. Kelly inquired if that was opening a back door for all of these developers to come in, because Planning & Zoning say’s yes. She stated that people in Town should be allowed to vote for things that affect them, not just what the Town wants to do.

Leon Ambrosey, 464 Hammertown Road – stated if this was part of Planning & Zoning. **Formichella** noted this was his opportunity to speak on the matter and that it was not a question and answer. Mr. Ambrosey stated that when the Town Attorney spoke, he stated there were two ways to do it and that there would be a partial or full exempt and he inquired what the difference was. Mr. Ambrosey stated that this should go to Planning & Zoning to determine if it would be a good fit for the Town.

Audrey Wellner, 33 Downs Road – stated that there should be more public opinion on this matter. Ms. Wellner stated that as far as the Town goes, progress has become greater and she thought there was too much freedom. She stated that they need to look at how the Town was forming and where open space was going to be and how to protect our properties. She stated that this needs to be looked at further and a public meeting needs to be held on this matter.

Jen Agular, 32 Surrey Lane – stated and inquired how they were doing this without going to Planning & Zoning at all. She stated that since Leon Ambrosey was on the Planning & Zoning Commission, she was unclear on how this could happen without having the Commission or the board have any say.

Kelley Hengus-Corrano, 19 Shoals Road – she stated that she would like to see the Town vote on this as well. She stated that she believed the people needed to be more educated about what’s happening in Town and she would also like to know which properties specifically started this discussion.

Formichella asked once again if anyone else in chambers or online wished to speak during the public hearing. Hearing none, **Formichella** closed the public hearing at 8:00 PM.

IV. CONSENT CALENDAR

- A. Approval of the minutes of the Town Council Regular Meeting held on April 8, 2024 (Session 2024-09).
- B. Acceptance of the donations received for the following programs:
 - Emergency Medical Services: \$825.00
 - Parks & Recreation: \$950.00
 - Police Department: \$200.00

V. COMMUNICATIONS

- A. Memo from the First Selectman to the Town Council Chair dated April 18, 2024 regarding various donations.
- B. Memo from the First Selectman to the Town Clerk dated April 18, 2024 regarding the Town Council Public Hearing on Exempting Municipal Property from Zoning Regulations.
- C. Memo from the First Selectman to the Town Council Chair dated April 18, 2024 regarding the CIRMA Letter of Commitment for the Budget Stabilization Program.
- D. Letter of Opinion from the Town Attorney to the First Selectman dated April 18, 2024 regarding the CIRMA Letter of Commitment for the Budget Stabilization Program.

VI. PUBLIC PARTICIPATION

Formichella asked if anyone else in chambers or online wished to participate. Hearing none, **Formichella** closed Public Participation.

VII. APPOINTMENTS

- A. None**

VIII. ACTION ITEMS

- A.** Town Council Committee on Finance, Education, Health & Public Safety Matters – **Lipeles** noted they have not met since the last Council meeting.
- B.** Town Council Committee on Planning & Zoning, Public Works and Park & Recreation – **Duva** stated they met and it was brief. He noted there was nothing to report.
- C.** Town Council Committee on Legislative & Administrative Matters – **Reid** noted they met prior to the meeting and discussed the matter brought up in the Public Meeting which was the Exemption to Planning & Zoning and that reach consensus as well as one item of new business which was a CIRMA document.
- D.** Strategic Planning Committee - **Formichella** stated they have not met since the last Council meeting. He noted they previously met on Capital Projects and noted there were numerous questions asked during that meeting including, purchasing fire apparatuses in this fiscal year as opposed to next fiscal year. **Formichella** stated there was consensus on that item and all of the concerns from that meeting were discussed with the Board of Finance in the joint capital meeting. He stated that there was consensus on purchasing two fire apparatuses this fiscal year and bonding for such this fiscal and having a bonding resolution approved this fiscal year, as well as considering an additional one depending on certain factors.
- E.** Open Space Preservation and Acquisition Committee – **O’ Rourke** noted they have not met since the last Council meeting.
- F.** First Selectman’s Update –First Selectman **Rooney** reported as follows:

Operations Update:

Town Hall Staff

- The Planning and Zoning staff and the Fire Marshall met with representatives of Open.gov, a software that can redesign and streamline operations throughout Town Hall. The program was well received by staff. We will have future meetings and ultimately if decided it’s a good fit will be brought to this Council. The cost was \$55,000 per year; however, it opens opportunity for kiosks for cursory permits. This software was currently used by many neighboring towns such as Shelton, Redding, and Trumbull. Fifty-five towns have moved to OpenGOV in Connecticut. More information will be supplied to this Council in upcoming months. Our staff will be visiting municipalities to observe the operations of this software in real time.

Public Works

- Stevenson Fire House Roof Replacement Project was 90% complete with only skylights remaining.
- Stepney Fire house Roof Replacement was in the beginning stages.
- Drainage for Arbor Road, Barton Road, and Rye Gate Terrace has been completed and are in line for paving.

Emergency Services Update

Brown Greer PLC Opioid Settlement

- Town of Monroe received \$2,300.61 in settlement funds.

Capital Projects Update:

Pepper Street

- After lengthy review with Town Directors, the Town Engineer and our liaison in the project for BL industries, the significant hold up was a component needed for a traffic signal facing Pepper Street on Route 25. It appears the mechanical device needed to interface to change the light was not available, therefore the project was struggling to get significant completion required by the State.

Community Update:

Fairway Acres

- I visited Fairway Acres, as this Council knows there has been concern with leadership there. I visited to see the condition of the housing and it seems many things need repair and cleaning. It is spring so hopefully the deferred maintenance will be taken care of through the upcoming months.

Penguin Plunge

- Although I could not attend this year, the Police Department conducted a Penguin Plunge for the Special Olympics. This event was held April 13th and had many attending to partake in the cold-water event. Once again thank you to our Police for being so community orientated. In a quote made in the Monroe Sun the event raised in the area of \$40,000. Thank you to Councilmember Maur for attending.

Making Bones Movie Premiere

- Monroe native and short film producer Joey Ambrosini had the premiere of his new short film Making Bones at Monroe Social this past Friday. I attended with my wife Nadine and office assistant Megan Morley. The event was complete with red carpet, live interviews and a number of other short film directors, actresses, and actors. Wishing our Monroe native Joey Ambrosini future success in film production.

IX. UNFINISHED BUSINESS

- A. **Resolution #24-060:** To consider and act upon a resolution regarding Exempting Municipal Property from Zoning Regulations.

Motion by Formichella to adopt **RESOLUTION #24-060:**

WHEREAS, pursuant to C.G.S. § 8-2, the Town of Monroe, through its Planning and Zoning Commission, has established, adopted and prescribed certain zoning regulations in and for the Town of Monroe, including the Town of Monroe Zoning Regulations and Land Subdivision Regulations of the Town of Monroe (collectively the "Regulations");

WHEREAS, C.G.S. § 8-2(e) authorizes any town, by vote of its legislative body, to exempt municipal property from the regulations prescribed by the zoning commission of such town;

WHEREAS, "municipal property" means any real property belonging to, held in trust for or for the benefit of, or leased to, the Town of Monroe, located within the boundaries of the Town of Monroe, and used for a public purpose, including without limitation, buildings, structures, public rights-of-way, easements, and real property used for cemetery purposes; and,

WHEREAS, the Monroe Town Council is the legislative body in and for the Town of Monroe;

RESOLVED, that pursuant to C.G.S. § 8-2(e), the Monroe Town Council hereby exempts all municipal property from the Regulations through and including June thirtieth, 2025.

Second: Lipeles

Discussion: Formichella noted there were two changes since from the last time during discussions in L&A. He noted it was brought up that there were concerns related to certain regulations that were potentially be excluded from municipal adherence. He noted that was not the case, so including was removed and exclusively was added. **Formichella** stated that some of the items the Town was still bound by, including fire, building, health, historic district regulations, watershed regulations, and inland wetland regulations he would ask our Planning & Zoning Administrator if she know any others to please express those for the record. **Gallagher** stated that storm water regulations are governed by State regulations globally, or state regulating things such as FEMA regulations and things of that nature. **Formichella** noted that the Town does not have the power to waive or exempt itself from State or Federal regulations and all of the other regulations the Town would be bound specifically by Monroe's zoning and land subdivision regulations. He noted specifically it does not contemplate waiving any other type of regulation. **Formichella** noted that the other change in the language of the resolution that was in our meeting packet for our April 8th meeting was there would be a termination clause to this resolution, meaning the resolution would be

ceased on June 30, 2025. He noted that if the Town Council at that time choose to renew it, they could do so, however if they take no action, it would expire. **Formichella** stated the reason for that was it would give the Town ample opportunity to review and see how exempting itself from the zoning and land subdivision regulations have impacted the community, so it was a necessary protection added to the resolution which was important for the community as we live with the exemption. **Formichella** stated the Planning & Zoning Administrator had a comment regarding one of the questions presented by the general public related to the Planning & Zoning Commission. **Gallagher** stated that she and the First Selectman had the chance to speak with Chairman O'Reilly, who took no exception to what was being proposed however, the Town did not formally go in front of the entire Planning & Zoning Commission. **Gallagher** stated the Commission was given information in their take home packets, as this was on a different agenda previously, and things of that nature for the timeline had been different than anticipated. She stated there was informal discussion but no formal discussion at a meeting.

Formichella stated there was some more information that he wanted from public participation. **Formichella** inquired with the Town Attorney regarding some discussion on potential piece meal or individual regulation exemptions and what his opinion was as to the process. **Lieto** stated that 8-2(e) was an all or nothing proposition, so it requires the Town exempt its municipal property from all regulations, and that Statute does not give Council the authority to piece meal in any fashion certain provisions of its regulations. **Formichella** inquired if 8-24 created a limitation on the Town and that it makes alterations to municipal property. **Lieto** stated that 8-24 states no municipal agency or legislative body shall locate, except, abandon wide and narrow, extend any street, bridge, parkway, or other public way, locate, substantially improve required land for abandon, sell or leasing airport, park, playground, school, or other municipally owned property or public building, which was a general catch all. He stated that this also includes locating or extending any public housing, development, redevelopment or urban renewal project, or locate or extend public utilities and terminals for sewage, light power, and other purposes, until such a proposal for such action was referred to the Planning & Zoning Commission for a referral. **Formichella** inquired with the Town Attorney that some of the methods of achieving these efficiencies such as going for a variance in front of ZBA, which the Planning & Zoning Administrator brought up concerns about creating a precedent for commercial use, was it his understanding of the concerns that might be created. **Lieto** confirmed and stated that the project that caused this to come to light was the St. Jude project. He noted that for the project all necessary variances had been obtained through ZBA. **Lieto** stated that there were significant hurdles that the Town had to go through in order to fully accomplish what the Town needed to with respect to the intent of that project consummating the project that was approved and considered by this body. He stated this avenue was not necessary for this project to be completed, however it would provide and would have provided the best opportunity for the Town moving forward. **Lieto** stated that what the Town would have to do, should it be required to file its own subdivision regulations, would make the project costlier and would make the project subject to precedent that could be binding upon the Town with respect to civil development moving forward. He noted they do not want to present anything to the Planning & Zoning Commission that would affect their future decision both voluntarily and involuntarily. **Lieto** stated he was concerned about precedent going in other avenues and concerned about the manner in which the Town would accomplish what it needs to accomplish. He stated there could be delays and would be more money which he did not think were in the Town's best interest. **Formichella** stated there were comments regarding the growth and development of the Town by private property owners, and to clarify in no way does exempting municipal property impact current or future development on private property. **Lieto** confirmed. **Formichella** inquired in regards to the 8-24 referral and other options would the public have participation at Planning & Zoning meetings as well as at Council to voice concerns. **Lieto** confirmed. **Formichella** inquired if any expenditure on building on municipal property would have to be approved in the Town's budget which would go through the Board of Finance, Town Council and Referendum and ultimately a Town Meeting if bonding or land acquisition or other factors were necessary. **Lieto** confirmed and stated the process would not be affected in any way.

Persico inquired that this would end June 30, 2025. **Formichella** stated technically, July 1, 2025 because it would include the 30th. **Persico** inquired that this would benefit the St. Jude project. **Formichella**

confirmed. **Persico** inquired with Selectman Rooney on if he had a list of the Town's municipal properties and how many they include. **Rooney** stated that he did not have a list of municipal properties but he would work on it and have it to her for the end of the week. **Persico** inquired if it included Webb Mountain or if it was just schools and stuff. **Formichella** stated that he would defer to the Town Attorney for interpretation of the list because there were other regulations, deed restrictions and other things that restrict our ability outside of the Planning & Zoning regulations to make changes. **Kohut** inquired that if Council was to approve the full exemption for this period of time, citizens would have no recourse in the event they are aggrieved. **Lieto** inquired in respect to which aspect. **Kohut** inquired if there was a lighting issue that was detrimental to one of the neighbors, because we have no restriction would have zero recourse. **Lieto** disagreed and stated that the resident would have the same recourse they would have if they were aggrieved by something that passed Planning & Zoning Commission. He noted that their recourse would be to notify the Town that they had a certain use that was a nuisance to them. **Lieto** stated if she was asking him if the resident would have the ability to attend a hearing before the Planning & Zoning Commission, the answer was no. **Kohut** stated that exactly was her point and that residents would not have the opportunity to object in the first place, to provide information as to why it was appropriate, and they would have no ability to inform a decision regarding that particular use. **Lieto** disagreed. **Kohut** inquired what the difference would be between the partial and full exemption. **Lieto** stated Statute requires full exemption. **Kohut** inquired why the opinion of the Planning & Zoning commission not solicited as opposed to the chair. **Lieto** stated he followed the Statute. **Kohut** inquired if the Statute would include any additional properties purchased during the duration of the exemption. **Lieto** confirmed. **Kohut** inquired that the notion of maintaining the time frame of a year period was to provide this body the opportunity to review how this Administration handles it within that year. **Lieto** stated he did not propose that language. **Formichella** stated that the one-year time period would be appropriate. **Maur** stated he understood the intent but thought it was being done backwards. He noted that passing this blanket exemption with a sunset period for the purposed of review was the wrong way to do it. He stated what was needed was time and a committee and that the committee should consist of members of the public, Council, and Planning & Zoning who would discuss the best path forward for the Town. **Maur** stated he was not firmly against exempting municipal property he just though they needed more information and a proper timeframe for different members of the Town throughout government as well as the community, to be able to decide the best path forward. **O'Rourke** inquired with the Town Attorney about the end of the time period and if there was no evergreen clause, meaning lack of action from this body does not automatically renew this proposal. **Lieto** confirmed. **O'Rourke** stated that this body would be forced to review this in its totality on a yearly basis and by the end we would of all had a bit of feedback from the public and various Town departments on either to remove or improve it. **O'Rourke** understood that Chairman O'Reilly did not raise objections but inquired if there was any further dialogue. **Lieto** stated that he was supportive and felt that this was appropriate from his perspective based on his tenure. **Duva** thanked the members of the public for attending. **Duva** inquired that if this was passed there is no remedy for a citizen to come in and complain that the Town violated the Zoning regulations. He stated from what he thought he heard, they would still have whatever other civil remedies would be open to them. **Lieto** confirmed. **Duva** stated that Ms. Gallagher stated earlier that doing this would save the Town approximately \$1 million and he inquired if they did not do this, then where would that money come from. **Lieto** stated he did not have the answer for that, but the Town would be faced with decisions and this was why other towns have the exemptions. **Duva** stated since this Statute was implemented by the State, the State Legislature recognized that there were times towns need to do this, was that correct? **Lieto** confirmed. **Duva** stated that he felt that in the totality of the circumstances of what the project would bring to the citizen's, that it was in the Town's best interest. **Reid** clarified that there was no opportunity to complet this just for the one St. Jude project. **Lieto** stated there was no way to accomplish it pursuant to the Statute, but that it could be accomplished through zoning regulations by text amendments to the zoning regulations. **Reid** inquired if there was a template that other towns have utilized that would be applicable for our use. **Lieto** stated it seemed like a moot discussion to discuss specific exemptions within the text of the zoning and subdivision regulations while

the Town would be exempt. He noted that the period of exemption could be used to explore more details and pointed exemptions within those documents themselves. **Reid** stated he had researched and found that many towns have had the exemption for a long time and appreciated that there was discussion about an expiry. **Reid** inquired if the expiration could be six months versus just over twelve. **Lieto** stated he did not propose the duration but he did not think that the intent of the Statute was to exempt all regulations for one specific project and purpose. **Reid** inquired if it was illegal to create an expiry date of six months. **Lieto** stated he did not believe it was illegal but in his research no other towns had time limits on their exemptions. **Reid** inquired on how many projects would this impact. **Lieto** stated he was unsure, but maybe three. **Reid** inquired about opening the conversation up to explore more of what Mr. Lieto mentioned regarding Planning & Zoning site plans.

Formichella called for a recess at 9:09pm and stated they would discuss this after recess.

Formichella noted they resumed the meeting at 9:37pm and that he was turning the meeting over to the First Selectman to speak on the item of unfinished business.

Rooney stated that he was very proud of the Council and L&A and happy to see that everyone on the dais was doing what the Town would want them to do for them. He stated that the citizens of the Town elect us to preserve their thoughts and vet their concerns, and that was what they were doing. **Rooney** stated vetting these situations and speaking how they had was a good exercise for new Councilmembers to understand how our system works, and thanked them. He stated that he had spoke with directors everyday and he addresses their concerns and how his office can help do their jobs better and more efficiently and that was his role as a leader. **Rooney** stated that primarily going through the St. Jude project, going through the subdivision and knowing that we would have to divide to obtain the property, we ran into the situation of open space. He noted that Ms. Gallagher came to him and inquired if the Town had to abide by its own planning & zoning regulations in regards to open space. **Rooney** confirmed and inquired how that would impact the project. He stated that he was informed the Town would have to give a portion of land to open space or there was a monetary value. He stated that if the Town gave the open land, they would have readjusted all the planning, setbacks, septic and things of that nature and was unsure if that would or would not work. **Rooney** stated there were concerns and additional costs to going back and redoing the plans. He stated that the other option was to pay the open space fund a dollar amount and based on the current value of the property would be around \$1 million. **Rooney** stated at that point they consulted with Planning & Zoning, the Economic Development Director, and everyone involved with the project. He noted that the Statute was brought to his attention and he was personally uneasy, but as he understood it and started to look at what the Town could possibly do with it, it was clear it would make projects go a little easier. He noted that was why he agreed to put it forward. **Rooney** stated that he had a verbal commitment from bond counsel for a significant large sum of money to go into the community center, however if the Town did not close on this then they could be losing in the area of three quarters of a million dollars toward the project. He noted that it would be \$1 million to open space, a loss of \$750,000 because the project needs to be closed to receive that money through the assistance of Tony Scott. **Rooney** stated that if the Town missed the window, they may not have the opportunity for that funding in the future. He noted that he saw this as beneficial so the Town does not have to take money from one area to put it in another and additionally, so that funding from bond counsel was not lost. **Rooney** stated that this was not a power grab, this was so the community would save that \$1 million for open space and so that they could obtain that additional funding through bond counsel for the community center. **Formichella** noted there were questions prior to the recess regarding the planning & zoning site development plans. He inquired if Mr. Lieto wanted to speak on that topic. **Lieto** stated that he would look further into qualifications on the proposed resolution, complete more comprehensive research on this to ensure whatever the Town does was orderly, understood, appropriate and not ambiguous. **Lieto** was unsure how long that research would take to complete. **Formichella** stated in light of that information, he was going to withdraw his motion. **Lipeles** withdrew her motion. **Formichella** stated the motion was withdrawn and the second was withdrawn. **Maur** stated he appreciated the withdraw and inquired with the Town Attorney if either Planning & Zoning or Council could be a threshold passing for non-conforming and how a resolution like that would look and if this would be an agenda item

on the Planning & Zoning Commission or would Council invite them to our next meeting to discuss this item. **Lieto** stated that his recommendation was that the project should move forward in the manner that it was preparing to move forward prior to his suggestion of considering this item and to figure out where to get the million dollars from. He stated that was what would need to be done to move the project forward at this time and it was unfortunate.

Motion was withdrawn and no votes were taken.

X. NEW BUSINESS

A. Motion by Formichella to accept the following donations that individually exceed \$1,500.00:

Parks & Recreation:

- \$3,000.00 from Newtown Savings Bank – Platinum Concert Sponsor

Second: Maur

Discussion: Rooney stated his gratitude for the donation and the community’s generosity.

Motion passed 9-0:

Voting Yes: **Formichella, Lipeles, Duva, Kohut, Maur, O’Rourke, Persico, Reid, Wales**

Voting No: None

Absent: None

B. Resolution #24-062: To consider and act upon a resolution regarding the CIRMA Letter of Commitment for the Budget Stabilization Program.

Motion by Lipeles to adopt **RESOLUTION #24-062: RESOLVED**, that Terrence P. Rooney, First Selectman of the Town of Monroe, is authorized to execute and deliver on behalf of the Town of Monroe,

Second: Maur

Discussion: Rooney stated the Connecticut Interlocal Risk Management Agency (“CIRMA”) provides the Town with Liability-Automobile-Property (“LAP”) insurance coverage. Once again, CIRMA has offered to cap LAP policy increases for three years. CIRMA has agreed to cap subsequent rate increases at 3% for FY24-25, FY25-26, and FY26-27. Attached was the Letter of Commitment for the Budget Stabilization Program between CIRMA and the Town of Monroe and the Monroe Board of Education. This Letter of Commitment was reviewed by our Town Attorney, who had provided his attached letter of opinion.

Motion passed 9-0:

Voting Yes: **Formichella, Lipeles, Duva, Kohut, Maur, O’Rourke, Persico, Reid, Wales**

Voting No: None

Absent: None

XI. PUBLIC PARTICIPATION

Formichella asked if anyone in chambers or online wished to speak on item A of unfinished business.

Jen Agular, 32 Surrey Lane – thanked Council for their consideration on withdrawing the motion and looking further into this matter.

Formichella asked if anyone else in chambers or online wished to speak on item A of unfinished business.

Hearing none, **Formichella** closed Public Participation.

XII. ADJOURNMENT

Formichella adjourned the meeting at 9:54 PM.

Respectfully submitted by, Kerry McAndrew, Clerk