



# 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, April 20, 2010

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

2010-0090 Approval of Minutes (Town Council)

Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meeting of April 6, 2010 are hereby accepted and approved.

##### b. Administrative Items

2010-0077 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 Donor - \$1,000.00 - Parks and Recreation Revolving

Barbara Weeman - \$10.00 - Social Services Discretionary

George Marshall - \$100.00 - Social Services Discretionary

Barbara Dutton - \$10.00 - Social Services Discretionary

Mystic River Congregate Homes - \$20.00 - Social Services Discretionary

Various Donations - \$603.00 - Groton Utilities Energy Assistance Program

Groton Utilities Matching Funds - \$364.19 - Groton Utilities Energy Assistance Program

Betsy and Mike Wilson in memory of Dorothy Doyle - \$25.00 - Library Discretionary

The Lynch Family in memory of Dorothy Doyle - \$50.00 - Library Discretionary

Christin Duddy Bell - \$100.00 - Library Discretionary

Dru and Len Farquhar - \$25.00 - Library Discretionary  
 Catherine Talbot - \$25.00 - Parks and Recreation Revolving  
 Groton Ledyard Rotary Club - \$170.00 - Parks and Recreation Revolving  
 Susan Decorte McMillin - \$250.00 - Parks and Recreation Revolving  
 Will Langdon - \$60.00 - DARE Miscellaneous  
 Pfizer Foundation Matching Gifts Program - \$62.50 - Library Discretionary

**c. Deletions from the Town Council Referral List**

2010-0079	Fair Housing Action Plan for 2010	Referral
2010-0081	FYE 2010 Fourth Quarter Transfers	Referral
2010-0085	Claude Chester School Parking Lot Reauthorization	Referral
2010-0086	Position Description for Assistant Animal Control Officer (Part-time)	Referral
2010-0087	Position Description for Kennel Hand	Referral
2010-0088	AFSCME Collective Bargaining Agreement	Referral
2010-0089	Port Security Grant (2009)	Referral
2010-0091	Police Auction Funds	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**

2010-0079	Fair Housing Action Plan for 2010	Referral
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RESOLUTION ADOPTING THE FAIR HOUSING ACTION PLAN FOR 2010

WHEREAS, the Congress of the United States in 1866 (the 1866 Civil Rights Act, 42, U.S.C. 1982) has declared that all citizens of the United States shall have the same rights to inherit, purchase, lease, sell, hold, and convey real and personal property;

WHEREAS, the Congress of the United States has further declared by the Civil Rights Act of 1968, known as the Fair Housing Act (P.L. 90-284) (18 U.S.C. 245) (hereinafter called the "Act") that it is the policy of the United States to provide, within Constitutional limitations, for fair housing throughout the United States, thereby prohibiting discrimination by reason of race, color, religion, national origin, or sex in the sale or rental of housing; and

WHEREAS, Section 808 and 809 of the Act provide that the authority and responsibility for administering the Act shall be vested in the Secretary of Housing and Urban Development (hereinafter called the "Secretary") and the Secretary is required to cooperate with and render technical assistance to private agencies, groups, and institutions which are formulating or carrying on programs to prevent or eliminate discriminatory housing practices and to undertake conciliatory activities which will further the purpose of fair housing and to work out programs of voluntary compliance with the cooperation and advice of the housing industry and other interested persons; and

WHEREAS, the Town of Groton believes that the national policy of fair housing can effectively be promoted through programs of affirmative action in the private housing industry and markets; and

WHEREAS, the Town of Groton believes it desirable to establish a local fair housing plan for the purpose of effectuating the requirements of all applicable fair housing laws;

NOW, THEREFORE, in order to encourage public and private cooperation in achieving fair housing through affirmative action and other efforts, the Town of Groton establishes this Fair Housing Action Plan for 2010 ("Plan");

#### A. STATEMENT OF EQUAL HOUSING OPPORTUNITY POLICY

The Town Council affirms the Town's policy of promoting and assuring equal housing opportunity based on the aforementioned civil rights and legislation. This policy is intended to be consistent with, and to meet the requirements and objectives of, the Civil Rights Act of 1968, Title V or the National Housing Act (as amended), and all legislation related to non-discrimination in housing. To implement this policy, the Town has adopted this plan, the principal objectives of which are (1) to take steps to encourage full compliance with all the requirements of the fair housing laws by all affected private and public persons, institutions, agencies, or bodies, and (2) where appropriate, promote and encourage affirmative marketing and similar efforts within the Town.

The Town Council affirms that the Town of Groton is committed to promoting Fair Housing choice and not discriminating against any person, as prohibited in the General Statutes 46a-64c as amended. Pursuant to this legislation the Town of Groton shall not discriminate against any of the following classes: race, creed, color, national origin, ancestry, sex, marital status, age, lawful source of income, familial status, physical or mental disability, or sexual orientation.

The Town Council affirms the Town of Groton's commitment to promoting racial and economic integration in any housing developed or supported with State or Federal Funding. Further, the Town Council affirms that the Town of Groton offers its fair housing services and assistance to beneficiaries from all racial and ethnic groups as well as the physically and mentally handicapped and families with children, and to a broad range of income eligible persons.

While the principal persons, institutions, agencies, and bodies who potentially will make the greatest contribution to achieving attainment of the above objectives are Realtors, lenders, developers, apartment and other rental unit owners and managers and Town and governmental units having responsibility for building and providing housing, the Town Council also believes that it is important

to strive for maximum public awareness and participation in the process of achieving these fair housing objectives.

The Neighborhood and Community Planner, Susan C. Cullen, AICP, PhD (134 Groton Long Point Road, Groton, CT 06340, (860) 446-5990), as the Town's Fair Housing Officer, exercises personal leadership in carrying out the Town's affirmative action efforts. To assist her in carrying out these policies, the Neighborhood and Community Planner may assign one or more individual employees responsibilities and authority for implementing equal housing responsibilities.

The Neighborhood and Community Planner shall develop and recommend plans and actions as are necessary to carry out the objectives of this equal housing opportunity policy.

Positive action and initiative should be taken if housing is to be open to all. Accordingly, specific educational and other goals will be established and good faith effort by all Town department heads in helping to achieve such goals will be required. The Town must reach out and draw upon all possible sources so that men and women of all backgrounds are aware of housing opportunities within the Town.

#### B. STATEMENT OF GOALS

1. To seek full compliance by all citizens with all Fair Housing Laws, including but not limited to, Title VIII of the Civil Rights Act of 1968, Title V of the National Housing Act (as amended), and the Connecticut Public Accommodations Act (Title 53 of Connecticut General Statutes).
2. To identify and work with those persons, groups, or agencies having resources and ability to significantly impact the achievement of Fair Housing objectives set forth above.
3. To promote fair housing in the Town by dissemination of relevant information as to fair housing requirements to all persons having a direct involvement and interest in the provision of housing, including Realtors, lending institutions, developers, apartment and other rental unit owners and affected Town agencies. More specifically, it is intended that the Neighborhood and Community Planner will:
  - a. Keep current on all pertinent State and Federal legislation relating to Fair Housing;
  - b. Disseminate to Realtors, developers, and multi-family dwelling unit owners, information concerning Federal and State Fair Housing Laws affecting them, and to offer guidance or assistance to such persons as to affirmative marketing and other techniques;
  - c. Assist affected Town agencies in the administration of Town programs or requirements, which impact housing opportunities.

#### C. ADMINISTRATION

1. General responsibility for the implementation and day-to-day administration of this plan shall be vested with the Neighborhood and Community Planner and those individuals from her staff.
2. General responsibility for periodically evaluating the extent to which the objectives of this Plan have been achieved, for identifying problem areas and recommending changes to this Plan and for working with providers and other private groups to develop educational and other programs to carry out the objectives of this Plan shall be vested with the Neighborhood and Community Planner. The Town Council may request the affected Town agencies, boards, or Commissions to designate one or more persons from such organizations to work with or assist the Neighborhood and Community Planner in the performance of these obligations.

#### D. IMPLEMENTATION

1. Dissemination

- a. Copies of this plan shall be distributed to all Town and local governmental departments, agencies, boards, and commissions having any official responsibility relating to any aspect of Housing opportunities within the Town.
- b. Copies of this plan shall be made available to all persons, institutions, or agencies public and private, having a direct involvement and interest in the provisions of housing (hereinafter referred to as "providers") including those referred to in paragraph B (2) above, with a request that such be retained and made available for examination at their respective premises.
- c. Each provider shall be requested to disseminate to their agents and employees having responsibility for housing functions, copies of the Plan in order that such agents and employees may be familiar with such policies.

## 2. Educational Programs

The Neighborhood and Community Planner shall have the responsibility to disseminate copies of the Plan; to participate in educational workshops or seminars concerning Fair Housing legislation; to provide information to all parties concerning the Fair Housing grievance procedure and to provide information regarding Fair Housing activities to the Town Council. Further, the Neighborhood and Community Planner shall celebrate Fair Housing month every April by making Fair Housing brochures and educational pamphlets available in Town Hall and at the public libraries. Further, the Neighborhood and Community Planner or his designee shall attend at least one Fair Housing Seminar a year as they become available within the State of Connecticut and shall attend any State sponsored event in recognition of Fair Housing month in April of each year.

## E. REVIEW PROCEDURES

The Neighborhood and Community Planner shall be the assigned person responsible for the implementation of the Plan and shall have the primary responsibility for reviewing the day-to-day effectiveness of the efforts to carry out the objectives of this plan, including:

1. Developing and distributing the forms needed to properly file fair housing grievances;
2. Providing staff assistance for attending meetings of the Town Council and keeping the Town Council informed of all grievances and other related fair housing activities.
3. Maintaining a separate Fair Housing file, which documents all actions taken to affirmatively further fair housing opportunities in Groton. Said file shall be open for inspection to the public to the extent consistent with privacy rights of individual citizens.

## F. COMPLAINT PROCEDURES

Any person who feels that he or she has been discriminated against in an attempt to secure housing in the Town of Groton may file a complaint with the Fair Housing Officer of the Town of Groton at Town Hall Annex (134 Groton Long Point Road, Groton, CT 06340). Complaints shall be filed no later than sixty (60) days after the act of discrimination occurred. To facilitate and standardize the complaint filing procedure, forms provided by the Department of Housing and Urban Development (HUD) may be used. Additional forms or background information will be developed as required. The Fair Housing Officer shall review the complaint and if the Fair Housing Officer cannot effect voluntary compliance with the law at the local level, the complainant shall be referred to the Department of Housing and Urban Development and/or the Connecticut Commission on Human Rights and Opportunities. The Fair Housing Officer shall be responsible for keeping track of all referrals and providing whatever assistance is needed by the agencies involved. All complaints and follow-ups shall be recorded and kept in the Fair Housing file. As of the date of approval of this plan there have been no complaints filed or recorded. Should a complaint occur this plan shall be updated to document how the complaint was handled.

## G. TECHNICAL ASSISTANCE

The Neighborhood and Community Planner shall be authorized to request technical assistance from the Department of Urban Development as contemplated by Title VIII of the Civil Rights Act of 1968, as and to the extent deemed necessary, to aid in the effectuation and implementation of this Plan.

H. EVALUATION AND PERIODIC REPORTING

1. The Neighborhood and Community Planner shall review the progress achieved under this Plan every twelve months following adoption hereof by the Town Council and report his evaluations and recommendations in connection therewith to the Town Council and the Department of Housing and Urban Development.
2. If otherwise during the term of this Plan, the Neighborhood and Community Planner shall determine that any of the provisions of this Plan require modification or amendment, she shall forward her recommendation to the Town Council for approval or disapproval.
3. In carrying out such review and evaluation, the Neighborhood and Community Planner and the Town Council shall use their best efforts to involve providers and other persons affected by the Plan for the purpose of obtaining their views as to the achievements, deficiencies, or other suggestions for improved implementation of this Plan.

Legislative History

4/1/2010 Mayor Referred Town Council Committee of the

4/13/2010 Town Council Committee of the Whole Discussed

*The Town Manager explained that the Town must reaffirm its equal housing opportunity plan to continue with the Community Development program. An updated plan has been prepared and distributed for review.*

4/13/2010 Town Council Committee of the Whole Recommended for a Resolution

2010-0081 FYE 2010 Fourth Quarter Transfers Referral

RESOLUTION FOR FYE 2010 FOURTH QUARTER TRANSFERS

WHEREAS, the Town Charter provides for supplemental appropriations to Adopted Budgets and transfers from the Contingency function during the year and

WHEREAS, the Town Charter also provides for the transfer of funds from one departmental function to another departmental function during the last three months of the fiscal year, and

WHEREAS, transfers are necessary and represent expenditures that were unforeseen or unexpected at the time the FYE 2010 budget was adopted, now therefore be it

RESOLVED, that \$247,725 be transferred from the General Fund Contingency function (#1074) to the following General Fund departments/functions, and transfers of \$10,000 or more be referred to the RTM for approval:

Legal Services (#1006) @ \$105,000:  
for costs associated with litigation and personnel/labor relations issues.

Finance (#10131) @ \$13,000:  
for costs associated with payment of accumulated leave benefits (vacation, sick leave, etc.) when an employee retires/resigns.

Finance (#10135) @ \$9,725:  
for costs associated with payment of accumulated leave benefits (vacation, sick leave, etc.) when an employee retires/resigns.

Public Works (#10352) @ \$14,000:

for costs associated with payment of accumulated leave benefits (vacation, sick leave, etc.) when an employee retires/resigns.

Public Works (#1035A) @ \$30,000:

for costs associated with payment of accumulated leave benefits (vacation, sick leave, etc.) when an employee retires/resigns.

Public Works (#10356) @ \$47,000:

for costs associated with the number of winter storms.

Public Works (#1035B) @ \$29,000:

for costs associated with maintenance of vacated schools.

Legislative History

4/6/2010 Mayor Referred Town Council Committee of the

4/13/2010 Town Council Committee of Discussed  
the Whole

*Director of Finance Sal Pandolfo explained that \$350,000 was set aside in Contingency for unexpected items that may come up in FYE 2010. Funds are then transferred from Contingency to functions that are over their appropriations. Transfers totaling \$247,725 are being requested for legal services, retiree payments, road salt, and utility costs for vacant school buildings, leaving a balance of \$102,275 that will be returned to fund balance. Discussion followed on the need for the transfer for vacant school maintenance costs.*

4/13/2010 Town Council Committee of Recommended for a  
the Whole Resolution

2010-0085 Claude Chester School Parking Lot Reauthorization Referral

RESOLUTION REAPPROPRIATING FUNDS FOR PARKING LOT REPLACEMENT PROJECT AT CLAUDE CHESTER SCHOOL

WHEREAS, \$30,000 was appropriated in a FYE 2006 Capital Improvement Project for the development of plans and specifications for redesign and replacement of the parking lot at Claude Chester School, and

WHEREAS, this project will not be completed by June 30, 2010 when authorization for the appropriation will expire, and

WHEREAS, \$29,888 of funds previously appropriated for this project has not been expended, now therefore be it

RESOLVED, that \$29,888 is reappropriated from the Capital Reserve fund balance for the development of plans and specifications to replace the parking lot at Claude Chester School as a FYE 2010 capital improvement proje

Legislative History

4/8/2010 Mayor Referred Town Council Committee of the

4/13/2010 Town Council Committee of Discussed  
the Whole

*A Capital Improvement Project for the Claude Chester School Parking lot was previously approved, but the final design work was never completed. Remaining funds are set to expire and must be reauthorized so they are not lost.*

4/13/2010 Town Council Committee of Recommended for a  
the Whole Resolution

2010-0086 Position Description for Assistant Animal Control Officer Referral  
(Part-time)

RESOLUTION APPROVING A JOB DESCRIPTION FOR AN ASSISTANT ANIMAL

CONTROL OFFICER (PART-TIME)

WHEREAS, the job description for a part-time Animal Control Officer has been updated to better reflect the responsibilities associated with the position, and

WHEREAS, the job title Assistant Animal Control Officer (Part-time) is more appropriate for the position, and

WHEREAS, the Administrative Services Department has reviewed the job description, now therefore be it

RESOLVED, that the Town Council approves the job description for Assistant Animal Control Officer (Part-time) dated April 2010.

Legislative History

4/13/2010 Town Council Committee of the Whole Recommended for a Resolution

2010-0087 Position Description for Kennel Hand Referral

RESOLUTION APPROVING A JOB DESCRIPTION FOR A KENNEL HAND

WHEREAS, the Chief of Police has requested a new position of a part-time Kennel Hand to assist the Animal Control Office in the care and maintenance of animals at the Animal Control Facility, and

WHEREAS, the new position will allow the Animal Control Office more time to concentrate on animal control enforcement issues, now therefore be it

RESOLVED, that the Town Council approves the job description for Kennel Hand dated April 2010.

Legislative History

4/13/2010 Town Council Committee of the Whole Recommended for a Resolution

2010-0088 AFSCME Collective Bargaining Agreement Referral

RESOLUTION APPROVING A COLLECTIVE BARGAINING AGREEMENT - GROTON SUPERVISORY EMPLOYEES, LOCAL 818 OF COUNCIL #4, AFSCME, AFL-CIO

WHEREAS, the Town of Groton and the Groton Supervisory Employees - Local 818 of Council #4, AFSCME, AFL-CIO, reached a tentative agreement on a successor collective bargaining agreement for the period July 1, 2010 through June 30, 2013, and

WHEREAS, the parties have worked diligently to arrive at a variety of cost savings measures for the Town, inclusive of a retirement incentive program, and

WHEREAS, the economic package contained in the tentative agreement, inclusive of furlough days, a general wage increase, and changes in employee contributions and co-pays in health insurance, results in a net zero increase for fiscal year 2010-2011, and

WHEREAS, the bargaining unit membership voted to approve the agreement, and

WHEREAS, approval is recommended by the Town's negotiators, therefore be it

RESOLVED, the Groton Town Council hereby approves the expenditure of funds necessary to implement the agreement between the Town of Groton and the Groton Supervisory Employees, Local 818 of Council #4, AFSCME, AFL-CIO.

Legislative History

4/13/2010 Town Council Committee of Not Discussed  
the Whole

2010-0089 Port Security Grant (2009) Referral

RESOLUTION AUTHORIZING APPLICATION FOR A PORT SECURITY GRANT FOR A MARINE PATROL VESSEL

WHEREAS, the Port Security Grant Program provides funds to public safety and law enforcement entities to acquire necessary equipment to enhance port security and address associated homeland security issues, and

WHEREAS, the grant would fund training in equipment use as well as practical exercises to further develop and improve upon the recognized standard skills, methods and techniques in the prevention, detection, response and recovery from terroristic attacks, activities or incidents to the Port of New London and its surrounding waters, and

WHEREAS, the Groton Town Police plan to use the grant to purchase a marine patrol, mission-specific, equipped and designed vessel along with related training of personnel in the use of said vessel to enhance the public safety for recreational, commercial, and military vessels, as well as swimmers and other citizens using the navigable waters within the jurisdictional water boundaries of the Town of Groton, now therefore be it

RESOLVED, that the Town Manager or his designated agent may apply for the Port Security Grant of \$352,384 for Fiscal Year 2009.

Legislative History

4/13/2010 Town Council Committee of Recommended for a  
the Whole Resolution

2010-0091 Police Auction Funds Referral

RESOLUTION AUTHORIZING THE USE OF POLICE AUCTION FUNDS

WHEREAS, by state statute, Police Auction Funds are to be used for the relief of sick, injured or disabled police officers; and

WHEREAS, the Town Attorney confirms that the Town's Police Action Fund may be utilized for the purpose of covering out of pocket expenses related to the provision of medical care for a sick police officer; and

WHEREAS, a twenty-five year veteran of the Police Department currently is facing a life threatening illness and has incurred and will continue to incur substantial out of pocket expenses related to the provision of medical care; and

WHEREAS, the Town's Police Auction Fund presently has a balance of \$61,181.37, therefore be it

RESOLVED, that the Town Council hereby authorizes expenditures of up to \$20,000 from the Police Auction Fund for the purpose of reimbursing the aforementioned officer for out of pocket expenses incurred and to be incurred related to the provision of medical care. Reimbursement is contingent upon review of documentation supporting the expenses and approval of the same by the Town Manager, as well as the agreement of the Police Union to allow this extra-contractual benefit.

Legislative History

4/13/2010 Town Council Committee of Recommended for a  
the Whole Resolution

2010-0092 Land Acquisition - Spicer Property, Thomas Road Referral

**XI. OTHER BUSINESS**

**XII. ADJOURNMENT**