Town of Groton, Connecticut

Meeting Agenda

Town Council

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk 860-441-6640
Town Manager 860-441-6630

Mayor James L. Streeter, Councilors Bruce S. Flax, Bill Johnson, Catherine Kolnaski, Deborah B. Monteiro, Frank O'Beirne, Jr., Deborah L. Peruzzotti, Paulann H. Sheets, and Harry A. Watson

Tuesday, February 01, 2011 **7:30 PM** **Town Hall Annex - Community Room 1**

REGULAR MEETING

I. ROLL CALL

II. SALUTE TO THE FLAG

III. RECOGNITION, AWARDS & MEMORIALS

IV. RECEIPT OF CITIZENS' PETITIONS, COMMENTS AND CONCERNS

This is the portion of the Council Agenda where the Council welcomes comments from citizens. Each presentation should be limited to five (5) minutes or less, and citizens should, if possible, submit written comments. Presentations should be related to matters pertinent to Groton. Town Councilors will only ask questions in order to clarify the speaker's presentation and can respond during the Responses to Citizens' Petitions portion of the Town Council meeting. Citizens should make their presentations from the lectern and state their names and addresses for the record.

V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS

VI. CONSENT CALENDAR

All matters listed under Item VI (Consent Calendar) are considered to be routine and will be enacted by one motion. No separate discussion of these items will take place, unless cause is shown prior to the time Council votes on the motion to adopt.

a. Approval of Minutes

2011-0034 **Approval of Minutes (Town Council)** **Resolution - Consent**

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meeting of January 18, 2011 are hereby accepted and approved.

b. Administrative Items

2011-0031 **Special Trust Fund Contributions** **Resolution - Consent**

RESOLUTION ACCEPTING SPECIAL TRUST FUND CONTRIBUTIONS

RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:
Various Donations - $200.00 - Groton Utilities Energy Assistance Program
City of Groton Matching - $1,639.47 - Groton Utilities Energy Assistance Program
Charter Oak Federal Credit Union - $570.00 - Social Services Discretionary
Connecticut Elks Association - $$400.00 - Social Services Discretionary
Kathleen Miner - $250.00 - Social Services Discretionary
Mystic River Homes Residents Association - $100.00 - Social Services Discretionary
Anonymous - $100.00 - Library Discretionary

c. Deletions from the Town Council Referral List

2011-0026 **River Road Permanent Repairs** **Referral**

2011-0028	Adoption of Thames Street Rehabilitation Program Ordinance	Referral
2011-0029	Adoption of Phase II School Facilities Program Ordinance	Referral
2011-0033	Supplemental Appropriation for May Referendum Costs	Referral

VII. COMMUNICATION REPORTS (Other than Committee Reports)

a. Town Councilors

b. Clerk of the Representative Town Meeting

c. Clerk of the Council

d. Town Manager

e. Town Attorney

VIII. COMMITTEE REPORTS

a. Community & Cultural Development - Chairman Peruzzotti

b. Economic Development - Chairman Johnson

c. Education/Health & Social Services - Chairman Kolnaski

d. Environment/Energy - Chairman Sheets

e. Finance - Chairman O'Beirne

f. Personnel/Appointments/Rules - Chairman Flax

g. Public Safety - Chairman Monteiro

h. Public Works/Recreation - Chairman Watson

i. Committee of the Whole - Mayor Streeter

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

2011-0026 River Road Permanent Repairs — **Referral**

RESOLUTION AUTHORIZING PERMANENT REPAIRS TO RIVER ROAD

WHEREAS, approximately 150 linear feet of River Road were damaged by flooding in March 2010, and

WHEREAS, $225,000 was appropriated from the Capital Reserve Fund Balance as an FYE 2011 road project for River Road repairs, and

WHEREAS, the Town Council held a public hearing on January 18, 2011 on the permanent repairs to River Road, a designated scenic road, and received comments from the public objecting to the guiderails proposed in the project, and

WHEREAS, the Town Council feels that a barrier system that duplicates what was in place on River Road prior to the March 2010 flooding would better reflect the road's scenic designation, now therefore be it

RESOLVED, that the Town Council approves the permanent repairs to River Road with the guiderails modified as noted above.

Legislative History

1/13/2011	**Mayor**	**Referred**	**Town Council Committee of th**
1/18/2011	**Town Council**	**Heard at Public Hearing**	

The Notice of Public hearing pursuant to a resolution passed by the Town Council was read by Town Clerk Betsy Moukawsher.

Public Works Director Gary Schneider noted that Town Ordinance 200 states, "No road which has been designated as a scenic road under this ordinance shall be altered or improved, including but not limited to, widening of the right-of-way or of the traveled portion of the highway, paving, changes of grade, straightening, removal of stone walls and removal of mature trees, except for good cause determined by the Council after a Public Hearing. The Council shall state the reasons for such future alterations and improvements in its minutes." Mr. Schneider stated that a Town Attorney opinion on the repairs to River Road states that Purcell Associates' guardrail requirements at this location should not be disregarded. He then gave a brief description of the project. River Road was damaged by a storm and the road itself will need to be rebuilt, including drainage, asphalt curbing, guardrails, and clearing a portion of wetlands. The alternatives being considered are: Merritt Parkway-style guardrails which have wood timbers with steel, typical w-shaped guardrails, or an eight-foot clear zone at the edge of the road which would require filling in some of the pond and wetlands area.

Edward R. Johnson, 87 Main Street, Noank, wants to make sure that the road and bridge will be able to accommodate fire trucks and emergency vehicles.

Jane Pillar, 1260 River Road, Mystic, is against the use of Merritt Parkway-style barriers on River Road. She stated that wooden poles and fencing should be used in the areas between the granite walls. Ms. Pillar believes the scenic road should be protected and other alternatives should be looked into.

Jack Pillar, 1260 River Road, Mystic, would like River Road repaired without the use of Merritt Parkway-style guardrails.

Karen Watt, 1291 River Road, Mystic, is opposed to Merritt Parkway-style guardrails, stating that they will create a 220 foot corridor on this narrow road.

Isobel Magee, 1288 River Road, Mystic, does not see any need for a barrier to be erected in front of a stone wall. She noted that if there is a safety concern, the speed limit could be reduced.

Paul T. Terry, 475 River Road, Mystic, does not believe that Merritt Parkway-style barriers should be utilized.

Rosanne Kotowski, 24 Ann Avenue, Mystic, believes that there is no reason for guardrails on this scenic road. She stated that this is a narrow road and the proposed guardrails will not allow pedestrians to move out of the way of traffic.

Michele Peters, 1170 River Road, Mystic, stated that there is no "good cause" to alter this scenic road. She noted that with the number of runners and pedestrians, including children, any alteration would present a liability.

Ken Peters, 1170 River Road, Mystic, stated that the proposed guardrails are ugly and would detract from the scenic road. He is concerned by the installation costs associated with these guardrails, maintenance/repair costs, and the impact to the scenic nature of the road. Mr. Peters remarked that the Connecticut Department of Transportation (DOT) Design Manual states that each project should fit into the context of the area and maintain its character.

Wanda Tillman, 924 River Road, Mystic, remarked that with the amount of hikers and joggers on River Road that it is already difficult to drive a car and with the proposed guardrails it will be impossible to safely pass these individuals.

There being no further comments, Mayor Streeter closed the Public Hearing at 8:18 p.m.

1/25/2011	**Town Council Committee of the Whole**	**Recommended for a Resolution**

Manager explained that the only issue to be decided by the Council is installation of the guiderails. The Town Manager noted it is a liability issue for the Town. It is the professional engineer's opinion, as well as the Director of Public Works and Town Attorney, that the guiderails are necessary. However, it is a policy decision to the made by the Town Council.

Councilor O'Beirne understands the desire to limit liability, but there are a number of places on River Road that are more hazardous than this section of the road. He feels the proposed guiderail is an "over-reaction" and he would like to see something less obtrusive. Councilor Monteiro agreed with Councilor O'Beirne and noted the Merritt Parkway guiderails design specifications are excessive. Councilor Sheets agreed and noted that she never received accident information for River Road as she requested.

Councilor Johnson questioned the crash rating for post and rail. Gary Schneider, Director of Public Works, stated that the rating is unknown. The proposed guiderail system is designed for 25-30 mph speeds.

1/25/2011 **Town Council Committee of the Whole** **Motion**

to remove the objectionable guiderails from the River Road project.

Councilor Watson asked if the change would require a new public hearing. Councilors Peruzzotti and Flax expressed support for the motion.

A motion was made by Councilor Monteiro, seconded by Councilor Sheets, to amend the motion to remove the objectionable guiderails and replace them with what was there before the March flood damage occurred.

Mayor Streeter noted that there are general guidelines for the barriers, but nothing stating they are mandatory. He expressed concern for the aesthetics of the street. Mr. Schneider indicated that there have been no accidents in this area of River Road.

The motion to amend carried unanimously

2011-0028 **Adoption of Thames Street Rehabilitation Program Ordinance** **Referral**

ADOPTION OF AN ORDINANCE APPROPRIATING $6,375,505 FOR THE THAMES STREET REHABILITATION PROGRAM AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:

Section 1. That the sum of SIX MILLION THREE HUNDRED SEVENTY-FIVE THOUSAND FIVE HUNDRED AND FIVE DOLLARS ($6,375,505) is appropriated for design and rehabilitation of Thames Street and intersections of adjoining streets from Bridge Street to Eastern Point Road and Smith Street. The project shall include clearing and excavation; reconstruction, milling or recycling of existing pavement and base materials, installation of new asphalt paving; installation or reconstruction of curbing, sidewalks, guardrails, handicap ramps; rebuilding, construction of, and repairs to retaining walls; reconstruction and new installation of storm drainage systems; relocation or reconstruction of other necessary utilities; traffic signal upgrades; installation of street lighting and landscaping and related improvements. The Town Council may reduce or modify the scope of the project and the entire appropriation may be spent on the project as so reduced or modified. The appropriation may be spent for design, construction management and construction costs, equipment, materials, site improvements, environmental remediation, easement acquisition, engineering fees, land survey fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing.

Section 2. That the Town issue bonds or notes, in an amount not to exceed SIX MILLION THREE HUNDRED SEVENTY-FIVE THOUSAND FIVE HUNDRED AND FIVE DOLLARS ($6,375,505) to finance the appropriation for the project. The bonds or notes shall be issued pursuant to Section 7-369 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be secured by the irrevocable pledge of the full faith and credit of the Town of Groton. The Town does hereby covenant and agree with the holders of the bonds or notes and all notes issued in anticipation of the receipt of the proceeds from the sale of such bonds or notes that in each year while any such bonds or notes are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town in an amount sufficient,

with such other funds of the Town as shall be available for such purpose, to pay the interest and principal on the bonds or notes as the same become due and payable.
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 or notes for the project. The amount of the notes outstanding at any time shall not exceed SIX MILLION THREE HUNDRED SEVENTY-FIVE THOUSAND FIVE HUNDRED AND FIVE DOLLARS ($6,375,505). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be secured by the irrevocable pledge of the full faith and credit of the Town, payable as provided in Section 2. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.
Section 4. That the Town Council shall determine the amount of bonds or notes authorized by Section 2 to be sold. The Town Manager and the Director of Finance shall determine the amount of any temporary notes authorized by Section 3 to be sold. The Town Manager and the Director of Finance of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The Town Manager and the Director of Finance are authorized to determine the dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.
Section 5. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 and, if applicable, pursuant to Section 54A(d) of the Internal Revenue Code of 1986, as amended, that (except tot the extent reimbursed from grant moneys) project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings, including qualified tax credit bonds, in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Director of Finance 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 or notes authorized by this ordinance if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.
Section 6. That the Town Manager and the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.
Section 7. That the Town Manager, the Director of Finance, and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes to finance the aforesaid appropriation.
Section 8. This ordinance shall become effective only if it has been adopted by vote of not less than five (5) members of the Town Council and by the Representative Town Meeting, and only if the appropriation set forth in Section 1 and the issuance of bonds and notes to finance said appropriation have been approved by the voters at referendum in accordance with Sections 5.5.5.1 and 9.13 of the Town Charter, and notice of passage has been published in accordance with the provisions of the Town Charter.
Refer to RTM.

Legislative History

1/19/2011	**Mayor**	**Referred**	**Town Council Committee of tl**
1/25/2011	**Town Council Committee of the Whole**	**Discussed**	

Commission to the CGS 8-24 referrals on the Thames Street ordinance. Both bodies recommended in favor.

1/25/2011	**Town Council Committee of the Whole**	**Recommended for a Resolution**

2011-0029 **Adoption of Phase II School Facilities Program Ordinance** **Referral**

ADOPTION OF AN ORDINANCE APPROPRIATING $133,481,150 FOR THE PHASE II SCHOOL FACILITIES PROGRAM AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON:
Section 1. That the sum of ONE HUNDRED THIRTY-THREE MILLION FOUR HUNDRED EIGHTY-ONE THOUSAND ONE HUNDRED FIFTY DOLLARS ($133,481,150) is appropriated for costs related to implementation of the Phase II School Facilities Program, consisting of the design, construction, demolition, expansion, renovation, relocation, equipping and furnishing of various of the Town's school facilities in connection with the restructuring of the Groton School District's grade level structure to Pre-K through Grade 1, Grades 2 through 6, Grades 7 through 8 and Grades 9 through 12, to be housed in two early education centers, five intermediate elementary schools, one middle school, and one senior high school, such project contemplated to include:
(a) construction of a new middle school serving all grade 7 and 8 pupils at the Claude B. Chester Elementary School site, located off of US Route 1 and CT State Route 117 in the central part of Groton, contemplated to include the demolition of the present school building, the construction of an approximately 143,500 square foot building including thirty-three classrooms, six science labs, twenty art classrooms, three music classrooms, two technology education labs, six computer labs, eight small group instruction centers, full double court gymnasium, locker rooms, weight room, auditorium to seat 400, library, school based heath clinic, cafeteria, kitchen, administrative space and other educational/building support areas, with heating and cooling provided by a ground source hybrid geothermal heat pump system with integrated energy recovery systems, construction of physical education playfields (including one all weather field), access drives, parking and subsurface storm water management systems, and related work and improvements (estimated cost of $64,697,032);
(b) renovation of the Carl C. Cutler Middle School, located at 160 Fishtown Road in Mystic, to become an intermediate elementary school facility serving grades 2 through 6, contemplated to include renovations necessary to convert approximately 15,000 square feet of the building from middle school specific spaces to elementary classroom uses, parking improvements, code-required building upgrades, and related work and improvements (estimated cost of $5,242,188);
(c) renovations and additions to the West Side Middle School, located at 250 Brandegee Avenue in the City of Groton, to become an early education center serving Pre-K through Grade 1, contemplated to include renovations to 76,000 square feet of the existing building and an addition of approximately 11,700 square feet to provide a total of 35 classrooms arranged within three clusters of autonomous "learning communities", as well as an art classroom, music classroom, four small group instructional rooms, school based health clinic, along with kitchen, multipurpose room, administration/building support areas, and related work and improvements (estimated cost of $23,037,357);
(d) construction of an early education center serving Pre-K through Grade 1, to be located at the current site of the present S.B. Butler Elementary School at 155 Oceanview Avenue in Mystic, contemplated to include construction of a new 79,700 square foot facility and the subsequent demolition of the present school building, the new facility to include a total of 35 classrooms arranged within three clusters of autonomous "learning communities", as well as an art classroom, music classroom, four small group instructional rooms, school based health clinic, along with kitchen, multipurpose room, administration/building support areas, with heating and cooling provided by a ground source hybrid geothermal heat pump system with integrated energy recovery systems, and related work and improvements (estimated cost of $36,143,070); and
(e) construction of an all-weather artificial sports field and related improvements to be located on the site of the current football field at Fitch Senior High School, located at 101 Groton Long Point Road in Groton (estimated cost of $1,002,766); and

costs related to the financing thereof (estimated at $3,358,737). The appropriation may be spent for design, construction and demolition costs, equipment, furnishings, materials, land or easement acquisition, necessary utilities, site improvements, parking, road and sidewalk improvements to and on the school sites, architects' fees, engineering fees, construction management fees, legal fees, storage, temporary space, moving and other relocation and facility closure costs, net interest on borrowings and other financing costs, and other expenses related to the project or its financing. The Town anticipates receiving State school building construction project grants in the estimated amount of 51.4 % of eligible project costs to defray in part the appropriation.
The Town Council shall, with Board of Education input, review and approve project phasing. The Town Council, or its designee, shall approve the final concept for each school project and may allocate the appropriation between the separate school projects as needed to pay the costs thereof. The Town Council may reduce or modify the scope of any element of the project and may delete elements of the project if funds are insufficient to complete the entire project. The entire appropriation may be expended on the project as so reduced or modified.

Section 2. That the Town issue bonds or notes, in an amount not to exceed ONE HUNDRED THIRTY-THREE MILLION FOUR HUNDRED EGGYONE THOUSAND ONE HUNDRED FIFTY DOLLARS ($133,481,150) to finance the appropriation for the project. The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds or notes shall be issued pursuant to Sections 7-369 and 10-289 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be secured by the irrevocable pledge of the full faith and credit of the Town of Groton. The Town does hereby covenant and agree with the holders of the bonds or notes and all notes issued in anticipation of the receipt of the proceeds from the sale of such bonds or notes that in each year while any such bonds or notes are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town in an amount sufficient, with such other funds of the Town as shall be available for such purpose, to pay the interest and principal on the bonds or notes as the same become due and payable.
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 or notes for the project or the receipt of grants for the project. The amount of the notes outstanding at any time shall not exceed ONE HUNDRED THIRTY-THREE MILLION FOUR HUNDRED EEGGYNE THOUSAND ONE HUNDRED FIFTY DOLLARS ($133,481,150). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes shall be secured by the irrevocable pledge of the full faith and credit of the Town, payable as provided in Section 2. The Town shall comply with the provisions of Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.
Section 4. That the Town Council shall determine the amount of bonds or notes authorized by Section 2 to be sold. The Town Manager and the Director of Finance shall determine the amount of any temporary notes authorized by Section 3 to be sold. The Town Manager and the Director of Finance of the Town shall sign any bonds or notes by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes. The Town Manager and the Director of Finance are authorized to determine the dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes; to provide for the keeping of a record of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.
Section 5. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 and, if applicable, pursuant to Section 54A(d) of the Internal Revenue Code of 1986, as amended, that (except tot the extent reimbursed from grant moneys) project costs may be paid from temporary advances of available funds and that the Town reasonably expects to reimburse any such advances from the proceeds of borrowings, including qualified tax credit bonds, in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The

Town Manager and the Director of Finance 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 or notes authorized by this ordinance if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

Section 6. That the Town Manager and the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes.

Section 7. That the Board of Education is authorized to apply for and accept state grants for the project. The Board of Education is authorized to file applications with the State Board of Education, to execute grant agreements for the project, and to file such documents as may be required by the State Board of Education to obtain grants for the costs of financing the project.

Section 8. That the Town Manager, the Director of Finance, the Board of Education and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes to finance the aforesaid appropriation.

Section 9. This ordinance shall become effective only if it has been adopted by vote of not less than five (5) members of the Town Council and by the Representative Town Meeting, and only if the appropriation set forth in Section 1 and the issuance of bonds and notes to finance said appropriation have been approved by the voters at referendum in accordance with Sections 5.5.5.1 and 9.13 of the Town Charter, and notice of passage has been published in accordance with the provisions of the Town Charter.

Refer to RTM.

Legislative History

1/19/2011	**Mayor**	**Referred**	**Town Council Committee of tl**
1/25/2011	**Town Council Committee of the Whole**	**Discussed**	

The Town Manager distributed responses from the Town Planning Commission and City Planning and Zoning Commission to the CGS 8-24 referrals on the Phase II Schools ordinance.

1/25/2011	**Town Council Committee of the Whole**	**Recommended for a Resolution**

A motion was made by Councilor O'Beirne, seconded by Councilor Sheets, to amend the motion and replace all occurrences (words and numbers) of $133,481,150 with $132,478,384, and to delete Section 1.(e).

Councilor O'Beirne explained that the amendment would eliminate the all-weather field at Fitch High School that was added to the project by the Superintendent of Schools with little discussion or justification.

Councilor Kolnaski asked about the ability to add wording to the ordinance to address the potential unavailability of state funding. The Town Manager stated no, but if after the referendum is approved by the voters the expected state reimbursement is different, the project is still under the control of the Town Council and it can be stopped. Discussion followed on wording in the ordinance.

A motion was made by Councilor Sheets to amend the motion to modify the final paragraph in Section 1. to read "The Town Council ... shall delete elements of the project if funds are insufficient to complete the entire project. There was no second.

Councilor O'Beirne noted the lack of support for the project because of the cost. He would like the Board of Education to develop a program for Pre-K that does not demolish and close existing schools.

Mayor Streeter supports institution of a Pre-K program. However, despite low lending rates and contractor availability, the Town can not afford the project.

Councilor Peruzzotti noted that the Superintendent was hired to move the school system forward. The Phase II project was sent to a committee that made a recommendation. She noted that the only people who vote or attend a public hearing are those with strong feelings and she believes that everyone must have the opportunity to vote on the project.

Councilor Johnson feels that people should have expected that a Phase II would follow a Phase I and the Town should see what happens with a vote. He emphasized that Thames Street and the Phase II Schools are two separate issues, not competing issues.

Councilor Flax believes that the Superintendent is presenting what he believes is the best product. He personally needs more time to think about it and so do the voters.

Councilor Watson feels the project should move forward. He reiterated his disappointment that there is no swimming pool included in the project.

Councilor Sheets expressed support for sending the project to the voters.

Councilor Monteiro has spoken to no one (that is not associated with the project) that favors the project. However, since the majority of the Council accepted the Phase II report, she supports sending the project to the voters.

The amendment to the motion failed by the following vote:

In favor: 3 - Mayor Streeter, Councilor Monteiro, Councilor O'Beirne
Opposed: 6 - Councilor Flax, Councilor Johnson, Councilor Kolnaski, Councilor Peruzzotti, Councilor Sheets, Councilor Watson.

2011-0033 Supplemental Appropriation for May Referendum Costs **Referral**

RESOLUTION AUTHORIZING FYE 2011 CONTINGENCY TRANSFER FOR REFERENDUM COSTS

WHEREAS, the Town Charter provides for transfers from the Contingency function during the year, and

WHEREAS, a May 2, 2011 voter referendum on the Thames Street Rehabilitation Program and the Phase II School Facilities Program will require expenditures pertaining to manning voter polling places, explanatory text preparation and distribution and other related legal and administrative expenditures, and

WHEREAS, transfers are necessary and represent expenditures that were unforeseen or unexpected at the time the FYE 2011 budget was adopted, now therefore be it

RESOLVED, that $51,000 be transferred from the General Fund Contingency function (#1074) to the following General Fund departments/functions, and be referred to the RTM for approval:

Voter Registration (#1003) @ $24,000:
for costs associated with manning voter polling places.

Town Clerk (#1005) @ $27,000:
for costs associated with the preparation and distribution of the explanatory text and other related legal and administrative expenses.

Legislative History

1/20/2011	**Mayor**	**Referred**	**Town Council Committee of tl**
1/25/2011	**Town Council Committee of the Whole**	**Discussed**	

The Town Manager noted that no funds were budgeted for the May referendum. The Registrar of Voters estimates their costs to be approximately $24,000, less than usual because the referendum coincides with the City elections. Other costs include legal notices ($4,600) and printing and postage associated with preparing

and distributing explanatory text ($9,500 to $11,500 each). The Town Manager estimates that a supplemental appropriation from Contingency in the amount of $51,000 will be required.

1/25/2011	**Town Council Committee of the Whole**	**Recommended for a Resolution**

XI. OTHER BUSINESS

XII. ADJOURNMENT