



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

Tuesday, September 02, 2014

7:30 PM

Town Hall Annex - Community Room 1

### REGULAR MEETING

#### I. ROLL CALL

#### II. SALUTE TO THE FLAG

#### III. RECOGNITION, AWARDS & MEMORIALS

##### Recess for Public Hearings on:

- |           |   |          |
|-----------|---|----------|
| 2014-0211 | Line Clearance Trimming and Removals, Sandy Hollow Road | Referral |
| 2014-0223 | Rubino Driveway Apron, River Road                       | Referral |

#### 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

- |           |                                    |                      |
|-----------|------------------------------------|----------------------|
| 2014-0242 | Approval of Minutes (Town Council) | Resolution - Consent |
|-----------|------------------------------------|----------------------|

##### RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meeting of August 19, 2014 are hereby accepted and approved.

##### b. Administrative Items

- |           |                                  |                      |
|-----------|----------------------------------|----------------------|
| 2014-0241 | 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:

Frank and Margaret Adams - \$100.00 - Groton Utilities Energy Assistance Program  
Mark Bassler - \$25.00 - Groton Utilities Energy Assistance Program  
David and Veronica Cousens - \$25.00 - Groton Utilities Energy Assistance Program  
Joan and Kerry Csizmesia - \$30.00 - Groton Utilities Energy Assistance Program  
Amy D'Amico - \$5.00 - Groton Utilities Energy Assistance Program

Kay Janney - \$35.00 - Groton Utilities Energy Assistance Program  
 Lawrence and Beverly Lacerte - \$25.00 - Groton Utilities Energy Assistance Program  
 Bonnie Laganga - \$30.00 - Groton Utilities Energy Assistance Program  
 E. C. Lambert - \$100.00 - Groton Utilities Energy Assistance Program  
 Anna Marie Landry - \$75.00 - Groton Utilities Energy Assistance Program  
 Pamela Leins - \$10.00 - Groton Utilities Energy Assistance Program  
 Bao Dao Nguyen - \$100.00 - Groton Utilities Energy Assistance Program  
 Donald O'Neil - \$20.00 - Groton Utilities Energy Assistance Program  
 James and Ann Sailors - \$25.00 - Groton Utilities Energy Assistance Program  
 John and Marilyn Turkowski - \$25.00 - Groton Utilities Energy Assistance Program  
 William White - \$10.00 - Groton Utilities Energy Assistance Program

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

2013-0232	FYE 2015 Budget	Referral
2013-0274	Cell Tower at Former Noank School Property	Referral
2014-0046	Provision of Funding to the Economic Development Commission to Support Attendance at Local Business Association Meetings and Functions	Referral
2014-0051	Mystic Streetscape Phase II	Referral
2014-0156	Town-Wide Police Study	Referral
2014-0173	Report on Town Attorney Caseload	Referral
2014-0231	Merritt Property Athletic Fields Presentation	Referral
2014-0021	Disposition of Fitch Middle School	Referral
2014-0159	Resale of Town Owned Property Acquired through Tax Foreclosure	Referral
2014-0216	Title VI Policy	Referral
2014-0224	Exercising the Option to Extend Audit Contract for an Additional Two Years	Referral
2014-0226	Process for Resale of Town Owned Property Revision	Referral
2014-0227	Deputy Town Clerk Job Description	Referral
2014-0232	Assistant Town Manager Salary Range	Referral
2014-0234	Acceptance of Crawford Lane in the Crawford Way Subdivision	Referral
2014-0237	Connecticut Office of Brownfield Remediation and Development Assessment Grant Program	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 - 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**

**2014-0021 Disposition of Fitch Middle School Referral**

RESOLUTION AUTHORIZING THE TOWN MANAGER TO SIGN A MEMORANDUM OF AGREEMENT WITH THE BOARD OF EDUCATION FOR TRANSFER OF FITCH MIDDLE SCHOOL TO THE TOWN OF GROTON

WHEREAS, the Board of Education has developed an official final plan for the transfer of the former Fitch Middle School building to the Town of Groton on October 1, 2014, and

WHEREAS, the agreement establishes the time line and responsibilities for both parties including responsibility for mechanicals, removal and disposition of materials from the building, asbestos abatement in Wing D, and records disposition, and

WHEREAS, the Town Council feels it is in the Town's best interest to accept control of the building at this time in order to move forward with plans for reuse of the building, now therefore be it

RESOLVED, that the Town Council authorizes Town Manager Mark R. Oefinger to sign the Memorandum of Agreement between the Town of Groton and the Groton Board of Education for the transfer of the former Fitch Middle School building.

Legislative History

1/7/2014	Mayor	Referred	Town Council Committee of th
1/14/2014	Town Council Committee of the Whole	Discussed	

*A motion was made by Councilor Moravsik for the Council to talk to the Board of Education and Superintendent of Schools about the disposition of Fitch Middle School to start the reuse process. There was no second.*

*Councilor Moravsik reviewed his reasons for the request. It was noted that the reuse of Fitch Middle School is being discussed as part of the Council's goals.*

4/22/2014	Town Council Committee of the Whole	Discussed	
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*Town Manager Oefinger explained that Superintendent Graner had discussions with LEARN about moving one of their magnet schools to Fitch Middle School. LEARN toured the building and their primary focus is the wing of the building closest to Depot Road and the cafeteria. The Town Manager stated that the Town doesn't know what it is doing with the building yet. He originally thought that LEARN was looking for a temporary location, but they have now indicated this would be a permanent home. The Town Manager suggested that the Council tour both Fitch Middle School and William Seely, and invite LEARN in to meet with the Council about their proposal. The Town Manager thought that the wing of the building under consideration would be good for Parks and Recreation.*

*Councilor Watson noted that the Town Council/RTM/Board of Education Liaison Committee has also expressed an interest in touring Fitch Middle. City Councilor Ilvento has also offered to give a tour of Colonel Ledyard School.*

*Councilor de la Cruz does not feel the timing of LEARNH's request is right. Councilor Moravsik noted that one of the Town Council's goals is to consolidate Town and Board of Education operations at Fitch Middle School and the Town's requirements should be primary. Once a decision is made about how the space will be used, then there may be available space. Councilors Frink and Cerf agreed with creating a master plan for Fitch Middle first.*

*A tour of Fitch Middle School and William Seely was scheduled for Wednesday, May 7th at 4:00 p.m.*

*Discussion followed on the extent of Parks and Recreation programming at William Seely.*

**7/8/2014 Town Council Committee of Discussed  
the Whole**

*Gary Schneider, Director of Public Works, noted corrections to his referral memo. Fitch Middle School has not yet transferred to the Town and no funds were approved in the FYE 2015 budget for maintenance. Mr. Schneider reviewed his referral memo covering the current use of the facility, reuse issues, and anticipated utility expenses for the building in a caretaker state." In addition to the \$68,000 in utilities, the building needs about \$20,000 of maintenance and repair (telephone service, roof leaks, mowing of property). Using a \$3.31 per square foot average maintenance cost for Town buildings, it would cost \$374,000 for a comparable level of service for this building. Funds were approved in the CIP for a structural analysis by an architect.*

*Town Manager Oefinger explained that the purpose of having this item on the agenda is to 1) get the consultant assessment underway and 2) remind the Council about the need for a supplemental appropriation for utilities and maintenance once the building is turned over to the Town. The Town Manager is continuing to have discussions with LEARN about leasing the property, but it requires the property be transferred to the Town. Before the property can be transferred to the Town, Groton Public Schools must remove equipment and materials stored in the building.*

*It was noted that the budget does not include an anticipated revenue stream from LEARN that will offset some of the costs. Councilor Frink suggested that the study include a cost-benefit analysis of co-locating Town and Board of Education operations. Mr. Schneider suggested that the first phase of the study (codes and condition analysis) will take six to eight weeks. Discussion followed on consolidation of services and a potential timeframe.*

**8/26/2014 Town Council Committee of Discussed  
the Whole**

**8/26/2014 Town Council Committee of Recommended for a  
the Whole Resolution**

**2014-0226 Process for Resale of Town Owned Property Revision Referral**

**RESOLUTION APPROVING REVISIONS TO THE PROCESS FOR RESALE OF TOWN OWNED PROPERTY**

WHEREAS, in December 1994 the Town Council approved a process for the resale of Town-owned property acquired through a tax sale and/or foreclosure, and

WHEREAS, the process was revised and approved on November 19, 2013 to comply with the Town Attorney's findings relative to applicable State Statutes, Town Charter provisions, and ordinances, and

WHEREAS, the Town Attorney has recommended revisions to clarify the process, now therefore be it

RESOLVED, that the Town Council approves revisions to Sections C and D of the Process for Resale of Town Owned Property as presented to the Committee of the Whole on August 26, 2014.

Legislative History

**8/11/2014 Mayor Referred Town Council Committee of th**

**8/26/2014 Town Council Committee of Discussed  
the Whole**

**8/26/2014 Town Council Committee of Recommended for a  
the Whole Resolution**

**2014-0159 Resale of Town Owned Property Acquired through Tax Foreclosure Referral**

**RESOLUTION MAKING A DETERMINATION REGARDING TOWN PROPERTIES**

ACQUIRED THROUGH TAX SALE OR FORECLOSURE

WHEREAS, the November 2013 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 six parcels acquired through tax sale/foreclosure of which none are used or reserved for Town purposes and referred them to the Planning Commission 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 six properties acquired through tax sale/foreclosure:

- PIN 261917116969E Conrad Street - Designate as Town open space
- PIN 270017017868E 1500 Gold Star Highway - Sell
- PIN 169806380107E Laurelwood Road/Poquonnock Road - Sell
- PIN 169806381089E Laurelwood Road - Sell or retain as excess right-of-way
- PIN 168912973189E Toll Gate Road - Designate as open space
- PIN 169812864158 84 Central Avenue - Sell

Legislative History

5/12/2014	Mayor	Referred	Town Council Committee of th
6/10/2014	Town Council Committee of the Whole	Discussed	

*Sal Pandolfo, Director of Finance, and Cindy Small, Tax Collector were present to address the Council. Mr. Pandolfo explained that the Town occasionally forecloses on properties due to non-payment of taxes. In accordance with the policy approved by the Council in November 2013, the Council must now decide what to do with the properties. Staff is recommending three parcels for sale and three for retention as open space or for future sale. Councilors received a revised list reflecting corrected appraisal figures for property on Laurelwood Road.*

*Discussion followed on some of the properties, their locations, and the lack of development potential. Councilor Flax asked if there is any value trading the properties for other properties that may be useful to the Town for fields or a storage warehouse, for example. Town Manager Oefinger explained that these properties would not be comparable for trading. Councilor Peruzzotti asked if the cost to acquire some properties is worth it and the Tax Collector noted that some parcels are deeded directly to the Town.*

*Town Manager Oefinger explained that the next step in the process is to refer all but the triangular parcel off Winding Hollow Road to the Planning Commission under CGS Section 8-24. The disposition of the Winding Hollow Road parcel remains undecided at this time.*

6/10/2014	Town Council Committee of the Whole	Motion	
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*to refer six Town-owned properties as outlined in the June 3, 2014 staff referral memo from Sal Pandolfo and Cindy Small, to the Planning Commission under CGS Section 8-24*

7/22/2014	Town Council Committee of the Whole	Discussed	
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*Town Manager Oefinger reviewed the list of properties recommended for action. The proposed disposition of the properties was referred to the Planning Commission under CGS Sec. 8-24 and the Planning Commission concurs with staff's recommendations, which were reviewed by the Town Manager.*

7/22/2014	Town Council Committee of the Whole	Recommended for a Resolution	
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8/5/2014	Town Council	Postponed to a Certain Time	Town Council
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*The Town Manager suggested tabling this item to calculate property values to determine if the resolution would*

*need to be referred to the RTM.*

8/11/2014	Mayor	Referred	Town Council Committee of th
8/26/2014	Town Council Committee of the Whole	Discussed	
8/26/2014	Town Council Committee of the Whole	Recommended for a Resolution	

**2014-0216 Title VI Policy Referral**

**RESOLUTION APPROVING A TITLE VI POLICY FOR THE TOWN OF GROTON**

WHEREAS, the Groton Senior Center received a federal 5310 grant for \$40,000 toward the purchase of a replacement van in 2009, and

WHEREAS, one of the requirements of the grant is that the Town of Groton have a policy in place to ensure that individuals are not subjected to discrimination under any program or activity in compliance with Title VI of the Civil Rights Act of 1964, and

WHEREAS, the Town Council has reviewed a draft Title VI Policy prepared by staff and dated July 25, 2014, now therefore be it

RESOLVED, that Town Council approves and adopts the Town of Groton Title VI Policy dated July 25, 2014.

Legislative History

8/1/2014	Mayor	Referred	Town Council Committee of th
8/19/2014	Town Council Committee of the Whole	Discussed	

*Assistant Town Manager Doug Ackerman explained that the Town as beneficiary of a federal 5310 grant must develop a plan to assure that individuals are not discriminated against under the Title VI policy. The Groton Senior Center received a \$40,000 grant toward replacement of a 2009 van. This policy assures that individuals utilizing transportation are not discriminated against by race, age or disability.*

8/19/2014	Town Council Committee of the Whole	Recommended for a Resolution	
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**2014-0224 Exercising the Option to Extend Audit Contract for an Additional Two Years Referral**

**RESOLUTION AUTHORIZING A CONTRACT EXTENSION FOR PROFESSIONAL AUDITING SERVICES**

WHEREAS, Connecticut state statutes and the Town of Groton Charter require the Town Council to appoint a Town auditor or auditors, and

WHEREAS, in 2012 the Town of Groton appointed the firm of Blum Shapiro for a term of three years (FYE 2012, FYE 2013, and FYE 2014) with an option for a two year extension, and

WHEREAS, the firm of Blum Shapiro has shown a high level of experience in municipal auditing and has served well as Town Auditor for the last nine years, having been hired originally in 2005, now therefore be it

RESOLVED, that Town Manager Mark R. Oefinger may execute a two year extension of the current contract for audit services with Blum Shapiro.

Legislative History

8/8/2014	Mayor	Referred	Town Council Committee of th
8/19/2014	Town Council Committee of the Whole	Discussed	

*September and believes that retaining the current auditing firm will ease the transition for the new Finance Director .*

**8/19/2014**      **Town Council Committee of the Whole**      **Recommended for a Resolution**

**2014-0227**      **Deputy Town Clerk Job Description**      **Referral**

RESOLUTION APPROVING REVISED DEPUTY TOWN CLERK JOB DESCRIPTION

WHEREAS, Town Clerk Betsy Moukawsher has determined that she does not want to fill the vacancy created by the retirement of the Supervisor in the Town Clerk's Office, and

WHEREAS, the Town Clerk has proposed replacing the position with a Deputy Town Clerk, and

WHEREAS, the Deputy Town Clerk job description has been revised to align with the needs of the Town Clerk's office, now therefore be it

RESOLVED, that the Town Council approves the job description for Deputy Town Clerk as attached.

Legislative History

**8/11/2014**      **Mayor**      **Referred**      **Town Council Committee of th**

**8/19/2014**      **Town Council Committee of the Whole**      **Recommended for a Resolution**

*Town Clerk Betsy Moukawsher explained that due to the retirement of the Supervisor position she has reorganized the department. The position of Deputy Clerk is a promotion within the department that will take the place of the Supervisor. The job description is an update from 1985. In response to Council Flax, the physical demands portion will be revised to reflex the position.*

**2014-0232**      **Assistant Town Manager Salary Range**      **Referral**

RESOLUTION SETTING THE SALARY RANGE FOR THE ASSISTANT TOWN MANAGER POSITION

WHEREAS, the Town Council has reviewed the job description for Assistant Town Manager and considered the appropriate salary range for the position, now therefore be it

RESOLVED, that the salary range for the Assistant Town Manager position shall be \$87,790 to \$115,365.

Legislative History

**8/14/2014**      **Mayor**      **Referred**      **Town Council Committee of th**

**8/19/2014**      **Town Council Committee of the Whole**      **Discussed**

*Assistant Town Manager Doug Ackerman explained that when this position was created, no salary range was established. He agrees that the Town Council should consider a competitive pay range comparable with the expectations of this position. The Town Manager explained in response to Councilor Cerf, that this position has no requirement to live in the Town of Groton.*

**8/19/2014**      **Town Council Committee of the Whole**      **Recommended for a Resolution**

*Councilor Fax supports increasing the range of salary by lowering the starting point.*

**2014-0234**      **Acceptance of Crawford Lane in the Crawford Way Subdivision**      **Referral**

RESOLUTION ACCEPTING CRAWFORD LANE IN THE CRAWFORD WAY SUBDIVISION

WHEREAS, the Crawford Way Subdivision was approved by the Planning Commission on May 25, 2004, and

WHEREAS, on August 12, 2014 the Planning Commission recommended acceptance of Crawford Lane, a 450 linear foot road serving six lots, now therefore be it

RESOLVED, that the Town Council hereby accepts Crawford Lane in the Crawford Way Subdivision.

Legislative History

	8/18/2014	Mayor	Referred	Town Council Committee of th
	8/26/2014	Town Council Committee of the Whole	Recommended for a Resolution	
2014-0237		<b>Connecticut Office of Brownfield Remediation and Development Assessment Grant Program</b>		<b>Referral</b>

RESOLUTION APPROVING SUBMISSION OF AN APPLICATION TO THE CONNECTICUT OFFICE OF BROWNFIELD REMEDIATION AND DEVELOPMENT ASSESSMENT GRANT PROGRAM

WHEREAS, the Connecticut Office of Brownfield Remediation and Development (OBRD) offers grants to return brownfield sites to productive re-use, and

WHEREAS, there are two Town-owned sites located at 1028 Poquonnock Road and 244 Monument Street (former Groton Heights School) that are eligible for the grant program, no therefore be it

RESOLVED, that the Town Council endorses submittal of the application for \$200,000 in funding from the Connecticut Office of Brownfield Remediation and Development Assessment Grant Program.

Legislative History

	8/20/2014	Mayor	Referred	Town Council Committee of th
	8/26/2014	Town Council Committee of the Whole	Discussed	
	8/26/2014	Town Council Committee of the Whole	Recommended for a Resolution	

**X. OTHER BUSINESS**

**XI. ADJOURNMENT**