



# 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, May 03, 2016

7:30 PM

Town Hall Annex - Community Room 1

### REGULAR MEETING

#### I. ROLL CALL

#### II. SALUTE TO THE FLAG

#### III. RECOGNITION, AWARDS & MEMORIALS

2016-0096	Proclamation Recognizing Groton Emergency Communications Center	Proclamation - TC
2016-0097	Proclamation Recognizing Earth Day	Proclamation - TC
2016-0107	Proclamation Recognizing National Arbor Day	Proclamation - TC
2016-0108	Proclamation Celebrating Groton Little League Opening 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

2016-0112 Approval of Minutes (Town Council) Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meetings of March 29, 2016, April 5, 2016, April 25, 2016, and April 27, 2016 are hereby accepted and approved.

##### b. Administrative Items

2016-0098 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 - \$100.00 - Library Miscellaneous

Anne-Marie Quagliaroli - \$20.00 - Groton Utilities Energy Assistance Program

Groton Utilities Matching Funds - \$122.50 - Groton Utilities Energy Assistance Program

Robert Zuliani -\$100.00 - Library Renovations  
 Gervacio Senador Eigo Jr. - \$5.00 - Library Renovations  
 B.P.O. Elks Lodge No. 2163 - \$500.00 - Social Services Discretionary  
 Lee Vincent - \$50.00 - Social Services Discretionary  
 Carl Sommer for Mystic Photography Group - \$25.00 - Libray Miscellaneous  
 Elizabeth Hogan - \$250.00 - Library Renovations  
 Anonymous - \$20.00 - Library Miscellaneous

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

2014-0312	School Facilities Initiative Update	Referral
2015-0298	Establishment of a Charter Revision Commission	Referral
2016-0103	October 2016 Revaluation - Update	Referral
2016-0021	Proposed Adjustments to Retiree Pension Benefits	Referral
2016-0068	Disposition of Town Owned Property Acquired through Tax Foreclosure	Referral
2016-0105	FYE 2016 Fourth Quarter Transfers	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**

- a. Community Relations -
- b. Finance -
- c. Personnel & Appointments - Chairman Watson
- d. Rules -
- e. Public Safety -
- f. Committee of the Whole - Mayor Flax

**IX. NEW BUSINESS**

2015-0298	Establishment of a Charter Revision Commission	Referral
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RESOLUTION PROVIDING FOR THE APPOINTMENT OF A CHARTER REVISION COMMISSION

RESOLVED, pursuant to the provisions of Connecticut General Statutes Sections 7-188 through 7-191, that a Charter Revision Commission is hereby created, whose membership shall consist of 11 electors of the Town, not more than one-third of whom may hold any public office in the Town, and not more than a bare majority of whom shall be members of any one political party, and be it

FURTHER RESOLVED, that such Commission shall make its report including any proposed revision of or amendments to the existing Charter to the Town Council not later than 16 months from the date of this resolution.

Legislative History

**12/28/2015** Mayor Referred Town Council Committee of th  
**1/5/2016** Town Council Committee of Discussed  
the Whole

*Mayor Flax noted that there are many steps involved in establishing a Charter Revision Commission (CRC) and the Council needs to solicit potential members. Discussion followed on advertising for candidates before establishing the CRC since appointments must be made within 30 days of the formation of the Commission. The Town Manager reminded Councilors that they will be very busy with the budget in the upcoming months. He also encouraged the Council to review the Charter and have a discussion about what areas the Council is particularly concerned about.*

*Councilor Antipas, who is also Chairman of the Republican Town Committee, noted that the political parties do not have to be involved in the process, but in the past they have vetted applicants and submitted names to the Committee of the Whole. If they are going to be involved, the Town Committees will need time to prepare.*

*Discussion followed on the Council's upcoming schedule and timing to address issues including orientation, goals, and charter revision.*

*A special meeting was scheduled for January 14th at 6:00 p.m. for one hour of Town Council orientation, followed by a goal setting session. As part of goal setting, the Mayor asked Councilors to review the current charter and come up with initial comments/concerns.*

*With respect to goal setting, the Town Manager suggested that the Council think in terms of finding common ground among the nine members.*

*The consensus was to proceed with a solicitation of people interested in serving on a future CRC through the Town's web site, GMTV, and an ad in the newspaper.*

**2/9/2016** Town Council Committee of Discussed  
the Whole

*Town Manager Oefinger distributed information on additional people who have expressed an interest in serving on the Charter Revision Commission (CRC). The Town Council has 30 days to appoint people after establishing the CRC.*

*Discussion followed on conducting interviews before or after establishing the Commission. The Council must identify the size of the Commission (5 to 15 people) and areas that the Council would like the Commission to consider.*

*The consensus was to interview those interested in serving before establishing the Commission. Staff was asked to develop a list of those interested and an application based on the boards and commissions appointment application to forward to them. The Town Council will develop a meeting schedule for interviews.*

**2/23/2016** Town Council Committee of Discussed  
the Whole

*The Town Council identified the following dates/times to conduct 15 minute interviews of candidates for the Charter Revision Commission:*

*Saturday, March 12th from 8:30 a.m. to 11:30 a.m.*

*Monday, March 14th from 5:30 p.m. to 8:30 p.m.*

*The Council asked that the solicitation for applicants end on Friday, March 25th.*

**3/8/2016** Town Council Committee of Discussed  
the Whole

*The Town Council has set up interviews on Saturday, March 12th and Monday, March 14th. Councilors received a packet of applications and the interview schedules. Councilors were asked to arrive at 8:15 a.m. on Saturday and to review the applications ahead of time.*

**3/12/2016** Town Council Committee of Discussed  
the Whole

*The Council interviewed several candidates for the proposed Charter Revision Commission.*

**3/14/2016** Town Council Committee of Discussed  
the Whole



*Councilor de la Cruz was apprised of the various motions that had failed and the motion on the floor.*

*A motion was made by Councilor de la Cruz, seconded by Councilor Grim, to amend the motion to substitute Patrice Granatosky for Janet Downs.*

*The amendment to the motion carried by the following vote:*

*In Favor: 5 - Mayor Flax, Councilors de la Cruz, Grim, Peruzzotti, and Watson  
Opposed: 4 - Councilors Antipas, Barber, Morton, and Nault*

**4/27/2016 Town Council Committee of Discussed  
the Whole**

*Discussion followed on having backups in case the preferred candidates are no longer available.*

**4/27/2016 Town Council Committee of Motion  
the Whole**

*to consider Robert Martin and/or Rich Moravsik if preferred Charter Revision Commission candidates are unavailable.*

*A motion was made by Mayor Flax, seconded by Councilor Peruzzotti, to amend the motion to substitute Bill Smith for Rich Moravsik.*

*The amendment to the motion carried by the following vote:*

*In favor: 6 - Mayor Flax, Councilors de la Cruz, Grimm, Morton, Peruzzotti, and Watson Opposed: 3 - Councilors Antipas, Barber, and Nault*

**4/27/2016 Town Council Committee of Discussed  
the Whole**

*Mayor Flax prepared and distributed a list of potential Charter revisions identified by interviewees.*

*Town Manager Oefinger advised the Council that they must consider providing funding for the effort as well as staffing. The Town Manager agreed to notify recommended candidates and invite them to a special meeting of the Committee of the Whole on May 17th at 6:00 p.m. Councilors were asked to send their charter revision suggestions to the Town Manager's Office and be prepared to discuss them at the May 10th Committee of the Whole meeting.*

*Councilor Barber left at 8:07 p.m.*

**2016-0021 Proposed Adjustments to Retiree Pension Benefits Referral**

**RESOLUTION APPROVING ADJUSTMENTS TO RETIREE PENSION BENEFITS**

WHEREAS, the pension agreements/retirement plan for Town of Groton employees in the Non-Union Police, Police, AFSCME, GMEA, Non-Union, USWA, and GTA labor groups provide for a review of retirement benefits periodically, and

WHEREAS, the last adjustments were effective July 1, 2006 for Non-Union; July 1, 2007 for Non-Union Police, Police, and USWA; and July 1, 2008 for AFSCME, GMEA, and GTA; and

WHEREAS, the Town Council has considered information for all groups relative to the effect of a 2% increase on annual benefits, unfunded actuarial accrued liability, and Town funding cost, now therefore be it

RESOLVED, that the Town Council approves an increase of 2% for qualified retirees effective July 1, 2016.

Legislative History

1/5/2016	Mayor	Referred	Town Council Committee of th
2/9/2016	Town Council Committee of the Whole	Discussed	

firm on local Cost of Living Adjustment (COLA) increases (which average 2%) and the cost to the Town for non-union and union Police retirees. For non-union Police retirees, the annual increase in benefit would be \$7,550. The Unfunded Actuarial Accrued Liability is \$72,303, which would result in additional Town funding over 24 years of \$6,241 annually. For union Police retirees, the annual increase in benefit would be \$22,961. The Unfunded Actuarial Accrued Liability is \$233,452, which would result in additional Town funding over 24 years of \$20,149 annually. Mr. Zagami noted that this is a policy decision of the Town Council and should be based on fairness and fiduciary responsibility.

Councilor Morton noted that she would be abstaining from the discussion and vote because her husband is a Police retiree.

Councilor Grim questioned the Town's fiduciary responsibility in this matter. Town Manager Oefinger noted this is a balancing act and budget constraints are also a fiduciary responsibility. The Retirement Board manages the fund, but it is the Council that makes decisions about COLAs with the understanding of what the increase in annual costs will be. The Town has received these requests pretty regularly, but they have been handled at the staff level. Each bargaining group has the right to request a COLA every year. The Town Manager noted that pensions are based on earnings and non-union personnel do not receive any overtime.

Mayor Flax stated the Town must look at the big picture and be prepared for other groups to request COLAs as well. From a financial standpoint, this year is not a good time and he would not support a COLA. Councilor de la Cruz asked to see the impact that would be associated with approving a COLA for all retirees.

Town Manager Oefinger noted that the benefit increases would take effect July 1, 2016, but the Town's increased contribution would not appear in the budget for a couple of years.

The Town Manager was asked to provide a chart of all unions, the dates of the most recent COLAs, and the impact of future COLAs.

**3/22/2016 Town Council Committee of Discussed  
the Whole**

Town Manager Oefinger noted that staff would be providing additional information concerning potential costs associated with across the board COLA increases for all retirees.

**3/22/2016 Town Council Committee of Motion  
the Whole**

that the Committee of the Whole along with Town Manager Mark Oefinger, Human Resources Director Bob Zagami, and Town Attorney Eileen Duggan go into executive session at 7:32 p.m. to discuss strategy and/or negotiations pertaining to multiple bargaining units. This action is taken without prejudice to the Town's ability to meet in private pursuant to General Statutes Section 1-200 (2)

**3/22/2016 Town Council Committee of Discussed  
the Whole**

The executive session concluded at 8:03 p.m.

**4/27/2016 Town Council Committee of Recommended for a  
the Whole Resolution**

At the last meeting where this item was discussed, the Town Council asked Bob Zagami, Director of Human Resources/Risk Management, to identify when the last time COLAs were provided to the various labor groups. Mr. Zagami reviewed a chart showing the groups, the number of retirees, the percent increase used for calculations, the increase in annual benefit, the increase in unfunded actuarial accrued liability, the additional Town cost, and the date and percent increase of the last COLA.

Councilor Morton stated she was recusing herself because her husband is a police retiree.

Town Manager Oefinger explained again that any increase will not impact the FYE 2017 budget unless the increase is made effective retroactively. The actuarial assessment is made on June 30th so an effective date of July 1st will not affect the budget until FYE 2019.

Town Manager Oefinger explained how contributions are made to the pension plan. The Town only contributes when the fund falls short, but for many years it was overfunded and the Town made no contributions. Employees are offered the option of using a 457 plan that the Town contributes to or the Town's retirement program.

*Discussion followed on the pension plan and what it would take to eliminate it for future hires. The Town Manager noted that a presentation could be made again by the Town's financial advisor so the Council understands the implications of making changes.*

*Other topics discussed were the health of the pension plan, the fact that police do not pay into social security, how the potential 2% increase was identified, and the Town's history of providing COLAs. Councilor de la Cruz suggested that if a pension fund is properly funded, it can work very well.*

**4/27/2016 Town Council Committee of Motion  
the Whole**

*to provide a 2% COLA increase to retirees in all groups.*

*A motion was made by Councilor Nault, seconded by Councilor Antipas, to amend the motion to provide a 1% COLA increase to retirees in all groups.*

*The amendment to the motion failed by the following vote:*

*In favor: 2 - Councilors Antipas and Nault*

*Opposed: 5 - Mayor Flax, Councilors de la Cruz, Grim, Peruzzotti, and Watson*

*Abstained: 1 - Councilor Morton*

*Discussion followed on the difference between changing the pension plan going forward versus providing COLAs for current retirees and the restriction on COLAs for recent retirees*

**2016-0068**

**Disposition of Town Owned Property Acquired through  
Tax Foreclosure**

**Referral**

**RESOLUTION MAKING A DETERMINATION REGARDING TOWN PROPERTIES  
ACQUIRED THROUGH TAX SALE OR FORECLOSURE**

WHEREAS, the August 2014 Process for Resale of Town Owned Property (as amended) requires the Town Council to review properties acquired through tax sale or foreclosure and to make a determination of whether the properties are to be used or reserved for town purposes or sold, and

WHEREAS, the Town Council has reviewed four parcels acquired through tax sale/foreclosure of which none are used or reserved for Town purposes and referred them to the Planning Commissions under CGS Section 8-24, and

WHEREAS, the Planning Commission has recommended action consistent with staff's recommendation for the parcels, now therefore be it

RESOLVED, that the Town Council makes the following determinations on the four parcels acquired through tax sale/foreclosure:

PIN 16810462770E, 0 South Road - Sell to adjacent property owner only or retain

PIN 168910459100, 157 Grove Avenue - Sell

PIN 169909168945E, 517 Gold Star Highway - Sell

PIN 169909262469E, 529 Gold Star Highway - Sell

**Legislative History**

**2/22/2016 Mayor Referred Town Council Committee of th**

**3/8/2016 Town Council Committee of Discussed  
the Whole**

*Cindy Landry, Director of Finance, and Cindy Small, Tax Collector, were present. Ms. Landry explained that there is a process in place for the Council to decide whether to retain properties obtained through tax foreclosure or to sell them. Four properties have been reviewed by the Property Review Team, which is recommending that the parcels be sold. If the Town Council agrees, the proposed disposition of the properties must be referred to the Planning Commission under CGS Section 8-24.*

**3/8/2016 Town Council Committee of Motion  
the Whole**

*Planning Commission under CGS Section 8-24.*

*Ms. Small reviewed the assessed values of the parcels. Discussion followed on the desire to recoup costs associated with the foreclosures*

**4/27/2016 Town Council Committee of Discussed  
the Whole**

*Town Manager Oefinger noted that the Planning Commission reviewed the CGS 8-24 referral on the disposition of four parcels of Town owned property and concurred with staff's recommendations. If the Town Council approves, the Town will actively market the properties. Depending on the purchase prices, some sales may have to go to the RTM.*

**4/27/2016 Town Council Committee of Recommended for a  
the Whole Resolution**

**2016-0105 FYE 2016 Fourth Quarter Transfers Referral**

**RESOLUTION FOR FYE 2016 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 unforeseen or unexpected expenditures at the time the FYE 2016 budget was adopted, now therefore be it

RESOLVED, that transfers totaling \$212,704 be transferred from Contingency (#1074) to the following General Fund departments/functions and transfers of \$10,000 or more are referred to the RTM for approval:

Legal Services (#10060 5290) @ \$197,704;  
For costs associated with miscellaneous litigation

Insurance & Claims (#10706 5154) @ \$15,000;  
For increase in unemployment costs

Refer to RTM

Legislative History

**4/12/2016 Mayor Referred Town Council Committee of th**

**4/27/2016 Town Council Committee of Discussed  
the Whole**

*Cindy Landry, Director of Finance, explained that the Charter allows for transfers from Contingency or between functions in the last quarter of the fiscal year. Two areas are expected to be over budget: Legal Services (\$197,704) and Insurance and Claims (\$15,000). The primary reasons for the overages are ongoing litigation and unemployment costs related to department reorganizations.*

*Town Manager Oefinger mentioned that some of the settlement funds from the Pettini lawsuit may be reimbursed by the state. If so, the funds will be returned to the Capital Reserve Fund.*

**4/27/2016 Town Council Committee of Recommended for a  
the Whole Resolution**

**X. OTHER BUSINESS**

**XI. ADJOURNMENT**