



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 24, 2016

7:30 PM

Town Hall Annex - Community Room 1

SPECIAL MEETING

I. ROLL CALL

II. NEW BUSINESS

2016-0117 Introduction of Ordinance on School Facilities Initiative

Referral

INTRODUCTION OF ORDINANCE APPROPRIATING \$184,500,000 FOR THE DESIGN AND CONSTRUCTION OF THE GROTON 2020 PLAN, CONSISTING OF A NEW, CONSOLIDATED MIDDLE SCHOOL AND CONVERSION OF THE EXISTING MIDDLE SCHOOLS INTO "RENOVATED LIKE NEW" ELEMENTARY SCHOOLS, 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 ONE HUNDRED EIGHTY-FOUR MILLION FIVE HUNDRED THOUSAND DOLLARS (\$184,500,000) is appropriated for costs related to design and construction of (i) a new, approximately 169,000 sq. ft. consolidated middle school to be situated on the Town-owned Merritt site on Fort Hill Road between Ella Grasso Technical High School and Robert E. Fitch High School and (ii) conversion of the existing Carl C. Cutler Middle School at 160 Fishtown Road and the existing West Side Middle School at 250 Brandegee Avenue, into two "renovated like new" elementary schools. The appropriation may be spent for design, acquisition, installation and construction costs, equipment, materials, construction management, site improvements, engineering fees, architects' 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 in an amount not to exceed ONE HUNDRED EIGHTY-FOUR MILLION FIVE HUNDRED THOUSAND DOLLARS (\$184,500,000) to finance the appropriation for the project. The amount of bonds or notes authorized to be issued shall be reduced by the amount of grants received by the Town for the project. The bonds or notes shall be issued pursuant to Sections 7-369 and 10-289 of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds or notes shall be secured by the irrevocable pledge of the full faith and credit of the Town of Groton

Section 3. That the Town issue and renew temporary notes from time to time in anticipation of the receipt of the proceeds from the sale of the bonds or notes for the project. The amount of temporary notes outstanding at any time shall not exceed ONE HUNDRED EIGHTY-FOUR MILLION FIVE HUNDRED THOUSAND DOLLARS (\$184,500,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. 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 Section 7-378.

Section 4. The Town Manager and the Director of Finance shall determine the amount of any

temporary notes authorized by Section 3 to be sold. The Town Manager and the Director of Finance of the Town shall sign any bonds or notes 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. 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; to provide for the keeping of a record of the bonds or notes; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds or notes; to designate a financial advisor to the Town in connection with the sale of the bonds or notes; to sell the bonds or notes at public or private sale; to deliver the bonds or notes; and to perform all other acts which are necessary or appropriate to issue the bonds or notes.

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 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 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.

Section 7. That the Town Manager, on behalf of the Town, and the Board of Education are authorized to apply for and accept state grants to finance the project and state loans to finance the project.

Section 8. That the School Building Committee for the project is authorized to construct the project; to approve design and construction expenditures and any easement acquisition costs incurred for the project; and to contract with architects, engineers, contractors and others on behalf of the Town for said project.

Section 9. That the Town Manager, the Director of Finance, the Board of Education, the School Building Committee for the project 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 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 to finance said appropriation have been approved by the voters at referendum in accordance with Sections 5.5.5.1 and 9.13 the Town Charter, and notice of passage has been published in accordance with the provisions of the Town Charter.

Legislative History

5/2/2016	Mayor	Referred	Town Council Committee of th
5/10/2016	Town Council Committee of the Whole	Discussed	

Members of the School Facilities Initiative Task Force and Board of Education were present along with Representative John Scott and Mike Zuba of Milone & MacBroom.

John Heller, Chairman of the School Facilities Initiative Task Force, noted that the Town is in an unfortunate situation with the state pulling the special legislation that was designed to help Groton. Mr. Heller assured that Council that everyone involved followed the proper procedures for the special legislation including meeting with Commissioner Curry. They were well aware of the process and the timing of the request and at no time did any state staff member raise any concerns with Groton's request prior to Commissioner Curry choosing not to put the special legislation forward. Groton will now make a regular grant application and attempt to qualify for a diversity school. Currently, Groton is just barely in compliance with racial balance and expects to be out of compliance next year.

Mr. Zuba reiterated that Groton's request to the state was for consideration of the project. Groton's representatives articulated Groton's situation and the need for additional dollars to have a successful referendum. Diversity school status is predicated on October 1st enrollment in the same year the application is made so Groton did not qualify for the current school year.

The group has returned to the idea of renovating like new the two middle schools as elementary schools, which changes the project time line. Groton reimbursement rate for renovate like new has increased from 54% to 57.5%. Total project cost decreases from \$196 million to \$184.4 million with a net cost to Groton of \$84 million. This is the same program envisioned in Groton 2020. The grant applications will be made in June. Mr. Zuba stated that Groton needs to bring the project to the state and go through the traditional process to ask for waivers. It is unknown what the state will do if the Town is in balance by only a few students.

Discussion followed on addressing voter confusion. Mr. Zuba stated that this is substantively the same plan, but it reuses old buildings with additions rather than constructing new buildings.

Dr. Graner noted that there was misinformation reported in the newspaper. He walked the Council through the developments of the last week that found the Superintendent and Board of Education Chair lobbying for a bill that had already been pulled by the Commissioner.

Mr. Zuba reviewed the public survey results on price points. As costs went down, support went up, but the \$94 million project still had about 50% support. This is a viable project at \$84 million, but leaders will need to explain the project to the voters.

Discussion followed on the cost savings associated with consolidating the middle and elementary schools.

Councilor Morton expressed concern because she feels that the Town Council represented to taxpayers that they would not move forward with the plan if the special legislation did not come through.

Kevin Trejo, a member of the Task Force, disagreed and urged the Council to move forward citing the benefits of the plan, even at \$84 million. Councilor de la Cruz also expressed support for the plan noting that the Task Force worked for three years to develop a good plan.

Councilor Grim left the meeting at 8:20 p.m.

**5/10/2016 Town Council Committee of Discussed
the Whole**

Representative Scott noted that the school bonding bill will be addressed later this month. He reviewed the process for the Council. Moving forward, the Town should trust the reimbursement numbers provided by the state.

Councilor Watson left the meeting at 8:24 p.m.

**5/10/2016 Town Council Committee of Discussed
the Whole**

Mr. Heller, Representative Scott, and Mr. Zuba explained the reason behind seeking the special legislation and why the Task Force originally moved away from the renovate like new plan. The Town will need to seek a waiver of the maximum cost per square foot for renovate like new.

Councilor Grim returned at 8:27 p.m.

**5/10/2016 Town Council Committee of Discussed
the Whole**

Councilor Antipas noted that there is not a "no nothing" option.

Racial balance figures will be known on October 1st so Groton will know if it is eligible for a diversity grant. Town Manager Oefinger explained that the referendum authorizes the entire project, but the explanatory text can explain potential reimbursement. He reiterated that a lot of effort has gone into the school plan over the last three years and the renovate to new project was the original plan for most of the process. The first decision for the Town Council is whether or not the plan is acceptable and will the voters approve it at the new price point. The project is based on two premises - a waiver or legislative change of the maximum cost per square foot and receipt of a diversity grant. A decision must be made in the next couple of weeks to move forward with a November referendum. The Council always has the authority to pull the project, even after the voters approve it. He asked the Council to consider if not this plan, then what? If not now, then when? Groton still needs a plan.

Dr. Graner advocated for having a plan and moving forward in a united, positive way.

Councilors were asked to forward questions to the Town Manager's office so they can be answered.

A special joint meeting of the Committee of the Whole and Board of Education was scheduled for Wednesday, May 18th at 6:00 p.m. at the Groton Senior Center.

**5/18/2016 Town Council Committee of Discussed
the Whole**

Mayor Flax explained that this meeting is to discuss the next steps in the school facilities initiative in light of the changes in the project resulting from the inability to obtain special legislation. Dr. Graner reiterated that the Town has a plan, has invested 3½ years in that plan, and must move forward with the plan in unity.

Board of Education member Volkmann arrived at 6:09 p.m.

Dr. Graner continued by providing an overview of the history and benefits of the Groton 2020 plan, noting the success of magnet schools throughout the state and in Groton. He concluded by Groton must take a leap of faith and have resilience to bring the plan to fruition.

Councilor de la Cruz noted that he has been consistent in his support of the plan and he feels it is up to Groton's leaders to share information about the plan. He noted it will be harder to consolidate schools once money is expended to fix them. Councilor de la Cruz left the meeting at 6:16 p.m.

**5/18/2016 Town Council Committee of Discussed
the Whole**

Jon Heller, Chairman of the SFITF, emphasized that the proposal before the Council was originally Plan A and met the goal of keeping the cost to Groton taxpayers under \$100 million. The public survey showed that at the \$84 million price point there is 54% (+/- 4%) support for the project.

Mayor Flax expressed concern with having already presented Plan B (new construction) as the best option, getting the word out about the change, and overcoming other obstacles such as the land swap.

Craig Koehler of the SFITF noted the need to educate people about the special legislation and how it was never guaranteed. He does not feel that a piece meal approach will ever address the whole problem. Mr. Koehler cited low interest rates and the Town's low debt service, and expressed his support for moving forward.

Discussion followed on discussions that have taken place with people who support doing something for the schools and those who do not trust any plan put forward.

Discussion then turned to the possibility of closing another elementary school. Mike Zuba of Milone and MacBroom stated that the plan will hopefully bring students back to the Groton School district. The decision to close another school can be made after enrollment trends are looked at again.

State Representative John Scott noted this is the same general plan - a new middle school and two elementary schools - that was studied in Phase II and that has now been vetted by three different consultants.

Councilor Peruzzotti asked the Council to consider posing multiple referendum questions to address the middle school and elementary schools separately. Mr. Zuba noted that the community survey showed that Groton was split on the new vs. renovate to new question, which means the project could go either way.

Councilor Morton expressed concerns with the way the new construction plan was presented, but she stated her

support for the project and the need to be vocal and to address the Merritt property. Mr. Zuba noted that a conservative cost to purchase land for a swap has been included in the total project cost.

Jane Dauphinais shared rudimentary plans to educate citizens about the referendum including forming a PAC, making presentations to various geographic areas and groups, producing cable television shows, and networking with PTAs and teachers.

Dr. Graner noted that a "do nothing" option includes losing more children to other school districts, citing the competitive nature of attracting students.

Board member Volkmann recognized Natalie Billing who shared her concerns about the plan passing. Ms. Billing represented herself as the group's "reality check."

Mr. Koehler suggested that the "reality check" is the fact that it will cost people more down the road if the referendum is not approved. Groton has an opportunity with Electric Boat expanding its workforce to keep children coming to the area in the Groton school system.

Mr. Zuba noted that he is very familiar with Groton and he has done work all over the state. Surrounding communities are making investments in their schools. Electric Boat is increasing its localized job base and the Town wants to attract those people. Schools are the key driver. Groton must invest in the community to bring in businesses.

Discussion followed on breaking the project into multiple questions. A copy of the draft ordinance was distributed to the group. Mr. Zuba noted that the ordinance must match the application made to the state in June. If any portion of a multi-question referendum fails, it would require a new application and delay the project.

Mr. Koehler noted that the project is a package and the elementary school components address the racial imbalance issue.

Mr. Zuba explained how the SFITF went from a renovate to new project to asking for special legislation for new construction. He also assured the group that the Town has progressed quite far in its negotiations with the state about a property exchange for the Merritt property.

Four actions are required to advance the ordinance to referendum: Introduction of the Ordinance, schedule of a public hearing, and referral of the project to the Town Planning Commission and City of Groton Planning and Zoning Commission.

Councilor de la Cruz arrived at 7:40 p.m.

2016-0118	<table border="0"> <tr> <td style="padding-right: 10px;">5/18/2016</td> <td style="padding-right: 10px;">Town Council Committee of the Whole</td> <td style="padding-right: 10px;">Recommended for a Resolution</td> <td style="text-align: right;">Referral</td> </tr> </table>	5/18/2016	Town Council Committee of the Whole	Recommended for a Resolution	Referral
5/18/2016	Town Council Committee of the Whole	Recommended for a Resolution	Referral		
	<p>Public Hearing on an Ordinance on School Facilities Initiative</p>				

RESOLUTION SCHEDULING A PUBLIC HEARING ON AN ORDINANCE FOR THE GROTON 2020 PLAN

RESOLVED, that the Town Council will hold a public hearing on an Ordinance Appropriating \$184,500,000 for the Design and Construction of the Groton 2020 Plan, Consisting of a New, Consolidated Middle School and Conversion of the Existing Middle Schools into "Renovated Like New" Elementary Schools and Authorizing the Issue of Bonds and Notes in the Same Amount to Finance Said Appropriation on Tuesday, June 21, 2016 at 7:30 p.m. in the Town Hall Annex, Community Room 1.

Legislative History

5/2/2016	Mayor	Referred	Town Council Committee of th
5/10/2016	Town Council Committee of the Whole	Not Discussed	
5/18/2016	Town Council Committee of the Whole	Recommended for a Resolution	

2016-0119 Referral of Ordinance on School Facilities Initiative to Planning Commission under CGS Section 8-24 Referral

REFERRAL OF ORDINANCE ON THE DESIGN AND CONSTRUCTION OF THE GROTON 2020 PLAN TO THE PLANNING COMMISSION UNDER CGS SECTION 8-24

WHEREAS, the Town Council has reviewed the Groton 2020 Plan consisting of the construction of a new, consolidated middle school and conversion of the two existing middle schools into "renovated like new" elementary schools, and

WHEREAS, the Town Council considers it appropriate to present the project to the Town's voters in a bond referendum, now therefore be it

RESOLVED, that the Town Council refers the Groton 2020 Plan to the Planning Commission, pursuant to CGS Section 8-24.

Legislative History

5/2/2016	Mayor	Referred	Town Council Committee of th
5/10/2016	Town Council Committee of the Whole	Not Discussed	
5/18/2016	Town Council Committee of the Whole	Recommended for a Resolution	

2016-0120 Referral of Ordinance on School Facilities Initiative to City of Groton Planning Commission under CGS Section 8-24 Referral

REFERRAL OF ORDINANCE ON THE DESIGN AND CONSTRUCTION OF THE GROTON 2020 PLAN TO THE CITY OF GROTON PLANNING AND ZONING COMMISSION UNDER CGS SECTION 8-24

WHEREAS, the Town Council has reviewed the Groton 2020 Plan consisting of the construction of a new, consolidated middle school and conversion of the two existing middle schools into "renovated like new" elementary schools, and

WHEREAS, the Town Council considers it appropriate to present the project to the Town's voters in a bond referendum, now therefore be it

RESOLVED, that the Town Council refers the Groton 2020 Plan to the City of Groton Planning and Zoning Commission, pursuant to CGS Section 8-24.

Legislative History

5/2/2016	Mayor	Referred	Town Council Committee of th
5/10/2016	Town Council Committee of the Whole	Not Discussed	
5/18/2016	Town Council Committee of the Whole	Recommended for a Resolution	

2016-0142 Establishment of Tax Rate for General Fund (FYE 17) Referral

2016-0143 Establishment of Tax Rate for Mumford Cove District Fund (FYE 17) Referral

2016-0144 Establishment of Tax Rate for Groton Sewer District Fund (FYE 17) Referral

III. ADJOURNMENT