



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 Heather Bond Somers, Councilors Dean G. Antipas, Bruce S. Flax, Bill Johnson, Frank O'Beirne, Jr., Deborah L. Peruzzotti, Rita M. Schmidt, James L. Streeter, and Harry A. Watson

Tuesday, January 17, 2012

7:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

I. ROLL CALL

II. SALUTE TO THE FLAG

III. RECOGNITION, AWARDS & MEMORIALS

2011-0248 Proclamation Recognizing Linda Martin

Proclamation - TC

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

2012-0025 Approval of Minutes (Town Council)

Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meeting of January 3, 2012 are hereby accepted and approved.

b. Administrative Items

2012-0010 Special Trust Fund Contributions

Resolution - Consent

RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:

Robert and William Loweth TTEE Loweth-Alvord Foundation - \$1,000 - Groton Utilities Energy Assistance Program

Various Donations - \$1,490.00 - Groton Utilities Energy Assistance Program

Nga Do - \$50.00 - Library Donation Fund

c. Deletions from the Town Council Referral List

2010-0204 Appointment of Ellen Chiapperini to the Library Board

Referral

2010-0232	Acquisition of Spicer Property, Thomas Road	Referral
2011-0001	Unaffiliated and Other Appointments (2011 Standing Referral)	Referral
2011-0002	Republican Town Committee Appointments (2011 Standing Referral)	Referral
2011-0003	Democratic Town Committee Appointments (2011 Standing Referral)	Referral
2011-0004	Pending Litigation (2011 Standing Referral)	Referral
2011-0005	Joint Meeting with City of Groton (2011 Standing Referral)	Referral
2011-0006	Joint Meeting with Board of Education (2011 Standing Referral)	Referral
2011-0007	Joint Meeting with Groton Long Point Board of Directors (2011 Standing Referral)	Referral
2011-0008	Joint Meeting with Stonington Board of Selectmen (2011 Standing Referral)	Referral
2011-0009	Labor Negotiations (2011 Standing Referral)	Referral
2011-0010	Revised Position Descriptions (2011 Standing Referral)	Referral
2011-0065	Meeting with State Legislators	Referral
2011-0205	Acquisition of Fusconi Property, Crystal Lake Road	Referral
2011-0213	Zoning Regulation Amendment Inquiry	Referral
2011-0232	Contract Agreement Between the Groton Board of Education and the Association of Groton School Administrators	Referral
2011-0236	Town Clerk Compensation	Referral
2011-0251	Senior Center - Modification of Scope of Ordinance	Referral
2011-0252	North American Wetland Conservation Act (NAWCA) Grant - Spicer Properties	Referral
2011-0256	FYE 2011 CAFR	Referral
2012-0014	Reappointment of Robert Deveau, Jr. to Fair Rent Commission	Referral
2012-0015	Reappointment of Edward Brennan to Water Pollution Control Authority	Referral
2012-0016	Reappointment of Michael Meyer to Housing Authority	Referral
2012-0017	Reappointment of Paul Bates and Francis Crowley to Harbor Management Commission	Referral
2012-0018	Reappointment of Enrico DeMatto and Richard Monteiro to Permanent School Building Committee	Referral
2012-0019	Reappointment of Marie Shaw, Susan Kietzman, and Penelope Fox to Library Board	Referral
2012-0021	Appointment of Laura Baller to Water Pollution Control Authority	Referral
2012-0022	Appointment of Paul Duarte to Board of Assessment Appeals	Referral
2012-0023	Referral of Spicer Properties Acquisition to Planning Commission Under CGS 8-24	Referral

2012-0024 Referral of Fusconi Property Acquisition to Planning Commission Under CGS 8-24 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 Schmidt
- b. Economic Development - Chairman Johnson
- c. Education/Health & Social Services - Chairman Watson
- d. Environment/Energy - Chairman Peruzzotti
- e. Finance - Chairman O'Beirne
- f. Personnel/Appointments/Rules - Chairman Flax
- g. Public Safety - Chairman Streeter
- h. Public Works/Recreation - Chairman Antipas
- i. Committee of the Whole - Mayor Somers

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

2011-0252 North American Wetland Conservation Act (NAWCA) Grant - Spicer Properties Referral

RESOLUTION ENDORSING THE SUBMITTAL OF A GRANT APPLICATION TO THE FISH AND WILDLIFE SERVICE UNDER THE NORTH AMERICAN WETLAND CONSERVATION ACT FOR PURCHASE OF THE SPICER PROPERTIES

WHEREAS, in October 2010 the Town was awarded \$650,000 from the State of Connecticut Open Space and Watershed Land Acquisition (OSWLA) Program to acquire the Spicer properties on Thomas Road, and

WHEREAS, the appraised value of the properties exceeds the OSWLA grant amount and the Town has been actively seeking grant opportunities that would supplement the OSWLA grant, and

WHEREAS, Planning and Development Services submitted an application in October 2011 to the Fish and Wildlife Service under the North American Wetland Conservation Act (NAWCA) for a grant in the amount of \$75,000 for purchase of the Spicer properties, and

WHEREAS, commitments have been received from the Connecticut Ornithological Society and Audubon Connecticut for an additional \$3,250 in donations if the NAWCA grant is successful, now therefore be it

RESOLVED, that the Town Council endorses the submittal of the \$75,000 grant application to the Fish and Wildlife Service under the North American Wetland Conservation Act for purchase of the Spicer properties on Thomas Road, and be it further

RESOLVED, that Town Manager Mark R. Oefinger, or his designated agent, is hereby authorized to execute any documents necessary to accept the grant.

Legislative History

12/23/2011	Mayor	Referred	Town Council Finance Commi
1/10/2012	Town Council Finance Committee	Recommended for a Resolution	

2010-0232 Acquisition of Spicer Property, Thomas Road Referral

RESOLUTION AUTHORIZING THE TOWN MANAGER TO HAVE PREPARED AND TO EXECUTE A PURCHASE/SALES AGREEMENT FOR THE SPICER PROPERTIES, THOMAS ROAD

WHEREAS, three Spicer properties on Thomas Road were identified as desirable for conservation in the 2002 Plan of Conservation and Development, and

WHEREAS, the acquisition and use of the tracts for conservation and passive recreational purposes has been endorsed by the Town's Conservation Commission and the Town's Planning Commission, and

WHEREAS, the acquisition and use of the Spicer properties would also be consistent with both the State and Regional Plans of Conservation and Development, the 2008 City of Groton Plan of Conservation and Development, the State Department of Environmental Protection's (DEP) Green Plan, and other related State, regional and local plans and initiatives, including but not necessarily limited to the State DEP's Long Island Sound Stewardship Initiative , the State DEP's Statewide Comprehensive Outdoor Recreation Plan, the Southeastern Connecticut region's 2005 Hazard Mitigation Plan, and the State DEP Coastal and Estuarine Land Conservation Program, and

WHEREAS, the Town has obtained grant funding and accrued funds for the purposes of land conservation through a fee in lieu of open space provision in its subdivision regulations, as well as through its capital improvement program, now therefore be it

RESOLVED, that the Town Council authorizes Town Manager Mark R. Oefinger to have prepared and to execute a purchase/sales agreement for the three tracts known as the Spicer properties and identified as follows:

Tract #1
Location/PIN: 155 Thomas Road/169813033078
Ownership: Doris Pulaski (Trustee)

Tract #2
Location/PIN: 0 Thomas Road/168816937659
Ownership: William C. Spicer Jr. Estate

Tract #3
Location/PIN: 0 Thomas Road/168820918875
Ownership: William C. Spicer III

and be it further

RESOLVED, that the actual purchase of the property is subject to formal Town Council and RTM approval in accordance with the Groton Town Charter.

Legislative History

11/5/2010 Mayor Referred Town Council Committee of th

11/9/2010 Town Council Committee of Discussed
the Whole

Town Manager Oefinger noted that the Town was awarded a grant of \$650,000 for acquisition of the Spicer Property on Thomas Road. Additional dollars are available in the open space fund (approximately \$225,000). Spicer family representatives were asked to outline their terms in writing. The property has been appraised at \$1.4 million. Since further discussion would constitute negotiations, the Town Manager recommended that the Council go into executive session.

11/9/2010 Town Council Committee of Motion
the Whole

to enter executive session at 8:38 p.m. to discuss acquisition of the Spicer property on Thomas Road, and to invite the Town Manager to attend

11/9/2010 Town Council Committee of Discussed
the Whole

The executive session concluded at 9:00 p.m.

6/14/2011 Town Council Committee of Discussed
the Whole

Town staff has looked at a number of grants to supplement the state grant for acquisition of the Spicer property. The Town Manager toured the property with Fish and Wildlife personnel who have identified some small grant opportunities that would require State DEP endorsement. The Town Manager will need an executive session in the future to talk about contingency planning if the Town is not successful in securing additional grant dollars. The Town must notify DEP around November of its intent to use the original grant. The Council has talked about using open space acquisition funds and payment in lieu of open space funds. Councilor O'Beirne asked if the Thomas Road sidewalk funds could be redirected to acquiring the property and the Town Manager stated no because those dollars are federal funds earmarked specifically for the Thomas Road project. There is no contract of sale for the Spicer property at this point.

10/11/2011 Town Council Committee of Motion
the Whole

that members of the Town Council, along with Town Manager Mark Oefinger, Director of Planning and Development Mike Murphy, and Town Attorney Mike Carey, go into executive session at 9:40 p.m. for the purposes of discussion of the potential acquisition of certain real estate on Thomas Road pursuant to General Statutes Sec. 1-200(6)(D)

10/11/2011 Town Council Committee of Discussed
the Whole

The executive session concluded at 10:06 p.m.

12/13/2011 Town Council Committee of Discussed
the Whole

The Town Manager provided background information on this issue. He anticipates recommending formal acquisition at the next Committee of the Whole meeting.

1/10/2012 Town Council Committee of Motion
the Whole

1/10/2012 Town Council Committee of Recommended for a
the Whole Resolution

1/10/2012 Town Council Committee of Motion
the Whole

2012-0023 Referral of Spicer Properties Acquisition to Planning Commission Under CGS 8-24 Referral

RESOLUTION REFERRING ACQUISITION OF THE SPICER PROPERTIES ON THOMAS ROAD TO THE PLANNING COMMISSION UNDER CGS SECTION 8-24

WHEREAS, the Town Council has authorized the Town Manager Mark R. Oefinger to have prepared and to execute a purchase/sales agreement for the Spicer properties on Thomas Road, now therefore

be it

RESOLVED, that the Town Council refers the acquisition of the Spicer property on Thomas Road to the Planning Commission under CGS Section 8-24.

Legislative History

2011-0205	1/10/2012 Town Council Committee of the Whole	Recommended for a Resolution	Referral
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RESOLUTION AUTHORIZING THE TOWN MANAGER TO HAVE PREPARED AND TO EXECUTE A PURCHASE/SALES AGREEMENT FOR THE FUSCONI PROPERTY, CRYSTAL LAKE ROAD

WHEREAS, the Fusconi property located at 5 Crystal Lake Road was home to an active dry cleaning business for decades, but has been vacant since April 2003, and

WHEREAS, the property is located in the vicinity of the main entrance to the U.S. Naval Submarine Base and the USS Nautilus and Submarine Force Museum, and

WHEREAS, the Commander of the U.S. Naval Submarine Base has expressed concern with the condition of the Fusconi property and the encroachment risk that it poses to the Submarine Base, and

WHEREAS, the Town has identified a need to replace the traffic light system serving the intersection of Crystal Lake Road and Military Highway, which would necessitate using a portion of the Fusconi property, and

WHEREAS, the State of Connecticut has indicated a willingness to provide the Town of Groton with funding to acquire the property and demolish the building, and

WHEREAS, the State of Connecticut Department of Economic and Community Development has indicated that the Town is also eligible to access the dry cleaning fund, now therefore be it

RESOLVED, that the Town Council authorizes Town Manager Mark R. Oefinger to have prepared and to execute a purchase/sales agreement for the Fusconi property at 5 Crystal Lake Road, and be it further

RESOLVED, that the actual purchase of the property is subject to formal Town Council and RTM approval in accordance with the Groton Town Charter.

Legislative History

10/18/2011	Mayor	Referred	Town Council Committee of th
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10/25/2011	Town Council Committee of the Whole	Motion
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to enter executive session at 9:14 p.m. with the Town Manager to discuss potential acquisition of the Fusconi Property on Crystal Lake Road

10/25/2011	Town Council Committee of the Whole	Discussed
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The executive session concluded at 9:35 p.m.

12/13/2011	Town Council Committee of the Whole	Discussed
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The Town Manager provided background information on this issue and information on state funds available. DECD has notified the Town that it is eligible to access funds in the dry cleaning clean-up fund and the issue will be placed on the State Bond Commission agenda in January.

	1/10/2012	Town Council Committee of the Whole	Motion	
	1/10/2012	Town Council Committee of the Whole	Recommended for a Resolution	
	1/10/2012	Town Council Committee of the Whole	Motion	
2012-0024		Referral of Fusconi Property Acquisition to Planning Commission Under CGS 8-24		Referral
		RESOLUTION REFERRING ACQUISITION OF THE FUSCONI PROPERTY ON THOMAS ROAD TO THE PLANNING COMMISSION UNDER CGS SECTION 8-24		
		WHEREAS, the Town Council has authorized the Town Manager Mark R. Oefinger to have prepared and to execute a purchase/sales agreement for the Fusconi property on Crystal Lake Road, now therefore be it		
		RESOLVED, that the Town Council refers the acquisition of the Fusconi property on Crystal Lake Road to the Planning Commission under CGS Section 8-24.		
		<u>Legislative History</u>		
	1/10/2012	Town Council Committee of the Whole	Recommended for a Resolution	
2011-0236		Town Clerk Compensation		Referral
		RESOLUTION REGARDING THE TOWN CLERK'S COMPENSATION		
		WHEREAS, on January 10, 2012 the Groton Town Council Committee of the Whole met in open session with Betsy Moukawsher, Groton Town Clerk, for the purpose of discussing the Town Clerk's compensation, now therefore be it		
		RESOLVED, that the Council has decided to not provide any additional monetary compensation to the Town Clerk this year.		
		<u>Legislative History</u>		
	12/7/2011	Mayor	Referred	Town Council Committee of th
	1/10/2012	Town Council Committee of the Whole	Recommended for a Resolution	
	1/10/2012	Town Council Committee of the Whole	Motion	
2011-0251		Senior Center - Modification of Scope of Ordinance		Referral
		RESOLUTION MODIFYING THE SCOPE OF THE SENIOR CENTER PROJECT		
		RESOLVED, that pursuant to the ORDINANCE APPROPRIATING \$11,770,000 FOR ADDITIONS AND RENOVATIONS TO THE GROTON SENIOR CENTER AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION, approved by the Town of Groton at referendum held November 6, 2007, the scope of the Senior Center project is modified to include: (1) the provision of emergency power to the entire building; (2) installation of power assisted doors at two locations; and (3) installation of humidity control devices. The entire remaining balance of the appropriation may be spent for design, acquisition and construction costs, equipment, furnishings, fixtures, materials, consultant's fees, architects' fees, engineering fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing.		
		<u>Legislative History</u>		
	12/23/2011	Mayor	Referred	Town Council Committee of th

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| | 1/10/2012 | Town Council Committee of the Whole | Discussed | |
| | 1/10/2012 | Town Council Committee of the Whole | Recommended for a Resolution | |
| 2011-0256 | | FYE 2011 CAFR | | Referral |
| | RESOLUTION ACCEPTING THE FYE 2011 AUDIT REPORT | | | |
| | WHEREAS, the Town Council has considered the annual audit of the Town of Groton's finances, covering the fiscal year from July 1, 2010 through June 30, 2011, and | | | |
| | WHEREAS, the Council has discussed the audit findings with the manager of the audit team from the firm of Blum Shapiro, now therefore be it | | | |
| | RESOLVED, that the Town of Groton accepts and files the FYE 2011 Comprehensive Annual Financial Report (CAFR), the Auditor's Reports and Management Letter. | | | |
| | <u>Legislative History</u> | | | |
| | 12/29/2011 | Mayor | Referred | Town Council Committee of th |
| | 1/10/2012 | Town Council Committee of the Whole | Discussed | |
| | 1/10/2012 | Town Council Committee of the Whole | Recommended for a Resolution | |
| 2010-0204 | | Appointment of Ellen Chiapperini to the Library Board | | Referral |
| | RESOLUTION APPOINTING ELLEN CHIAPPERINI TO THE LIBRARY BOARD | | | |
| | RESOLVED, that Ellen Chiapperini, 150 Library Street, Mystic, is hereby appointed to the Library Board for a term ending 12/31/12. | | | |
| | <u>Legislative History</u> | | | |
| | 9/28/2010 | Town Council
Personnel/Appointments/Rules
/Legislation Committee | Recommended for a Resolution | |
| | 10/5/2010 | Town Council | Deleted from Referral List -
Action to be taken | |
| | 10/5/2010 | Town Council | Postponed Indefinitely
<i>It was noted that there is no vacancy on the Library Board at this time.</i> | |
| | 1/10/2012 | Town Council
Personnel/Appointments/Rules
/Legislation Committee (2011) | Recommended for a Resolution | |
| 2012-0014 | | Reappointment of Robert Deveau, Jr. to Fair Rent Commission | | Referral |
| | RESOLUTION REAPPOINTING ROBERT DEVEAU, JR. TO THE FAIR RENT COMMISSION | | | |
| | RESOLVED, that Robert A. Deveau, Jr., 33 Library Street, Mystic, is hereby reappointed to the Fair Rent Commission for a term expiring 7/1/14. | | | |
| | <u>Legislative History</u> | | | |
| | 1/10/2012 | Town Council
Personnel/Appointments/Rules
/Legislation Committee (2011) | Recommended for a Resolution | |
| 2012-0015 | | Reappointment of Edward Brennan to Water Pollution Control Authority | | Referral |
| | RESOLUTION REAPPOINTING EDWARD BRENNAN TO THE WATER POLLUTION | | | |

CONTROL AUTHORITY

RESOLVED, that Edward L. Brennan, 247 Neptune Drive, is hereby reappointed to the Water Pollution Control Authority for a term expiring 5/24/14.

Legislative History

1/10/2012 Town Council Recommended for a
Personnel/Appointments/Rules Resolution
/Legislation Committee (2011)

2012-0016 Reappointment of Michael Meyer to Housing Authority Referral

RESOLUTION REAPPOINTING MICHAEL MEYER TO THE HOUSING AUTHORITY

RESOLVED, that Michael B. Meyer, 18 New London Road, Mystic, is hereby reappointed to the Housing Authority, for a term expiring 7/31/16.

Legislative History

1/10/2012 Town Council Recommended for a
Personnel/Appointments/Rules Resolution
/Legislation Committee (2011)

**2012-0017 Reappointment of Paul Bates and Francis Crowley to Referral
Harbor Management Commission**

RESOLUTION REAPPOINTING PAUL BATES AND FRANCIS CROWLEY TO THE HARBOR MANAGEMENT COMMISSION

RESOLVED, that Paul Bates, 47 Church Street, Noank is hereby reappointed to the Harbor Management Commission for a term ending 9/1/14, and be it further

RESOLVED, that Francis L. Crowley, 8 Palmer Court, Noank is hereby reappointed to the Harbor Management Commission for a term ending 9/1/14.

Legislative History

1/10/2012 Town Council Recommended for a
Personnel/Appointments/Rules Resolution
/Legislation Committee (2011)

**2012-0018 Reappointment of Enrico DeMatto and Richard Referral
Monteiro to Permanent School Building Committee**

RESOLUTION REAPPOINTING ENRICO DEMATTO AND RICHARD MONTEIRO TO THE PERMANENT SCHOOL BUILDING COMMITTEE

RESOLVED, that Enrico DeMatto, 401 Sandy Hollow Road, Mystic, is hereby reappointed to the Permanent School Building Committee for a term ending 9/29/14, and be it further

RESOLVED, that Richard Monteiro, 70 Spyglass Circle, is hereby reappointed to the Permanent School Building Committee for a term ending 9/29/14.

Legislative History

1/10/2012 Town Council Recommended for a
Personnel/Appointments/Rules Resolution
/Legislation Committee (2011)

**2012-0019 Reappointment of Marie Shaw, Susan Kietzman, and Referral
Penelope Fox to Library Board**

RESOLUTION REAPPOINTING MARIE SHAW, SUSAN KIETZMAN, AND PENELOPE FOX TO THE LIBRARY BOARD

RESOLVED, that Marie C. Shaw, 20 Colony Road, is hereby reappointed to the Library Board for a term expiring 12/31/13, and be it further

RESOLVED, that Susan B. Kietzman, 25 West Mystic Avenue, Mystic, is hereby reappointed to the Library Board for a term expiring 12/31/14, and be it further

RESOLVED, that Penelope Fox, 221 Elm Street, is hereby reappointed to the Library Board for a term expiring 12/31/14.

Legislative History

2012-0021	Appointment of Laura Baller to Water Pollution Control Authority	1/10/2012 Town Council Recommended for a Personnel/Appointments/Rules Resolution /Legislation Committee (2011)	Referral
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RESOLUTION APPOINTING LAURA BALLER TO THE WATER POLLUTION CONTROL AUTHORITY

RESOLVED, that Laura Baller, 30 Brook Street, is hereby appointed to the Water Pollution Control Authority for a term ending 5/24/13.

Legislative History

2012-0022	Appointment of Paul Duarte to Board of Assessment Appeals	1/10/2012 Town Council Recommended for a Personnel/Appointments/Rules Resolution /Legislation Committee (2011)	Referral
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RESOLUTION APPOINTING PAUL DUARTE TO THE BOARD OF ASSESSMENT APPEALS

RESOLVED, that Paul Duarte, 54 Cottage Street, is hereby appointed as a member of the Board of Assessment Appeals for a term ending 12/31/13 pursuant to Town Ordinance No. 253.

Legislative History

1/10/2012	Town Council	Recommended for a Personnel/Appointments/Rules Resolution /Legislation Committee (2011)
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XI. OTHER BUSINESS

XII. ADJOURNMENT