



# 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 Rita M. Schmidt, Councilors Dean Antipas, Genevieve Cerf, Joe de la Cruz, Bruce S. Flax, Bob Frink, Rich Moravsik, Deborah L. Peruzzotti and Harry A. Watson*

Tuesday, May 19, 2015

7:30 PM

Town Hall Annex - Community Room 1

### REGULAR MEETING

#### I. ROLL CALL

#### II. SALUTE TO THE FLAG

#### III. RECOGNITION, AWARDS & MEMORIALS

2015-0117 Proclamation Honoring Betty Anne Reiter

Proclamation - TC

#### Recess for:

2015-0131 Public Hearing on Ordinance for Refurbishment of WPCF Effluent Pump Station and Rehabilitation of Fishtown Road Pump Station

Referral

PUBLIC HEARING ON AN ORDINANCE APPROPRIATING \$8,230,000 FOR REFURBISHMENT OF THE WATER POLLUTION CONTROL FACILITY (WPCF) EFFLUENT PUMP STATION AND REHABILITATION OF THE FISHTOWN ROAD PUMP STATION AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

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

Section 1. That the sum of EIGHT MILLION TWO HUNDRED THIRTY THOUSAND DOLLARS (\$8,230,000) is appropriated for costs related to design and construction of improvements to the refurbishment of the Water Pollution Control Facility (WPCF) Effluent Pump Station and rehabilitation of the Fishtown Road Pump Station, and costs related to the financing thereof, substantially as described in the Fishtown Road Pump Station Condition Evaluation and Preliminary Design Report, dated August 2011, the Fishtown Road Pump Station Rehabilitation - Preliminary Drawings Presented to the WPCA 10/9/14, the Effluent Pump Station Needs Evaluation Summary Report, dated March 14, 2014 and revised June 5, 2014, and the Effluent Pump Station Needs Evaluation - Presentation to the WPCA 10/9/14, each available for inspection at the Public Works Department Offices in the Town Hall Annex Building, 134 Groton Long Point Road, Groton, Connecticut. The appropriation may be spent for design, acquisition, installation and construction costs, equipment, materials, construction management, site improvements, engineering fees, design and bidding services, testing and inspection costs, related site and utilities work, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing. The Town Council shall determine the scope and particulars of the project and may reduce or modify the scope of the project, and the entire appropriation may be expended on the project as so modified or reduced.

Section 2. That the Town issue bonds or notes or obligations, in an amount not to exceed EIGHT MILLION TWO HUNDRED THIRTY THOUSAND DOLLARS (\$8,230,000) to finance the appropriation for the project. The amount of bonds or notes or obligations authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds or notes or obligations shall be issued pursuant to Section 7-259 or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes or obligations shall be secured by the irrevocable pledge of the full faith and credit of the Town

of Groton. The Town does hereby covenant and agree with the holders of the bonds or notes or obligations and all notes and interim funding obligations issued in anticipation of the receipt of the proceeds from the sale of such bonds or notes or obligations that in each year while any such bonds or notes or obligations are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town, other than properties within the City of Groton, in an amount sufficient, with such other funds of the Town as shall be available for such purpose, to pay the interest and principal on the bonds or notes or obligations as the same become due and payable.

Section 3. That the Town issue and renew temporary notes or interim funding obligations from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes or obligations for the project. The amount of the notes or obligations outstanding at any time shall not exceed EIGHT MILLION TWO HUNDRED THIRTY THOUSAND DOLLARS (\$8,230,000). The notes or obligations shall be issued pursuant to Section 7-264 and 7-378 or Sections 22a-475 to 22a-483 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes or obligations shall be secured by the irrevocable pledge of the full faith and credit of the Town, payable as provided in Section 2. The Town shall comply with the provisions of Sections 7-378a and 7-378b of the General Statutes with respect to any notes that do not mature within the time permitted by said Sections 7-264 or 7-378, and the Town shall comply with the provisions of Section 22a-479(c) with respect to any obligations.

Section 4. That the Town Council shall determine the amount of bonds, notes or obligations authorized by Section 2 to be sold. The Town Manager and the Director of Finance shall determine the amount of any temporary notes or interim funding obligations authorized by Section 3 to be sold. The Town Manager and the Director of Finance of the Town shall sign any bonds or notes or obligations by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds or notes or obligations. The Town Manager and the Director of Finance are authorized to determine the dates, interest rates, maturities, redemption provisions, form and other details of the bonds or notes or obligations; to provide for the keeping of a record of the bonds or notes or obligations; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes or obligations; to designate a financial advisor to the Town in connection with the sale of the bonds or notes or obligations; to sell the bonds or notes or obligations at public or private sale; to deliver the bonds or notes or obligations; and to perform all other acts which are necessary or appropriate to issue the bonds or notes or obligations.

Section 5. That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that project costs may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the project. The Town Manager and the Director of Finance are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds or notes or obligations authorized by this resolution if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

Section 6. That the Town Manager and the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds or notes or obligations to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds or notes or obligations.

Section 7. That the Town Manager, on behalf of the Town, is authorized to apply for and accept state grants to finance the project and state loans to finance the project, and to enter into any grant or loan agreement prescribed by the State. The Town Manager, the Director of Finance and the Water

Pollution Control Authority are authorized to take any other actions necessary to obtain such grants or loans pursuant to Section 22a-479 of the Connecticut General Statutes, Revision of 1958, as amended, or to any other present or future legislation, or to implement such grant or loan agreements.

Section 8. That the Water Pollution Control Authority is authorized to construct the sewer project; to approve design and construction expenditures and any easement acquisition costs incurred for the sewer project; and to contract with engineers, contractors and others on behalf of the Town for said sewer project. All such authority is subject to the provisions of Section 1.

Section 9. That the Town Manager, the Director of Finance, the Water Pollution Control Authority and other proper officers of the Town are authorized to take all other action which is necessary or desirable to complete the project and to issue bonds or notes or obligations to finance the aforesaid appropriation.

Section 10. This ordinance shall become effective only if it has been adopted by vote of not less than five (5) members of the Town Council and by the Representative Town Meeting, and only if the appropriation set forth in Section 1 and the issuance of bonds and notes and obligations to finance said appropriation have been approved by the voters at referendum in accordance with Section 8.12 of the Town Charter, and notice of passage has been published in accordance with the provisions of the Town Charter.

Legislative History

5/5/2015

Town Council

Scheduled for Public  
Hearing

#### 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

2015-0130 Approval of Minutes (Town Council)

Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meetings of April 21, 2015 and May 5, 2015 are hereby accepted and approved.

##### b. Administrative Items

2015-0114 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:

Mary Thomas - \$100.00 - Library Miscellaneous  
Susan Kietzman - \$25.00 - Library Miscellaneous

Matthew Goldman - 25.00 - Library Miscellaneous  
 Kathleen O'Beirne - 25.00 - Library Miscellaneous  
 Gary & Betty Beasley - \$100.00 - Social Services Discretionary  
 Arthur & Marilyn Kirkpatrick - \$25.00 - Social Services Discretionary  
 Richard & Linda Mikna - \$50.00 - Social Services Discretionary  
 Lee Vincent - \$50.00 - Social Services Discretionary

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

2015-0120	Reappointment of Phil Butta to Parks and Recreation Commission	Referral
2015-0121	Reappointment of Roger Sherman to Shellfish Commission	Referral
2015-0122	Reappointment of Floyd Kravits to Zoning Board of Appeals	Referral
2015-0123	Reappointment of James Mitchell to Board of Assessment Appeals	Referral
2015-0124	Reappointment of Deborah Monteiro to Board of Assessment Appeals	Referral
2015-0125	Reappointment of Theodore Hespeler to Community Development Advisory Committee	Referral
2015-0126	Reappointment of Lee Vincent to Community Development Advisory Committee	Referral
2015-0127	Reappointment of Lenore White to Library Board	Referral
2015-0128	Introduction of an Ordinance Amending Ordinance No. 239	Referral
2015-0129	Scheduling of Public Hearing on an Ordinance to Amend Ordinance No. 239	Referral

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**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 - Chairman de la Cruz
- b. Finance - Chairman Frink
- c. Personnel & Appointments - Chairman Flax
- d. Rules - Chairman Frink
- e. Committee of the Whole - Mayor Schmidt

**IX. NEW BUSINESS**

2015-0120	Reappointment of Phil Butta to Parks and Recreation Commission	Referral
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RESOLUTION REAPPOINTING PHILIP J. BUTTA TO THE PARKS AND RECREATION



Legislative History

- 5/8/2015      Town Council Personnel & Appointments Committee      Recommended for a Resolution
- 2015-0126      Reappointment of Lee Vincent to Community Development Advisory Committee      Referral**

RESOLUTION REAPPOINTING LEE VINCENT TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

RESOLVED, that Lee Vincent, 1 New London Road, Mystic, is hereby reappointed to the Community Development Advisory Committee for a term ending 2/7/18.

Legislative History

- 5/5/2015      Town Council Personnel & Appointments Committee      Recommended for a Resolution
- 2015-0127      Reappointment of Lenore White to Library Board      Referral**

RESOLUTION REAPPOINTING LENORE WHITE TO THE LIBRARY BOARD

RESOLVED, that Lenore White, 76 Brook Street, is hereby reappointed to the Library Board for a term ending 12/31/17.

Legislative History

- 5/5/2015      Town Council Personnel & Appointments Committee      Recommended for a Resolution
- 2015-0128      Introduction of an Ordinance Amending Ordinance No. 239      Referral**

INTRODUCTION OF AN ORDINANCE TO AMEND SECTIONS 3 AND 4 OF ORDINANCE NO. 239

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GROTON: that §§ 3 and 4 of Ordinance No. 239 (§§ 13-3 and 13-4 of the Code of Ordinances) shall be amended as follows:

1. § 13-3. Delete the reference to § 6.2 of the Charter of the Town of Groton and replace it with a reference to § 7.2 of the Charter of the Town of Groton as amended effective 2009.

Pursuant to C.G.S. §§ 7-273aa-7-273oo, inclusive, there is hereby created a municipal resource recovery authority, to be known as the "Town of Groton Resource Recovery Authority", 45 Fort Hill Road, Groton, CT 06340. Pursuant to C.G.S. § 7-273aa(b), the town council of the Town of Groton is hereby designated to be the resource recovery authority and in such capacity it shall have all those rights, powers, and duties set forth in the Connecticut General Statutes relating to municipal recovery authorities.

The town council, acting in its capacity as the Town of Groton Resource Recovery Authority, shall have the power to adopt resolutions, rules and regulations and to set rents, fees, or charges as may be necessary to effectuate the purposes of this chapter. Copies of any such resolutions, rules and regulations, and the amount of any such rents, fees or charges shall be made available upon request at the town hall, which shall constitute the principal office of the authority.

The town manager shall be the chief executive officer for the authority and shall have the administrative responsibilities on behalf of the Town of Groton Resource Recovery Authority, set forth in Section 7.2 of the Charter of the Town of Groton.

The town council shall also have the power to designate, within the geographical area one or several residential and/or commercial improvement districts, and to enter into contracts, or grant franchises, for the provision of solid waste collection, transport and/or disposal services within those districts.

2. Amend the existing § 13-4 as follows:

Effective January 1, 1999, the removal, transport and/or disposal of solid waste from commercial units and from residential units within the geographical area shall be regulated, managed, supervised and/or performed by the Town of Groton Resource Recovery Authority or its agent(s) in conformance with such rules and regulations as the authority has or shall from time to time adopt. Effective on a date to be established by the authority, the removal, transport and/or disposal of solid waste from

commercial units and from residential units within the geographical area shall be managed, supervised and/or performed by the Town of Groton Resource Recovery Authority or its agent(s) in conformance with such rules and regulations as the authority has or shall from time to time adopt, and from the date determined by the authority for commercial and residential units as aforesaid, all other persons are hereby prohibited from removing, transporting and/or disposing of solid waste generated within the geographical area by the commercial or residential units, respectively. The authority may, however, provide by regulation an exception for generators of solid waste to self-transport and self-dispose of such waste.

Legislative History

2015-0129	5/5/2015	Town Council Committee of the Whole	Recommended for a Resolution	Referral
<b>Scheduling of Public Hearing on an Ordinance to Amend Ordinance No. 239</b>				

RESOLUTION SCHEDULING A PUBLIC HEARING ON AN ORDINANCE TO AMEND SECTIONS 3 AND 4 OF ORDINANCE NO. 239

RESOLVED, that the Town Council will hold a public hearing on an Ordinance to Amend Sections 3 and 4 of Ordinance No. 239 on Tuesday, June 2, 2015 at 7:30 p.m. in the Town Hall Annex, Community Room 1.

Legislative History

5/5/2015	Town Council Committee of the Whole	Recommended for a Resolution
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**X. OTHER BUSINESS**

**XI. ADJOURNMENT**