



Town of Groton, Connecticut

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

Meeting Agenda

Town Council

Mayor Patrice Granatosky, Councilor David Atwater, Councilor Conrad F. Heede, Councilor Rachael Franco, Councilor Rich Moravsik, Councilor Lian Obrey, Councilor Juliette Parker, Councilor Rita Schmidt, and Councilor Joe Zeppieri

Tuesday, May 01, 2018

6:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

I. ROLL CALL

II. SALUTE TO THE FLAG

III. RECOGNITION, AWARDS & MEMORIALS

2018-0100 Proclamation Recognizing Earth Day

Proclamation - TC

2018-0101 Proclamation Recognizing Arbor Day

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

2018-0114 Approval of Minutes (Town Council)

Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meetings of March 27, 2018, March 28, 2018, and April 3, 2018 are hereby accepted and approved.

b. Administrative Items

2018-0089 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:

Heather Klapik - \$10.00 - Parks and Recreation Revolving

Janet Ledwidge - \$50.00 - Parks and Recreation Revolving

Anonymous - \$95.00 - Parks and Recreation Revolving

Alpha Delta Kappa-Zeta - \$200.00 - Social Services Discretionary

Lee Vincent - \$50.00 - Social Services Discretionary

Groton Education Association - \$500.00 - Social Services Discretionary

c. Deletions from the Town Council Referral List

2016-0255	Purchase of Tablets for the Town Council	Referral
2018-0071	FYE 2019 Proposed Budget Deliberations	Referral
2018-0072	Project Labor Agreements	Referral
2018-0092	Chelsea Groton Foundation Grant - Library	Referral
2018-0093	Request for Tax Abatement	Referral
2018-0094	Assessment Analyst Associate Job Description	Referral
2018-0095	Assessment Technician Job Description	Referral
2018-0098	Resolution in Support of Senate Bill 103 Permanently Banning the Disposal of Fracking Waste in Connecticut	Referral
2018-0102	Approving FYE 2019 Budgets	Referral
2018-0103	Computation of Tax Rate for General Fund (FYE 2019)	Referral
2018-0104	Computation of Tax Rate for Mumford Cove (FYE 2019)	Referral
2018-0105	Computation of Tax Rate for Groton Sewer District (FYE 2019)	Referral
2018-0108	Filling the Assessment Analyst Associate Position in the Finance Department	Referral
2018-0110	Supplemental Appropriation to the Recreation and Senior Activities Fund for Senior Programs	Referral
2018-0113	Appointment of Patrick Flaherty to Harbor Management Commission	Referral
2018-0115	Adoption of Illicit Stormwater Discharge Ordinance	Referral
2018-0118	Resolution Scheduling a Public Hearing on the Bill Memorial Library Neighborhood Assistance Act Program Application (2018)	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
- e. Department Heads

VIII. COMMITTEE REPORTS

- a. Personnel & Appointments - Chairman Heede
- b. Temporary Rules - Chairman Heede
- c. Committee of the Whole - Mayor Granatosky

IX. NEW BUSINESS

2018-0092	Chelsea Groton Foundation Grant - Library	Referral
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RESOLUTION AUTHORIZING THE TOWN MANAGER OR HIS DESIGNEE TO SEEK
GRANT FUNDING FROM THE CHELSEA GROTON FOUNDATION TO PROVIDE FUNDS TO

REPLACE THE FURNITURE IN THE CHILDREN'S ACTIVITY ROOM

WHEREAS, the furniture in the children's activity room is over 20 years old, and

WHEREAS, furniture offering more flexibility would enhance the ability to meet the needs of the wide variety of programs offered and ages of children served, and

WHEREAS, the Chelsea Groton Foundation supports organizations in the Bank's market area through charitable contributions, now therefore be it

RESOLVED that the Groton Town Council hereby authorizes the Town Manager or his designee to seek grant funding in the amount of \$6,406.40 from the Chelsea Groton Foundation which will be utilized by the Groton Public Library to purchase furniture for the children's activity room.

Legislative History

	4/5/2018	Mayor	Referred	Town Council Committee of th
	4/24/2018	Town Council Committee of the Whole	Discussed	
	4/24/2018	Town Council Committee of the Whole	Recommended for a Resolution	
2018-0093		Request for Tax Abatement		Referral

REQUEST FOR TAX ABATEMENT

WHEREAS, the Town of Groton did receive a request for a tax abatement for Grand List Bill 2016-01-0303735, and

WHEREAS, the Town of Groton has a Tax Abatement Policy for those unable to pay, adopted by Town Council resolution on February 5, 2002, and

WHEREAS, the Town Tax Collector did review and verify that a complete application has been submitted and parts of the Tax Abatement Policy has been followed, and

WHEREAS, the Town of Groton held a special meeting on April 24, 2018 to review the application at said meeting and recommended approval of the abatement application at the regular Town Council meeting, now therefore be it

RESOLVED, that the Tax Abatement request for all outstanding taxes for Grand List 2016 Bill #2016-01-0303735 be approved.

Legislative History

	4/13/2018	Mayor	Referred	Town Council Committee of th
	4/24/2018	Town Council Committee of the Whole	Discussed	
	4/24/2018	Town Council Committee of the Whole	Recommended for a Resolution	
2018-0094		Assessment Analyst Associate Job Description		Referral

RESOLUTION APPROVING ASSESSMENT ANALYST ASSOCIATE JOB DESCRIPTION

WHEREAS, the current Assessment Analyst Associate has notified the Town of his intent to retire effective June 1, 2018, and

WHEREAS, the job description was last revised in April 2004 and has now been updated to reflect the current duties of the position, now therefore be it

RESOLVED, that the Town Council approves the attached job description for the Assessment Analyst

Associate prepared in April 2018.

Legislative History

4/13/2018	Mayor	Referred	Town Council Committee of th
4/24/2018	Town Council Committee of the Whole	Discussed	
4/24/2018	Town Council Committee of the Whole	Recommended for a Resolution	

2018-0095 Assessment Technician Job Description Referral

RESOLUTION APPROVING ASSESSMENT TECHNICIAN JOB DESCRIPTION

WHEREAS, the current Assessment Technician job description was prepared in September 1995, and

WHEREAS, duties of the position have evolved over time due to changes in technology and software, and

WHEREAS, the job description has now been updated to reflect the current duties of the position, now therefore be it

RESOLVED, that the Town Council approves the attached job description for the Assessment Technician prepared in April 2018.

Legislative History

4/13/2018	Mayor	Referred	Town Council Committee of th
4/24/2018	Town Council Committee of the Whole	Recommended for a Resolution	

2018-0098 Resolution in Support of Senate Bill 103 Permanently Banning the Disposal of Fracking Waste in Connecticut Referral

RESOLUTION IN SUPPORT OF SENATE BILL 103 PERMANENTLY BANNING THE DISPOSAL OF FRACKING WASTE IN CONNECTICUT

WHEREAS, hydraulic fracturing is a technique whereby rock is fractured through the use of a pressurized liquid in order to achieve an increased volume of natural gas or oil; and

WHEREAS, fracking wastewater is toxic with no way to filter or treat the water to enable it to be safe; and

WHEREAS, according to a John Hopkins University study, fracking chemicals are linked to migraines, fatigue, chronic nasal/sinus symptoms as well as premature births and high-risk pregnancies; and

WHEREAS, the State of Connecticut currently adopted a moratorium in 2014 to prohibit the storage or disposal of fracking waste in Connecticut; and

WHEREAS, Senate Bill 103, currently under consideration, would permanently ban accepting, handling, and disposing of hydraulic fracturing “fracking” waste in Connecticut; and

WHEREAS, Senate Bill 103 will help to protect Connecticut’s potable well water and prevent future financial liability for the State; now, therefore, be it

RESOLVED, that the Groton Town Council fully supports Bill SB 103; and, be it, further

RESOLVED, that the Groton Town Council requests that the bill be called for a vote to help protect Connecticut’s environment and financial future.

Legislative History

4/16/2018	Mayor	Referred	Town Council Committee of th
4/24/2018	Town Council Committee of the Whole	Recommended for a Resolution	

2018-0110 Supplemental Appropriation to the Recreation and Senior Activities Fund for Senior Programs Referral

RESOLUTION AUTHORIZING A SUPPLEMENTAL APPROPRIATION TO THE RECREATION AND SENIOR ACTIVITIES FUND FOR SENIOR PROGRAMS

WHEREAS, a treadmill in the Senior Center Fitness Center has failed, and the Senior Center would like to replace the treadmill with a recumbent stepper for use by the members of the Fitness Center, now therefore be it

RESOLVED, that \$2,450 is appropriated from the Recreation and Senior Activities Fund unassigned fund balance to Senior Programs account 32405 5400 for the purchase of a recumbent stepper.

Legislative History

4/19/2018	Mayor	Referred	Town Council Committee of th
4/24/2018	Town Council Committee of the Whole	Discussed	
4/24/2018	Town Council Committee of the Whole	Recommended for a Resolution	

2018-0113 Appointment of Patrick Flaherty to Harbor Management Commission Referral

RESOLUTION APPOINTING PATRICK FLAHERTY AS AN ALTERNATE MEMBER TO THE HARBOR MANAGEMENT COMMISSION

RESOLVED, that Patrick Flaherty, 965 River Road, Mystic is appointed as an alternate member to the Harbor Management Commission, for a term ending 9/1/18.

Legislative History

4/17/2018	Town Council Personnel & Appointments Committee	Recommended for a Resolution
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2018-0115 Adoption of Illicit Stormwater Discharge Ordinance Referral

ADOPTION OF ILLICIT STORMWATER DISCHARGE ORDINANCE

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

SECTION 1. PREAMBLE

1.1. Purpose

a) This Ordinance is adopted under the authority of Chapter 98 of the Connecticut General Statutes ("C.G.S.") (Section 7-148 et seq.) in order to implement the General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems (the "MS4 Permit") issued by the Connecticut Department of Energy and Environmental Protection ("DEEP").

b) Adoption of this Ordinance is required by Connecticut law and provides for the health, safety and general welfare of the citizens of the Town of Groton through the regulation of non-stormwater discharges, and prohibition of any illicit discharge or illicit connection, to the stormwater drainage system owned and operated by the Town of Groton.

1.2. General Provisions

a) Those technical words and terms used herein and identified in bold italic font are defined as provided in Section 5 of this Ordinance - Glossary.

b) Other words and terms relevant to this Ordinance may be defined in:

- C.G.S. sections 22a-423, as may be amended;
- Section 22a-430-3(a) of the Regulations of Connecticut State Agencies (General conditions applicable to water discharge permits), as may be amended; and/or
- The MS4 Permit issued by DEEP, as may be amended.

SECTION 2. APPLICABILITY

2.1. Geography

a) Unless exempted or excluded as provided in Section 2.2 of this Ordinance, this Ordinance shall apply to water and other discharges entering and/or connections to the stormwater drainage system owned and operated by the Town of Groton excluding therefrom any water entering from any stormwater drainage system under the jurisdiction of:

1. the City of Groton,
2. the Groton Long Point Association,
3. any surrounding municipality,
4. the Connecticut Department of Transportation, and/or
5. any state or federal agency or institution or other institution required to manage their own stormwater drainage system under the MS4 Permit issued by DEEP, as may be amended.

2.2. Exemptions And Exclusions

a) The following non-stormwater discharges are exempt from this Ordinance provided that such discharges are controlled to the maximum extent practicable, do not contribute to a violation of water quality standards, and are not significant contributors of pollutants to any stormwater drainage system:

1. Uncontaminated ground water discharges including, but not limited to, pumped ground water, foundation drains, water from crawl space pumps and footing drains;
2. Irrigation water including, but not limited to, landscape irrigation and lawn watering runoff;
3. Residual street wash water associated with sweeping;
4. Discharges or flows from firefighting activities (except training);
5. Naturally occurring discharges such as rising ground water, uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)), springs, diverted stream flows and flows from riparian habitats and wetlands; and
6. Other discharges meeting the above standards.

b) This Ordinance shall not apply to any non-stormwater discharge which is:

1. authorized by a permit issued pursuant to C.G.S. sections 22a-430 or 22a-430b, as may be from time to time amended; or
2. permitted by permit, waiver, or waste discharge order issued to the discharge under the National Pollutant Discharge Elimination System (NPDES).

SECTION 3. ILLICIT DISCHARGES AND ILLICIT CONNECTIONS PROHIBITED

a) Any illicit discharge to the stormwater drainage system is prohibited and no person shall discharge or cause to be discharged into the stormwater drainage system any material other than stormwater.

- b) The construction, use, maintenance or continued existence of any illicit connection to the stormwater drainage system is prohibited. This prohibition expressly includes, without limitation, any illicit connection made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- c) Any illicit discharge and/or illicit connection to the stormwater drainage system or other non-compliance with this Ordinance (each a "violation") is unlawful and shall cease and be eliminated.

SECTION 4. ENFORCEMENT

4.1. Citation Hearing Procedure; Appointment of Officers

- a) In addition to and not in limitation of other applicable rights and remedies available to the Town at law, in equity and/or pursuant to this Ordinance, Section 4 of this Ordinance establishes a citation hearing procedure pursuant to the provisions of C.G.S. sections 7-148(c)(10)(A) and 7-152c, respectively, as amended.
- b) The Town Manager shall appoint a municipal employee or officer of the Town of Groton as the "Stormwater Compliance Officer" to administer, implement and enforce this Ordinance. The Town Manager shall also appoint a person or persons, other than the Stormwater Compliance Officer, to serve as a "Citation Hearing Officer" to conduct hearings authorized by Section 4.3 of this Ordinance. The Stormwater Compliance Officer and Citation Hearing Officer shall both serve at the pleasure of the Town Manager. The Town Manager shall retain all rights to appoint and/or remove the Stormwater Compliance Officer and Citation Hearing Officer, respectively.
- c) The Stormwater Compliance Officer's powers and/or duties shall include, but not be limited to, the authority to:
 - 1. Administer, implement and enforce this Ordinance;
 - 2. Sample, test, monitor, inspect and otherwise investigate the stormwater drainage system owned and operated by the Town of Groton, and connections thereto, in order to determine whether this Ordinance has been violated and/or prevent and eliminate any existing or potential future violation;
 - 3. Identify as soon as possible the person or persons responsible for any violation and order compliance with this Ordinance;
 - 4. Issue notices of violation with this Ordinance;
 - 5. Suspend or terminate any person's access to the stormwater drainage system pursuant to section 4.4(c) and/or (d) hereof;
 - 6. Issue Citations for any fines, penalties, costs or fees due for violation of this Ordinance;
 - 7. Make assessments for expenses, costs or fees due for violation of this Ordinance and/or related to any investigation, testing, monitoring, abatement, remediation, restoration or other actions required as a result of such violation or the elimination thereof, take actions to recoup costs and/or take such other actions deemed necessary or appropriate to enforce with this Ordinance;
 - 8. Immediately take all reasonable and prudent measures, commence or require any other actions necessary or advisable, including but not limited to pursuit of legal and/or injunctive relief and remedies, to minimize or eliminate the discharge of pollutants to the stormwater drainage system and/or to eliminate and abate any violation of this Ordinance as soon as possible; and
 - 9. Notwithstanding anything in this Ordinance to the contrary, in the event any violation of this Ordinance constitutes an immediate danger to public health or safety, the Stormwater Compliance Officer is authorized to enter upon the subject property, without giving prior notice, and to take any and all measures necessary to investigate, test, monitor, remediate, abate and otherwise eliminate the violation and to restore the property(ies) affected thereby, and may seek and recoup costs against the persons responsible and/or lien and/or levy and impose a special assessment against the property(ies) that are the subject matter of the violation.

4.2. Notification of Violation; Citations

- a) Whenever the Stormwater Compliance Officer finds that a violation of this Ordinance has occurred, and identifies the person or persons responsible for such violation, such Stormwater Compliance Officer shall order compliance by sending written notice to the owner and occupant of the subject property(ies) and any other person or persons responsible as soon as possible (each a "respondent"). The Written Notice may require, without limitation, the following:
- i. Immediate cessation and/or elimination of the illicit discharge and/or illicit connection causing such illicit discharge;
 - ii. The performance of monitoring, analysis and reporting;
 - iii. The abatement or remediation caused by the illicit discharge or illicit connection and the restoration of any affected property(ies);
 - iv. A warning that a Citation may result from failure to correct the violation, including the payment of fines, penalties, costs or fees due, and that failure to correct the violation may result in additional costs, fees or assessments to cover administrative and/or monitoring, testing, investigation, abatement, remediation and/or restoration work related thereto;
 - v. Implementation of pollution prevention practices; and/or
 - vi. Such other actions or directives as shall be within the scope of the Stormwater Compliance Officer's powers and duties.
- b) The written notice shall explain the nature of violation and the steps required for compliance and shall constitute a written warning before the issuance of any Citation pursuant to this Ordinance. If investigation, testing, monitoring, abatement, remediation and/or restoration of and/or any other correction of a violation and/or property(ies) affected thereby is required ("Abatement Work"), the written notice shall also set forth a deadline within which such Abatement Work must be completed, and shall further advise that, should the respondent fail to perform such Abatement Work and correct the violation within the established deadline, such Abatement Work may be done by the Town of Groton and/or its designee, including but not limited to employees, licensed environmental professionals and/or contractors selected by the Town of Groton in its sole discretion, and the expense thereof shall be charged to each respondent and/or shall constitute a special assessment and/or lien against the property(ies) that are the subject matter thereof; provided, nothing in this Ordinance shall restrict the Town's rights, without prior notice, to pursue relief under section 4.1(c) (9) of this Ordinance and to recoup all costs and expenses related thereto through lien, special assessment or other applicable rights or remedies available to the Town.
- c) Nothing herein shall prohibit the Stormwater Compliance Officer, in such officer's discretion, from allowing the respondent to whom the written warning is directed to submit a plan acceptable to such Stormwater Compliance Officer to correct the violation on a timely basis provided that the timeframe is reasonable considering the environmental impact of the violation and the cost and/or difficulty of eliminating such violation.
- d) After the deadline for correction established pursuant to subsection 4.2(b) has expired, the Stormwater Compliance Officer shall re-inspect the subject violation to determine compliance. If the violation set forth in the written notice has not been corrected at the time of re-inspection, the Stormwater Compliance Officer may issue a citation ("Citation") to the respondent. Any Citation shall state: (1) the allegations against such respondent and the amount of any fines, penalties, costs or fees due; (2) that such respondent may contest liability before a Citation Hearing Officer by delivering in person or by mailing written notice of such hearing request to the Stormwater Compliance Officer within ten (10) days of the date of the Citation; (3) that if such respondent does not demand such a hearing, a judgment and, if applicable, an assessment may be entered against such respondent and/or special assessments and/or liens attached to the subject property(ies) involved with the violation; and (4) that such judgment and assessment may issue without further notice.

- i) The written notice required by section 4.2(a), and any resulting Citation issued pursuant to section 4.2(c), shall be served by the Stormwater Compliance Officer upon the respondent: 1) by hand delivery; (2) mailed, by certified mail, return receipt requested, to the last known address on file with the Groton Tax Collector of the respondent to whom it is directed; (3) if the respondent to whom such notice is issued is a registrant, such notice may be delivered in accordance with C.G.S. section 7-148ii; (4) by leaving a true and attested copy of the citation at the usual place of abode or residence of the respondent to whom it is directed, (5) in the case of a business entity, delivery to the business address or address of the statutory agent of such entity; or (6) through any other manner permitted by applicable law.
- ii) Further, while the MS4 Permit issued by DEEP provides that the period between identification and elimination of an illicit discharge or illicit connection is not a grace period and may be subject to a fine, the starting date for imposition of any fine shall be at the discretion of the Stormwater Compliance Officer based on progress being made towards timely remediation following initial written notice of the non-compliance.
- e) The Stormwater Compliance Officer may, but shall not be obligated, to perform daily re-inspections. Rather, the respondent to whom the Citation has been issued shall be responsible for reporting subsequent compliance to the Stormwater Compliance Officer. The Stormwater Compliance Officer shall re-inspect to confirm compliance within two (2) business days of receipt of such report of compliance absent extenuating circumstances.
- f) Each day that non-compliance continues on and after the deadline imposed pursuant to section 4.2(b) hereof shall constitute a separate offense for which a fine may be imposed. No fine issued hereunder shall exceed \$250.00 per day. Any fine collected in connection with this Ordinance shall be deposited into the Town of Groton's general fund account.
- g) An original or certified copy of the initial written notice issued pursuant to section 4.2(a) of this Ordinance and any resulting Citation shall be filed and retained by the Town of Groton and shall be deemed to be a business record within the scope of C.G.S. section 52-180 and evidence of the facts contained therein. In addition, such initial written notice and any Citation issued thereunder may be reported to DEEP, and may also be reported to any other agency with jurisdiction (including another municipality, a regional health district, a State agency, a federal agency, or other entity).

4.3. Payment of Fines; Hearings; Appeals; Other Remedies

- a) **Admission of Liability by Payment of Fine.** If any respondent who is sent a Citation pursuant to section 4.2(d) of this Ordinance wishes to admit to liability for any alleged non-compliance with this Ordinance, such respondent may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees admitted to. Payment may be made by cash, credit card, check or money order payable to the Town of Groton and submitted in person or mailed in accordance with the instructions specified in the Citation. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such respondent or other person making the payment. Any respondent who does not deliver or mail written demand for a hearing within ten (10) days of the date of the Citation shall be deemed to have admitted liability, and the designated Stormwater Compliance Officer shall certify such person's failure to respond to the Citation Hearing Officer. The Citation Hearing Officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by this Ordinance and shall follow the procedures set forth in this Section 4.3. Payment of the fine shall in no way relieve such respondent from liability and responsibility to abate the violation and/or to comply with other directives issued by the Stormwater Compliance Officer, nor from liability to the Town of Groton for the cost of any such Abatement Work incurred or performed by or at the direction of the Town pursuant to this Ordinance.
- b) **Hearing on Notice of Violation.** Any respondent issued a Citation pursuant to this Ordinance may request a hearing with the Citation Hearing Officer by delivering in person or by mail written notice in accordance with the hearing request instructions set forth on the Citation within ten (10)

days of the date of the Citation; provided that such request for a hearing shall not stay or delay response to the violation that is the subject of such Citation. Any respondent who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen (15) days nor more than thirty (30) days from the date of the mailing of the Citation, provided the Citation Hearing Officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance.

c) Procedure. The presence of the Stormwater Compliance Officer shall be required at the hearing if the respondent so requests. A respondent wishing to contest liability shall appear at the hearing and may present evidence in such respondent's behalf. The Stormwater Compliance Officer and/or any other designated municipal official, other than the Citation Hearing Officer, may present evidence on behalf of the Town of Groton. If the alleged respondent fails to appear, the Citation Hearing Officer may enter an assessment by default against such respondent upon a finding of proper notice and liability under this Ordinance. The Citation Hearing Officer may accept from such Stormwater Compliance Officer copies of police reports, investigatory and citation reports, and other official documents and may determine thereby that the appearance of such Stormwater Compliance Officer is unnecessary. The Citation Hearing Officer shall conduct the hearing in the order and form and with such methods of proof as such Citation Hearing Officer deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The Citation Hearing Officer shall announce his or her decision at the end of the hearing. If the Citation Hearing Officer determines that the respondent is not liable, such officer shall dismiss the matter and enter his or her determination in writing accordingly. If the Citation Hearing Officer determines that the respondent is liable for the non-compliance, he or she may affirm or modify the notice of non-compliance, and shall forthwith enter and assess fines, penalties, costs or fees against such respondent as provided in the Citation and as permitted by this Ordinance, in writing, with a copy to such respondent.

d) Failure to Pay. If an assessment is not paid on the date of its entry, the Citation Hearing Officer shall send by first class mail a notice of the assessment to each respondent found liable and shall file, not less than thirty (30) days or more than twelve (12) months after such mailing, a certified copy of the notice of assessment with the Clerk of the Connecticut Superior Court together with an entry fee of eight (\$8.00) dollars, against such person in favor of the Town of Groton, pursuant to C.G.S. section 7-152c, as amended. Notwithstanding any provision of the C.G.S., the Citation Hearing Officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such respondent.

e) Appeals. A respondent against whom a determination of violation of this Ordinance and/or an assessment has been entered is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty (30) days of the mailing of notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee pursuant to C.G.S. section 52-259, at a superior court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the superior court.

4.4 Other Rights and Remedies

a) Cost of Abatement of the Non-Compliance. As required by the MS4 Permit issued by DEEP, it is hereby declared that the Stormwater Compliance Officer has the authority under this Ordinance to recoup costs incurred by the Town of Groton while undertaking actions to eliminate any illicit discharge or illicit connection on a timely basis, including but not limited to administrative costs and costs of Abatement Work.

If any violation has not been corrected by the deadline and pursuant to the requirements set forth in the Stormwater Compliance Officer's written notice of violation, or in the event of an appeal to and decision of a Citation Hearing Officer or of a court in the case of an appeal, within five (5) days of the decision upholding the action of the Stormwater Compliance Officer or Citation Hearing Officer,

as applicable, then the Town of Groton and its designees, including but not limited to employees, licensed environmental professionals and/or contractors selected by the Town of Groton in its sole discretion, may enter upon the subject property(ies) and are authorized to perform such Abatement Work. It shall be unlawful for any property owner, person in possession of the property or any other person to refuse to allow the Town to enter upon the subject property(ies) for such Abatement Work. No later than thirty (30) days after completion of such Abatement Work, the respondents shall be notified of the cost such Abatement Work, including but not limited to administrative costs, which costs shall become the liability of the respondent, a special assessment against the property(ies) that are the subject(s) of the violation and/or shall constitute a lien on such property(ies) for the amount of the assessment until paid in full. A certificate of the lien shall be recorded on the land records within such thirty (30) day time period, and simultaneously with such filing, notice shall be given to the owner of the property(ies) that are the subject matter thereof and the Town shall make reasonable efforts to mail a copy of the certificate by first class mail to any lienholder's current or last known address.

Notwithstanding anything in this Ordinance to the contrary, nothing in this Ordinance shall restrict the Town's rights, without prior notice, to immediately pursue relief under section 4.1(c)(9) of this Ordinance and to recoup all costs and expenses related thereto through lien or other applicable rights or remedies available to the Town.

- b) **Non-compliance deemed a public nuisance.** In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any provision of this Ordinance is a threat to public health, safety, welfare and environment and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and /or civil action may be brought to abate, enjoin or otherwise compel the cessation and elimination of such nuisance.
- c) **Suspension.** The Stormwater Compliance Officer may suspend, without prior notice in the event of an emergency, stormwater drainage system access to a person when such suspension is necessary to stop an actual or threatened illicit discharge or illicit connection which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the stormwater drainage system or to minimize danger to persons.
- d) **Termination.** Any person discharging to the stormwater drainage system in violation of this Ordinance may have their stormwater drainage system access terminated, after Citation by the Stormwater Compliance Officer, if such termination would abate or reduce the violation. The Stormwater Compliance Officer shall notify a person of the proposed termination of such respondent's stormwater drainage system access. The person may petition the Citation Hearing Officer of the Town of Groton for reconsideration and a hearing in accordance with this section 4.3(b) of this Ordinance.
- e) **Injunctive Relief.** If a person has violated or continues to violate any provision of this Ordinance, the Stormwater Compliance Officer may petition for a preliminary or permanent injunction restraining such person from activities which would create further violation or compelling the person to perform Abatement Work to comply with such other order of the Stormwater Compliance Officer related to such violation.
- f) **Remedies Not Exclusive.** The remedies described in this Ordinance are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the Stormwater Compliance Officer and Citation Hearing Officer to seek cumulative remedies. The Town of Groton may recover attorney's fees, court costs and other expenses associated with enforcement of this Ordinance.

SECTION 5. GLOSSARY.

5.1 Specific Words And Terms

For the purposes of this Ordinance, the following words and terms shall have the meaning specified:

Illicit Discharge - any unpermitted discharge that does not consist entirely of stormwater or uncontaminated ground water except those discharges identified in Section 2.2 of this Ordinance when such non-stormwater discharges are not significant contributors of pollution. Illicit discharges include but are not limited to:

- any pollutants,
- any liquids or materials containing pollutants that cause or contribute to a violation of applicable water quality standards,
- a discharge of untreated sanitary wastewater from a municipal sanitary sewer (a sanitary sewer overflow),
- residential, industrial and/or commercial wastes,
- trash,
- used motor vehicle fluids,
- pesticides and/or fertilizers,
- food preparation waste,
- leaf litter, grass clippings, and
- animal wastes.

Illicit Connection: An illicit connection is defined as either of the following:

- (a) Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the stormwater drainage system including but not limited to any conveyance which allow any non-stormwater discharge to enter the stormwater drainage system, and any connections to the stormwater drainage system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted or approved by the Town; or
- (b) Any drain or conveyance connected to the stormwater drainage system which has not been documented in plans, maps or equivalent records and approved by the Town.

Maximum Extent Practical - a technology-based standard established by Congress in the Clean Water Act which allows the Town of Groton to exercise some flexibility when trying to reduce pollutants provided the following conditions exist:

- there must be a serious attempt to comply,
- practical solutions may not be lightly rejected.

Non-Stormwater - a discharge consisting of anything other than stormwater.

Person - any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner, occupant or as the owner's or occupant's agent.

Pollutant(s) - anything which causes or contributes to pollution including but not limited to:

- paints, varnishes, and solvents;
- oil and other automotive fluids;
- non-hazardous liquid and solid wastes and yard wastes;
- refuse, rubbish, garbage, litter, or other discarded or abandoned objects, and accumulations, so that same may cause or contribute to pollution;
- floatables;
- pesticides, herbicides, and fertilizers;
- hazardous materials including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed;
- sewage, fecal coliform and pathogens;
- dissolved and particulate metals;

- animal wastes; and
- wastes and residues that result from constructing a building or structure.

Stormwater - waters consisting of rainfall runoff, including snow or ice melt during a rain event.

Stormwater Drainage System - conveyances for stormwater (including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains).

SECTION 6. CONFLICT AND SEPARABILITY

- a) The provisions of this Ordinance shall not be construed to prevent the enforcement of other statutes, codes, ordinances or regulations which prescribe standards other than are provided in this Ordinance.
- b) If any other ordinance or parts of ordinances are in conflict herewith, the more restrictive provisions shall apply.
- c) If a court of competent jurisdiction finds any provision of this ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this ordinance shall continue to be separately and fully effective.

Legislative History

	4/23/2018	Mayor	Referred	Town Council Committee of th
	4/24/2018	Town Council Committee of the Whole	Recommended for a Resolution	
2018-0118				Referral
	Resolution Scheduling a Public Hearing on the Bill Memorial Library Neighborhood Assistance Act Program Application (2018)			

RESOLUTION SCHEDULING A PUBLIC HEARING ON THE BILL MEMORIAL LIBRARY 2018 NEIGHBORHOOD ASSISTANCE ACT PROGRAM APPLICATION

WHEREAS, the Town of Groton has received a proposal from the Bill Memorial Library for the 2018 Neighborhood Assistance Act to achieve tax credit savings on an energy efficiency proposal for their Heating Ventilation and Air Conditioning System; and

WHEREAS, the Town of Groton Office of Planning and Development Services supports the energy efficiency proposal from the Bill Memorial Library and acknowledges that the post program review will be the department's responsibility; and

WHEREAS, the Town Council must conduct a public hearing on proposed Neighborhood Assistance Act Program projects; now therefore be it

RESOLVED, that the Town Council hereby schedules a public hearing on the Bill Memorial Library's application under the 2018 Neighborhood Assistance Act Program for June 5, 2018.

Legislative History

4/24/2018	Town Council Committee of the Whole	Recommended for a Resolution
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X. OTHER BUSINESS

XI. ADJOURNMENT

**Town of Groton
Job Description**

Job Title: Assessment Analyst Associate
Department: Finance
Reports to: Assessor
FLSA Status: Hourly/Non-Exempt
Union/Pay Grade: GMEA/Level 9
Prepared By: Human Resources
Prepared Date: April 2004
Approved By: Town Council
Approved Date: April 20, 2004
Revision Date: _____

POSITION OVERVIEW

Under the direction of the Assessor, or in the absence of the Assessor, the Assistant Assessor, the Assessment Analyst Associate assists the Assessor and the Assistant Assessor in performing appraisal and other administrative work related to the assessment of primarily personal property and motor vehicles.

ESSENTIAL DUTIES AND RESPONSIBILITIES

The essential functions or duties listed below are the primary functions and duties of the classification. There may be other types of work that may be performed and the omission of a particular duty or function does not exclude that duty or function from the classification provided that the duty or function is similar in work, related to the work or logically assigned to the classification.

- Receives oral or written instruction from the Assessor and/or the Assistant Assessor
- Initiates the discovery of new accounts from trade name filings, building permits, field canvasses and other sources
- Makes personal inspections of places of business and residences in order to discover/determine situs and establish value of personal property and exemptions for assessment purposes
- Works closely with Assistant Assessor to examine building permits and financial statements of businesses to analyze and determine assessment date and legal ownership
- Maintains appraisal database and prioritizes work duties such as maintaining file on pending, questionable and audited accounts or unusual situations requiring further review
- Prepares reports, conducts correspondence and reviews assessment procedures with taxpayers, Town officials and State agencies
- Provides assistance to contractor for audit services
- Provides post-grand list narrative to assessor prior to and after Board of Assessment Appeals
- Serves as Municipal Airport Registration Official. Coordinates with Connecticut Airport Authority for state reporting and annual aircraft registration renewals
- Performs other duties as may be required within the functional area of the Department
- Serves as backup to front counter support

Considerable ability to establish and maintain effective and courteous working relationships with residents, members of the general public, other departments and agencies, co-workers and volunteers.

QUALIFICATIONS

Knowledge of State of Connecticut Assessment Laws pertaining to personal property and motor vehicles. Knowledge of basic accounting principles and practices. Ability to set priorities and maintain a variety of records and to make involved technical computations. Experienced with personal computer, electronic data processing equipment in particular Microsoft Excel and Word and the ability to learn industry-specific software. Ability to meet with and deal effectively with taxpayers. The skills and knowledge required would generally be acquired with an Associates degree in Accounting, Business Administration, or a closely related field and four (4) years' experience in property assessment or closely related

work or a Bachelor's degree in the same curriculum and two (2) years' experience in property assessment or closely related work.

Criminal background, drug testing and driving record checks required prior to employment.

CERTIFICATIONS, LICENSES, REGISTRATIONS

Certified Connecticut Municipal Assessor CCMA I designation or CPA preferred. Or CCMA I must be attained within five years from hire date. Valid Driver's license required.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job.

While performing the duties of this position, the employee is regularly required to talk and hear. The employee is frequently required to stand, walk, and sit. The employee is required to reach with hands and arms, climb, stoop, and kneel. The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities include close vision, distance vision and depth perception. The employee will regularly be required to visit off-site locations to access commercial personal property.

WORK ENVIRONMENT

While performing the duties of this job, the employee may be required to travel in inclement weather. The noise level in the work environment is usually moderate.

ACCOMMODATIONS

Reasonable accommodations may be made to enable qualified individuals with disabilities to perform the essential functions of this position

Town of Groton Job Description

Job Title: Assessment Technician
Department: Finance
Reports to: Assessor
FLSA Status: Hourly/Non-Exempt
Union/Pay Grade: GMEA/Level 7
Prepared By: Human Resources
Prepared Date: September 1995
Approved By: Town Council
Approved Date: September 1995
Revision Date: _____

POSITION OVERVIEW

Under the direction of the Assessor, or in the absence of the Assessor, the Assistant Assessor, the Assessment Technician performs maintenance of assessment related information. Updates computer assisted mass appraisal (CAMA) system for sales of real estate, parcel changes and ownership changes. Works within state guidelines to process tax relief and exemption programs. Processes assessment adjustments for motor vehicle grand list. Maintains close working relationship with tax collection office. Serves as back up to Office Assistant II for front counter and phone.

ESSENTIAL DUTIES AND RESPONSIBILITIES

The essential functions or duties listed below are the primary functions and duties of the classification. There may be other types of work that may be performed and the omission of a particular duty or function does not exclude that duty or function from the classification provided that the duty or function is similar in work, related to the work or logically assigned to the classification.

- Works closely with Assistant Assessor on real estate, tax relief, exemption and motor vehicle related functions
- Works with CAMA program and the administrative software program and is proficient with Microsoft office products.
- Processes all real estate transactions and probate documents in CAMA software program.
- Performs deed research for ownership changes and parcel mapping updates for the real estate grand list.
- Works with Assistant Assessor to coordinate real estate sales data and reports accurately as required by statute to OPM.
- Bridges data from CAMA to administrative real estate files; reviews exception reports and edits all relevant data to ensure proper exemption and tax relief benefits are maintained.
- Develops procedures to maintain accurate exemption databases. Manages and determines eligibility for state & local elderly tax relief, various exemptions and veteran benefit programs to meet statutory requirements.
- Coordinates the compiling of accurate tax relief benefit files in preparation for state reimbursement requests.
- Performs maintenance, pricing, data management and reconciliation on annual motor vehicle and supplemental motor vehicle grand lists.
- Proficient in extracting data from various computer databases; can run reports on demand; works with the public via phone, email and at the office counter.
- Performs related work as required.

Considerable ability to establish and maintain effective and courteous working relationships with residents, members of the general public, other departments and agencies, co-workers and volunteers.

QUALIFICATIONS

The skills and knowledge required would generally be acquired with a high school education with course work in business math and 6 years of responsible clerical/assessment experience with related computer experience, or Bachelors Degree and two (2) years related experience; or an Associates Degree and four (4) years related experience; or an equivalent combination of education and experience. Ability to read and interpret property deeds and maps.

Criminal background, drug testing and driving record checks required prior to employment.

CERTIFICATIONS, LICENSES, REGISTRATIONS

Certified Connecticut Municipal Assessor CCMA I designation or courses toward CCMA preferred. Valid Driver's license required.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job.

While performing the duties of this position, the employee is regularly required to talk and hear. The employee is frequently required to stand, walk, and sit. The employee is required to reach with hands and arms, climb, stoop, and kneel. The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities include close vision, distance vision and depth perception. The employee will regularly be required to visit off-site locations to access commercial personal property.

WORK ENVIRONMENT

While performing the duties of this job, the employee may be required to travel in inclement weather. The noise level in the work environment is usually moderate.

ACCOMMODATIONS

Reasonable accommodations may be made to enable qualified individuals with disabilities to perform the essential functions of this position