



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 Bruce Flax, Councilors Dean G. Antipas, Diane Barber, Joe de la Cruz, Greg Grim, Karen F. Morton, Bonnie Nault, Deb Peruzzotti, and Harry A. Watson

Tuesday, January 19, 2016

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. Administrative Items

2016-0016 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:

Anonymous - \$5.00 - Social Services Discretionary
Jerome Dempsey - \$50.00 - Social Services Discretionary
Norman and Mary Kluepfel - \$25.00 - Social Services Discretionary
Barbara Servidio - \$75.00 - Social Services Discretionary
Nancy d'Estang - \$100.00 - Library Miscellaneous
Katherine Brighty - \$1,000.00 - Library Miscellaneous
Lorraine Laumeier - \$100.00 - Library Miscellaneous
Pfizer Foundation - \$1,000.00 - Library Miscellaneous
Anonymous - \$20.00 - Library Miscellaneous
Groton Utilities - \$56,118.46 - Library Renovations
Richard Jordan - \$20.00 - Library Renovations
Donald McClellan - \$100.00 - Library Renovations
Yankee Gas - \$5,611.85 - Library Renovations
Amy Matteson - \$150.00 - Library Renovations
Jody Katz - \$10.00 - Library Miscellaneous
Joseph and Arlene Atwood - \$50.00 - Groton Utilities Energy Assistance Program
Josephine Bright - \$25.00 - Groton Utilities Energy Assistance Program

Mystic Womens' Club - \$1,075.00 - Groton Utilities Energy Assistance Program
 James and Ann Sailors - \$25.00 - Groton Utilities Energy Assistance Program
 Marilyn and John Turkowski - \$25.00 - Groton Utilities Energy Assistance Program
 Mystic Photography Group - \$25.00 - Library Miscellaneous
 Anonymous - \$5.00 - Library Miscellaneous

b. Deletions from the Town Council Referral List

2013-0203	Sales Tax on Commercial Solid Waste Collection - Update	Referral
2014-0137	City Highway Budget	Referral
2014-0202	City Highway Budget Committee - Update	Referral
2014-0313	Review of Town Services	Referral
2015-0040	FYE 2016 Budget - Finance Committee Discussion	Referral
2015-0052	Poquonnock Bridge Fire District Issues	Referral
2015-0132	State Funding for Education	Referral
2015-0133	Federal Funding for IDEA	Referral
2015-0134	Civilian School Children Residing in Navy Housing	Referral
2015-0135	State Mandates for Education	Referral
2015-0161	Town Fire Marshal and Town Fire Inspector Position(s)	Referral
2015-0199	Emergency Medical Services for R-1 and Ambulance Service	Referral
2015-0216	Creation of Town Poet Laureate Position	Referral
2015-0288	Town Attorney Appointment	Referral
2015-0300	Solar Panel Farm on Flanders Road Landfill	Referral
2015-0301	Clean Energy Communities Municipal Pledge	Referral
2015-0302	Economic Development Commission Annual Report Presentation	Referral
2016-0013	Miscellaneous and Ad Hoc Committee Appointments	Referral
2016-0019	Agreement to Reinstate and Extend 1995 AHEPA Tax Abatement Agreement	Referral
2016-0020	Agreement with Ledyard to Detain Ledyard Arrestees at Groton Police Department	Referral
2016-0024	Appointment of Other Attorneys as Recommended by the Town Attorney	Referral
2016-0026	Various Revised Job Descriptions	Referral
2016-0027	School Facilities Initiative Task Force Modification and Appointment of Lenny Winkler	Referral

VII. COMMUNICATIONS & REPORTS (Other than Committee Reports)

- a. Town Councilors
- b. Clerk of the Representative Town Meeting
- c. Clerk of the Council
- d. Town Manager

VIII. COMMITTEE REPORTS

**1/5/2016 Town Council Committee of Recommended for a
the Whole Resolution**

Town Attorneys Eileen Duggan, Eric Callahan, Bryan Fiengo, Matt Auger and Mike Carey were present. Ms. Duggan distributed a basic outline of services and biographies of staff and primary attorneys at Suisman Shapiro. The firm has been the Town's legal representative since 1984 and serves the Town in a number of capacities. Ms. Duggan noted that principals are directly involved in litigation and are cost conscious. She distributed the hourly billing history noting that fees have increased \$25 over the course of 16 years and only \$5 over the last 12 years. Ms. Duggan emphasized her firm's commitment to and investment in Groton. By virtue of a long history with the Town, the firm brings a tremendous amount of knowledge about the Town's history to the table and provides a sense of continuity; there is no need to reinvent the wheel. The attorneys are accessible and have developed good relationships with department heads.

Councilor Grim asked for the number of hours per year. Although Ms. Duggan did not have the figures, she noted the number of hours has definitely increased due to the complexity of the work. The amount of time spent is driven by the issues.

Councilor de la Cruz noted it is difficult for a new Council to choose a Town Attorney and suggested that the Charter should be changed so that the Council works with the firm for a year to get perspective.

Councilors expressed their individual thoughts about the Town Attorney. Councilor Watson noted that changing firms would be a big expense. The current firm does a great job at a significantly lower hourly rate than the Board of Education's attorney and the Town Manager works well with the firm. Councilor Watson cited the firm's decision to end its relationship with the City of Groton and retain the Town of Groton. Councilor Peruzzotti stated she has never been disappointed with the firm. The attorneys are open, honest, and seek Town Council guidance when necessary. Councilor Peruzzotti also cited the firm's demonstrated commitment to the Town as evidenced by the release of the City. Councilor Barber believes that Town residents want to see change and to see the Town Council do its due diligence so she supports going out to bid. Councilor Morton cited the public perception of a lack of transparency. However, changing Town Attorneys is disruptive. Councilor Morton stated she is very comfortable with the current firm and feels they are the best municipal law firm in Southeastern Connecticut, so she can defend a decision not to issue a Request for Proposals (RFP). Councilor Antipas noted that an RFP would be an exercise in transparency, but as a practical matter, the Council would need to put together a competent RFP and there is not a lot of time to do that. He suggested reappointing the current firm and developing a comprehensive RFP for the future if needed.

**1/5/2016 Town Council Committee of Motion
the Whole**

to reappoint Eileen Duggan as the Town Attorney.

Mayor Flax expressed his support for reappointing the firm, but he would also support the majority if an RFP were desired. Councilor Nault also expressed her support for the firm, having changed her mind about going out to bid from before she was elected. Councilor de la Cruz noted that large corporations do not change their attorneys unless something happens. Discussion followed on the Board of Education's attorneys. Ms. Duggan stated she has worked with Attorney Floyd Dugas for many years and he is a very good attorney. The Board's law firm is comparable to the Town Attorney for education issues; they are involved in many issues, not just negotiations. Ms. Duggan stated that her firm's expertise in board of education work is not comparable so Suisman Shapiro is not equipped to assist on education issues. Councilor Antipas, who has observed Board of Education contract negotiations in the past, expressed support for Attorney Dugas

**2016-0024 Appointment of Other Attorneys as Recommended by the
Town Attorney**

Referral

**RESOLUTION APPOINTING OTHER ATTORNEYS AS RECOMMENDED BY THE TOWN
ATTORNEY**

WHEREAS, the Town Charter, at 8.2.2, provides that the Town Attorney may, with the approval of the Town Council, appoint attorneys to perform specialized services or otherwise to assist the Town Attorney, and

WHEREAS, the Town Attorney is empowered by the Charter to recommend the terms of employment of such attorneys, therefore be it

RESOLVED, that pursuant to the recommendation of Town Attorney Duggan, the following attorneys may be appointed and continue to serve in the assignments indicated, under terms prescribed by the

Town Attorney, until such time as their replacements may be approved by the Town Council:

Board of Education Attorneys (from Berchem, Moses & Devlin, P.C.)

- Floyd Dugas
- Megan Buxton
- Carolyn Mazanec Dugas
- Rebecca Goldberg
- Michelle Laubin
- Marsha Moses
- Chris Sullivan

Bond Counsel (from Day Pitney, LLP)

- Judith Blank
- Doug Gillette
- Namita Shah
- Richard Wasserman
- Glenn Rybacki
- Emily Kagan
- Kristin Burgess

2015-0300 Solar Panel Farm on Flanders Road Landfill Referral

RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN OPTION TO LEASE AGREEMENT WITH GEOSYNTEC TO INSTALL SOLAR PANELS ON THE FLANDERS ROAD LANDFILL IN SUPPORT OF THE TOWN'S ENERGY POLICY

WHEREAS, the Public Works Department has been working to install a solar panel array on the closed Municipal Solid Waste Landfill on Flanders Road since 2011, and

WHEREAS, the Connecticut Department of Energy and Environmental Protection (DEEP) recently announced a Low and Zero Emissions Renewable Energy Credit Program for siting renewable energy sources such as solar panels on brownfields, and

WHEREAS, the continuance of Federal tax credits for installing solar arrays is dubious and the cancellation of them could make such a project not possible financially, therefore making timing of the project critical, and

WHEREAS, the Town was approached by Geosyntec with the outline of a plan to install a solar array on the closed landfill requiring only an Option to Lease to further develop the project and determine its viability, and

WHEREAS, this effort fully supports the Town's Energy Policy and the Clean Energy Communities Municipal Pledge and has the potential to meet much of the Town's electrical energy needs, now therefore be it

RESOLVED, that the Town Manager Mark R. Oefinger is authorized to enter into an Option to Lease Agreement with Geosyntec to install solar panels on the Flanders Road landfill.

Legislative History

12/28/2015	Mayor	Referred	Town Council Committee of th
1/12/2016	Town Council Committee of the Whole	Discussed	

Rick Norris, Sustainability Program Project Manager, provided a brief overview of efforts to establish a solar array at the closed landfill on Flanders Road. Dan Duffy from Geosyntec and Del Jones of Green Harbor Energy reviewed a PowerPoint presentation covering the benefits of a solar panel farm; the desirability of the

7/1/17).
 Children First Groton - Kevin Trejo
 Eastern Regional Catchment Area Council - David Hume
 Eastern Tourism District - Nancie Keenan
 Economic Development Commission Liaison - Councilors Bonnie Nault and Diane Barber
 Energy, Efficiency and Conservation Committee - Rita Schmidt (Term Expires 1/1/18)
 Golf Advisory Board - Councilor Bonnie Nault (ex-officio, non-voting)
 Long Island Sound Advisory Council - Councilor Dean Antipas
 Mystic Cooperative Task Force - Mayor Bruce Flax
 Pequot Woods Board of Trustees - Councilor Harry Watson
 School Facilities Initiative Task Force - Mayor Bruce Flax (ex-officio), Councilor Joe de la Cruz, and Jane Dauphinais (representing the Town Council)
 School Readiness Council - Mayor Bruce Flax
 Southeast Area Transit - Town Manager Mark R. Oefinger and Rich Moravsik (Terms Expire 12/1/19)
 Southeastern Connecticut Council of Governments - Mayor Bruce Flax and Town Manager Mark R. Oefinger (Alternate)
 Southeastern Connecticut Regional Resources Recovery Authority - Councilor Deb Peruzzotti and Gary Schneider (Terms Expire 4/16/18)
 Southeastern Connecticut Water Authority Representative Advisory Board - Councilor Dean Antipas and Mary Lou Smith (Terms Expire 9/1/17)
 Thames Valley Council for Community Action, Inc. - Councilor Harry Watson (Term Expires 12/1/17)
 Town Council/RTM/Board of Education Liaison Committee - Councilors Harry Watson, Greg Grim, Karen Morton, and Deb Peruzzotti
 Trails Coordinating Task Force - Denise Descheneaux, Carla Henschel, and Bernard French (Terms Expire 1/1/19)

Legislative History

12/30/2015	Mayor	Referred	Town Council Committee of th
1/12/2016	Town Council Committee of the Whole	Recommended for a Resolution	

Councilors reviewed the list of miscellaneous and ad hoc committee appointments and volunteered for vacant positions and/or reaffirmed other appointees by consensus.

2016-0019 Agreement to Reinstate and Extend 1995 AHEPA Tax Abatement Agreement Referral

RESOLUTION TO REINSTATE AND RENEW THE 1995 AHEPA-250 III INC. TAX ABATEMENT AGREEMENT

WHEREAS, on September 29, 1995 the Town and AHEPA 250-III, Inc. executed a document entitled "Tax Abatement Agreement Between the Town of Groton and AHEPA 250-III, Inc." in accordance with Town of Groton Ordinance Section 14.5-4, and

WHEREAS, the five-year agreement was renewable for four more terms of five years each, and

WHEREAS, AHEPA 250-III, Inc. inadvertently failed to extend the agreement prior to July 30, 2015, now therefore be it

RESOLVED, that the Town Council authorizes Town Manager, Mark R. Oefinger, to reinstate and renew the tax abatement agreement with AHEPA-250 III Inc., which shall terminate on July 30, 2020.

Legislative History

1/6/2016	Mayor	Referred	Town Council Committee of th
1/12/2016	Town Council Committee of the Whole	Discussed	

on Drozdyk Drive, entered into an agreement with the Town in 1995 for a tax abatement for a term of five years, renewable for four five-year terms. AHEPA neglected to file for an extension and this is a request to reinstate the agreement under the original terms. Councilor Antipas provided background on the organization and indicated he would abstain from voting because he is a member of a different, related, organization.

If the agreement is not reinstated, AHEPA will have to pay their full share of taxes.

1/12/2016 **Town Council Committee of the Whole** **Recommended for a Resolution**

2016-0020 Agreement with Ledyard to Detain Ledyard Arrestees at Groton Police Department Referral

RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO AN AGREEMENT WITH THE TOWN OF LEDYARD TO DETAIN LEDYARD ARRESTEES AT THE GROTON POLICE DEPARTMENT

WHEREAS, the Town of Ledyard is constructing a new police department facility and will require the use of the lockup facilities to detain persons arrested by the Ledyard Police Department, and

WHEREAS, Ledyard has requested that the Town of Groton allow it to use the detention facilities in the Groton Police Department during the time that their police department facility is under construction (estimated to be February through September, 2016), and

WHEREAS, Groton is willing to provide such facilities and related services to Ledyard, subject to the terms and conditions of a draft agreement reviewed and approved by the Town Attorney, now therefore be it

RESOLVED, that the Town Council authorizes Town Manager Mark R. Oefinger to sign an "Agreement Between the Towns of Groton and Ledyard, Connecticut for the Detention at the Town of Groton Police Department of Persons Arrested by and in the Custody of the Town of Ledyard Police Department."

Legislative History

1/6/2016 **Mayor** **Referred** **Town Council Committee of th**

1/12/2016 **Town Council Committee of the Whole** **Discussed**

Town Manager Oefinger distributed a draft agreement between the Town of Groton and Town of Ledyard to detain Ledyard arrestees at the Groton Police Department. The agreement has been reviewed by the Chief of Police and the Town Attorney, as well as the Town's Risk Manager. Police Chief L. J. Fusaro explained that the Town of Ledyard has decided to operate its own police department rather than participate in the Resident State Trooper program. Ledyard will be building a new police department and they have asked Groton to house Ledyard prisoners while the building is under construction. The agreement is for a finite length of time, estimated to be February through September. The Mashantuckets have their own police department separate from Ledyard. Chief Fusaro stated that Groton has adequate facilities for typical incidents. There will be no benefit to the Town except the goodwill of helping out a neighboring community and no cost to the Town. All expenses will be reimbursed by Ledyard.

Councilor Peruzzotti left the meeting at 9:08 p.m.

1/12/2016 **Town Council Committee of the Whole** **Recommended for a Resolution**

2016-0026 Various Revised Job Descriptions Referral

RESOLUTION APPROVING VARIOUS REVISED JOB DESCRIPTIONS

WHEREAS, in an effort to increase efficiency and control costs, various Town departments are proposing structural changes that require updated job descriptions, and

WHEREAS, the Town Council has reviewed modifications to the job descriptions for Human Resources Assistant; Telecommunicators II, III and IV; Budget Analyst and Coordinator; Skilled

Building Technician; Civil Engineer; Deputy Chief of Police; and Economic Development Specialist, now therefore be it

RESOLVED, that the Town Council approves the job descriptions noted above as proposed by the Human Resources Department.

Legislative History

2016-0027	1/12/2016 Town Council Committee of the Whole	Recommended for a Resolution	Referral
School Facilities Initiative Task Force Modification and Appointment of Lenny Winkler			

MODIFICATION OF SCHOOL FACILITIES INITIATIVE TASK FORCE MEMBERSHIP AND APPOINTMENT OF LENNY WINKLER

WHEREAS, there is a vacancy on the School Facilities Initiative Task Force designated for a "School Administrator," and

WHEREAS, John Heller, Task Force Chairman, has requested that Lenny Winkler be appointed to the Task Force as a Citizen at Large, now therefore be it

RESOLVED, that the "School Administrator" position on the School Facilities Initiative Task Force is redesignated as a "Citizen at Large" position and Lenny Winkler, 51 Pamela Avenue, is hereby appointed.

Legislative History

1/12/2016	Town Council Committee of the Whole	Recommended for a Resolution
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X. OTHER BUSINESS

XI. ADJOURNMENT