



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 Harry A. Watson, Councilors Heather Sherman Bond, Kathryn M. Brown-Tracy, Catherine Kolnaski, Deborah B. Monteiro, Frank O'Beirne, Jr., Rita M. Schmidt, Paulann H. Sheets, and James L. Streater

Tuesday, May 06, 2008

7:30 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

I. ROLL CALL

II. SALUTE TO THE FLAG

III. RECOGNITION, AWARDS & MEMORIALS

2008-0081 Proclamation Recognizing National 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

2008-0112 Approval of Minutes (Town Council)

Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council meetings of April 15, 2008 and April 22, 2008 are hereby accepted and approved.

b. Administrative Items

2008-0097 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:

SECADD, INC. - \$100.00 - Parks and Recreation Revolving

Marjorie Vargas - \$5.00 - Parks and Recreation Revolving

Sharon K. Hollay - \$1,000.00 - Parks and Recreation Revolving

Susan Decorte - \$249.86 - Parks and Recreation Revolving

Maureen Lamontagne in Memory of Marley Robinson - \$500.00 - Parks and Recreation Revolving

Various Donations - \$566.64 - Groton Utilities Energy Assistance Program

City of Groton - \$1,032.45 - Groton Utilities Energy Assistance Program

Sumiyo Amaral - \$50.00 - Social Services Discretionary

Sullivan and Kolnaski Family - \$100.00 - Parks and Recreation Revolving

Eddy, Cady and Timmy Kolnaski - \$100.00 - Parks and Recreation Revolving
 United Way of Southeastern Connecticut - \$83.11 - Parks and Recreation Revolving

c. Deletions from the Town Council Referral List

| | | |
|-----------|---|----------|
| 2008-0086 | FYE 2009 Proposed Budget Deliberations | Referral |
| 2008-0100 | Resolution Approving Budgets for FYE 2009 | Referral |
| 2008-0101 | Computation of Tax Rate for General Fund (FYE 2009) | Referral |
| 2008-0102 | Computation of Tax Rate for Mumford Cove (FYE 2009) | Referral |
| 2008-0103 | Computation of Tax Rate for Groton Sewer District (FYE 2009) | Referral |
| 2008-0069 | Other Post Employment Benefits (OPEB) Trust Ordinance | Referral |
| 2008-0075 | Gravel Street Pump Station Lease - Update | Referral |
| 2008-0090 | Pfizer Community Grants Program - Library Technology | Referral |
| 2008-0091 | Noank Town Dock Lighting | Referral |
| 2008-0095 | CIP Project Reauthorization - High School Auditorium | Referral |
| 2008-0098 | FYE 2008 Fourth Quarter Transfers | Referral |
| 2008-0106 | Community Service Officer Job Description | Referral |
| 2008-0108 | Pumpout Boat Program Update | Referral |
| 2008-0109 | Statewide Tactical On-Scene Communications System (STOCS) Box Memorandum of Understanding | Referral |
| 2008-0110 | Connecticut Municipalities 2008 Special Funding Initiative Grant (Human Services) Revised | Referral |
| 2008-0111 | Connecticut Municipalities 2008 Special Funding Initiative Grant (Senior Center) Revised | Referral |
| 2008-0114 | Referral of Godfrey Road/Packer Road Realignment to Planning Commission Under CGS 8-24 | Referral |

VII. COMMUNICATION REPORTS (Other than Committee Reports)

- a. Town Councilors
- b. Clerk of the Representative Town Meeting
- c. Clerk of the Council
- d. Town Manager
- e. Town Attorney

VIII. COMMITTEE REPORTS

- a. Community & Cultural Development - Chairman Brown-Tracy
- b. Economic Development - Chairman Bond
- c. Education/Health & Social Services - Chairman Kolnaski
- d. Environment/Energy - Chairman Sheets
- e. Finance - Chairman Schmidt

- f. **Personnel/Appointments/Rules - Chairman O'Beirne**
- g. **Public Safety - Chairman Streeter**
- h. **Public Works/Recreation - Chairman Monteiro**
- i. **Committee of the Whole - Mayor Watson**

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

- 2008-0069 Other Post Employment Benefits (OPEB) Trust Ordinance Referral**

AN ORDINANCE AUTHORIZING: (1) THE CREATION OF AN (OPEB) TRUST TO HOLD, INVEST AND ADMINISTER FUNDS FOR POSTEMPLOYMENT HEALTH BENEFITS AND (2) THE EXECUTION OF AN AGREEMENT AND ANCILLARY DOCUMENTS FOR THE CREATION AND ADMINISTRATION THEREOF

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

Under authority of Connecticut General Statutes Section 7-450 and to meet the requirements of the Government Accounting Standards Board, the Town Manager and the Director of Finance are hereby authorized and directed to establish a trust (the "VantageCare RHS Employer Investment Program Town of Groton Integral Part Trust") to hold and invest the assets of the Town's postemployment health benefit system as part of the "VantageCare RHS Employer Investment Program" and to enter into an "Administrative Services Agreement" with the International City Management Association Retirement Corporation ("ICMA-RC") for the administration thereof and any other agreements and/or documents ancillary thereto. The execution of any documents hereunder is subject to the approval by the Town Attorney of their form and legality. The Town Manager, the Director of Finance and the Director of Human Services are hereby empowered to serve as a committee to act as Trustee of said Trust, and the Town Manager may appoint up to two other town employees to serve as Trustees as part of said committee. This Ordinance shall become effective 44 days after publication of notice of passage.

Legislative History

3/17/2008 Mayor Referred Town Council Committee of the

3/25/2008 Town Council Committee of Discussed
the Whole

Director of Finance Sal Pandolfo and Director of Administrative Services Doug Ackerman were present to address the Council. Mr. Pandolfo asked the Council to set a date for a public hearing on this ordinance. The Government Accounting Standards Bureau (GASB) sets policy for the public sector with respect to accounting principals. Other Post Employment Benefits (OPEB) - health insurance benefits for retirees - have historically been financed on a pay as you go basis, but GASB has required implementation of a policy that handles OPEB the same way that pensions are handled. The Town has been putting money aside since 2005 and the funds must now be transferred to a trust.

3/25/2008 Town Council Committee of Motion
the Whole

to recommend resolutions introducing the ordinance, setting a public hearing date of April 15th, and authorizing the Director of Finance to obtain a cost estimate for altering the benefit system

4/15/2008 Town Council Heard at Public Hearing

Still being in recess, Mayor Watson opened the Public Hearing on the Other Post Employment Benefits (OPEB) Trust Ordinance at 7:49 p.m.

There being no comments, Mayor Watson closed the Public Hearing at 7:50 p.m.

4/22/2008 Town Council Committee of Discussed
the Whole

Mystic, LLC, a portion of the Gravel Street sewer pump station lot for the purposes stated above, for a period of ten years, renewable for up to four extension terms of ten years each, and the Town Council authorizes the Town Manager to negotiate and sign any appropriate auxiliary provisions related to the approved lease, and be it further

RESOLVED, that this resolution supercedes the resolution associated with Legislative File 2007-0138, which was approved by the Town Council on August 21, 2007.

Legislative History

3/17/2008 Mayor Referred Town Council Committee of the

**3/25/2008 Town Council Committee of Discussed
the Whole**

Town Manager Oefinger explained that last year the legislation passed a law requiring the Town to conduct a public hearing on leases (with some exceptions). A written analysis of the legislation was provided to the Council by Town Attorney Baribeault. Councilor Sheets asked that the Town Attorney re-review the issue of whether or not an appeal of the decision can be taken.

**3/25/2008 Town Council Committee of Motion
the Whole**

to schedule a public hearing on the Gravel Street Pump Station Lease on April 15th

4/15/2008 Town Council Heard at Public Hearing

Mayor Watson received a letter from Stephanie Marshall, Owner of Tidal River Clothing at 8 West Main Street, in support of the West Main Street project.

The Mayor received a letter from Eric Janney, Executive Board Greater Mystic Chamber of Commerce, 14 Holmes Street, in support of the lease of the parking area connected to the Gravel Street Pump Station.

Mayor Watson also received an email from Charles Stevens, 12 Stony Hill Drive, stating his opposition to the Gravel Street Pump Station lease.

Paul Bates, 47 Church Street, asked if the general public would be allowed access to this area, and if there is anything in the lease that would limit its use.

The Town Manager responded that the parking spaces would be used exclusively by the condo owners, but it would not be fenced off. He also stated that the leased property does not go up to the water, and there would still be a walkway near the water for Town use.

Bob Cooper, Owner of Cooper Shoppe at 23 West Main Street, stated that when this initially came before the Council, there was a strong email campaign from downtown merchants, and a majority of the merchants are still in support of this project as it is important to tourism.

Frank McLaughlin, 14 Pearl Street, declared that the time delays have been frustrating, and that we need a better atmosphere for shopping in the downtown area. He is in support of the project.

Christine Cooney, owner of Puritan & Genesta Natural Foods in downtown Mystic, stated that everyone has acted in good faith and it is time to proceed with this project.

Rod Desmarais, the developer, gave an update on the current status of the project. He is anxious to move forward and hopefully get pilings in the ground and a concrete base in before winter and to start the construction of the building itself in spring 2009.

Councilor O'Beirne requested that Mr. Desmarais be invited to give a further update at a Committee of the Whole meeting so that Councilors can ask questions about the project.

There being no further comments, Mayor Watson closed this Public Hearing at 7:48 p.m.

**4/22/2008 Town Council Committee of Discussed
the Whole**

Councilor O'Beirne asked if Mr. Desmarais could review his plans and timetable. Mr. Desmarais noted that the site plan application has expired. He will be submitting a new application for the same four-story building,

alternatives 2 and 3.

A motion was made by Councilor Bond, seconded by Councilor Sheets, to amend the motion to remove Alternative 3 and install the new lights with timers.

The motion to amend carried by the following vote:

In Favor: 8 - Mayor Watson, Councilor Bond, Councilor Brown-Tracy, Councilor Kolnaski, Councilor Monteiro, Councilor Schmidt, Councilor Sheets, and Councilor Streeter
 Opposed: 1 - Councilor O'Beirne

Discussion followed on clarifying the wording of the resolution.

The motion as amended failed by the following vote:

In Favor: 0
 Opposed: 9 - Mayor Watson, Councilor Bond, Councilor Brown-Tracy, Councilor Kolnaski, Councilor Monteiro, Councilor O'Beirne, Councilor Schmidt, Councilor Sheets, and Councilor Streeter

4/22/2008 **Town Council Committee of Motion**
 the Whole
 to recommend a resolution to install four 12' light poles and fixtures on timers

2008-0095 CIP Project Reauthorization - High School Auditorium Referral

RESOLUTION REAUTHORIZING A CAPITAL APPROPRIATION FOR THE HAGERTY AUDITORIUM AT FITCH HIGH SCHOOL

WHEREAS, funds were appropriated in the Capital Improvement Program of FYE 2004 for new air conditioning at the Hagerty Auditorium of Fitch High School, and

WHEREAS, CIP appropriations are valid for five years including the year of appropriation, and

WHEREAS, there are funds remaining from the FYE 2004 CIP that will expire at June 30, 2008, unless re-appropriated, and

WHEREAS, the Town Council and RTM may re-appropriate unexpended CIP funds, now therefore be it

RESOLVED, that the remaining balance of \$74,590 for FYE 2004 CIP project #5D (Air Conditioning - FHS Hagerty Auditorium) be re-appropriated and referred to the RTM for approval via RTM Rule 6.5.3.

Legislative History

4/10/2008 Mayor Referred Town Council Committee of tt

4/22/2008 Town Council Committee of Discussed
 the Whole

Town Manager Oefinger explained that there were two CIP projects for the high school auditorium that were approved prior to approval of the Phase I school project. One project was previously extended; this is a request for extension of the second project. Gary Schneider, Director of Public Works, noted that there is no state reimbursement associated with this project, but there was a rebate from CL&P for energy efficiency. Discussion followed on the availability of time-of-day metering.

4/22/2008 Town Council Committee of Recommended for a
 the Whole Resolution

2008-0098 FYE 2008 Fourth Quarter Transfers Referral

RESOLUTION FOR FYE 2008 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 and a supplemental appropriation are necessary and represent unforeseen or unexpected expenditures at the time the FYE 2008 budget was adopted, now therefore be it

RESOLVED, that \$88,416 be transferred from the General Fund Contingency function (#1074) to the following General Fund departments/functions and referred to the RTM for approval:

Voter Registration (#1003) @ \$5,000;
for additional expenses associated with phones and electronic voting machines as required by Help America Vote Act (HAVA), for elections not budgeted and to cover additional election costs (ballots, programming memory cards and storage cabinets).

Legal Services (#1006) @ \$25,000;
for costs associated with personnel/labor relations issues.

Human Services (#1051) @ \$38,000;
for costs associated with evictions.

Contributions to Other Funds (#1007) @ \$20,416;
to eliminate the operating deficit that materialized in the Golf Course Fund in FYE 2003.

Legislative History

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|--|-------------------------------------|------------------------------|------------------------------|
| 4/14/2008 | Mayor | Referred | Town Council Committee of tt |
| 4/22/2008 | Town Council Committee of the Whole | Discussed | |
| <i>Director of Finance Sal Pandolfo explained the request for fourth quarter transfers from Contingency, which would result in a Contingency balance of \$261,584.</i> | | | |
| 4/22/2008 | Town Council Committee of the Whole | Recommended for a Resolution | |

2008-0106 Community Service Officer Job Description Referral

RESOLUTION APPROVING THE JOB DESCRIPTION FOR COMMUNITY SERVICE OFFICER

WHEREAS, the proposed FYE 2009 Budget provides for the creation of a seasonal position of Community Service Officer within the Groton Town Police Department, and

WHEREAS, this seasonal position would supplement the limited availability of supernumerary officers in the department, now therefore be it

RESOLVED, that the Town Council approves the job description and pay plan for the position of Community Service Officer, dated April, 2008.

Legislative History

| | | | |
|-----------|-------------------------------------|-----------|------------------------------|
| 4/16/2008 | Mayor | Referred | Town Council Committee of tt |
| 4/22/2008 | Town Council Committee of the Whole | Discussed | |

Town Manager Oefinger explained that during budget deliberations, this new position was proposed to supplement supernumeraries. Director of Administrative Services Doug Ackerman noted this is an entry level position, part time, that will provide employment opportunities for individuals interested in the field of law enforcement. Community Service Officers will not carry guns or have arrest powers, and will be used seasonally and during special events. Police Chief Kelly Fogg anticipates employing two to four Community Service Officers.

4/22/2008 **Town Council Committee of the Whole** **Recommended for a Resolution**

2008-0108 Pumpout Boat Program Update Referral

RESOLUTION AUTHORIZING THE DISPOSITION OF A TOWN-OWNED PUMPOUT BOAT
 WHEREAS, for several years the Town of Groton has entered into agreements with the Connecticut Department of Environmental Protection (DEP) providing for grants to fund the operation of a pumpout boat in the Thames and Mystic Rivers, and

WHEREAS, when the Groton pump out boat program was started, DEP provided the Town with a pump out boat, and

WHEREAS, the Connecticut Department of Environmental Protection now proposes to directly award a contract for comprehensive pumpout boat services to a recently-formed private non-profit group, and

WHEREAS, the anticipated contractual pumpout program will deliver improved service and environmental protection, and

WHEREAS, the Town of Groton would no longer be directly involved in the operation of the pumpout boat, now therefore be it

RESOLVED, that the Town Manager may re-convey to the Connecticut DEP ownership of the pumpout boat previously provided by DEP to the Town so that it may be used for the upcoming boating season.

Legislative History

4/17/2008 **Mayor** **Referred** **Town Council Committee of tt**

4/22/2008 **Town Council Committee of the Whole** **Recommended for a Resolution**

Town Manager Oefinger and staff met with a representative of DEP on the pumpout boat project. The Town submitted an application last fall, however a new non-profit has been selected to run an expanded program. The state would like the Town to contribute the funds that have previously been contributed to the program toward matching funds. The boat would be returned to the state since the Town will no longer use it. The Town will approach the private pumpout company to make what will hopefully be long-term arrangements for Mouse Island pumpouts.

4/22/2008 **Town Council Committee of the Whole** **Motion**

to Recommend for a Resolution that the pumpout boat be returned to the State of Connecticut

2008-0109 Statewide Tactical On-Scene Communications System (STOCS) Box Memorandum of Understanding Referral

RESOLUTION AUTHORIZING MEMORANDUM OF UNDERSTANDING FOR STATEWIDE TACTICAL ON-SCENE COMMUNICATIONS SYSTEM (STOCS) BOX

RESOLVED, that the Groton Town Council may enter into with and deliver to the State of Connecticut Department of Emergency Management and Homeland Security any and all documents which it deems necessary or appropriate; and

FURTHER RESOLVED, that Mark R. Oefinger, as Town Manager of the Town of Groton, is authorized and directed to execute and deliver any and all documents on behalf of the Town Council for the Town of Groton and to do and perform all acts and things which he deems to be necessary or appropriate to carry out the terms of such documents.

Legislative History

4/18/2008 **Mayor** **Referred** **Town Council Committee of tt**

