



# 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 Peter J. Bartinik, Jr., Natalie Burfoot Billing, Heather Sherman Bond, Catherine Kolnaski, Frank O'Beirne, Jr., Paulann H. Sheets, Thomas J. Skrmetti, and Elissa T. Wright.*

Tuesday, February 17, 2004

7:30 PM

Town Hall Annex - Community Room 1

### REGULAR MEETING

#### I. ROLL CALL

#### II. SALUTE TO THE FLAG

#### III. RECOGNITION, AWARDS & MEMORIALS

#### PUBLIC HEARING

Recess for Public Hearing on:

**Non-Board of Education Portion of the 2004-2005 Budget**

#### IV. 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 ten 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

2004-0056 Approval of Minutes

Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council of February 3, 2004 are hereby accepted and approved.

##### b. Deletions from the Town Council Referral List

2003-0104 Water Quality and Supply on Noank-Ledyard Road

Referral

2004-0027 Introduction of Ordinance for Renovations and Additions to Fitch High School

Ordinance

2004-0028 Resolution Setting Public Hearing Date on Ordinance for Renovations and Additions to Fitch High School

Referral

2004-0029 CGS 8-24 Referral to Planning Commission of Ordinance for Renovations and Additions to Fitch High School

Referral

2004-0030	<b>Introduction of Ordinance for Demolition of Freeman Hathaway and Construction of New Elementary School</b>	<b>Ordinance</b>
2004-0031	<b>Resolution Setting Public Hearing Date on Ordinance for Demolition of Freeman Hathaway and Construction of a New Elementary School</b>	<b>Referral</b>
2004-0032	<b>CGS 8-24 Referral to Planning Commission of Ordinance for Demolition of Freeman Hathaway and Construction of a New Elementary School</b>	<b>Referral</b>
2004-0033	<b>Introduction of Ordinance for Construction of a New Elementary School - Eastern Point</b>	<b>Ordinance</b>
2004-0034	<b>Resolution Setting Public Hearing on Ordinance for Construction of a New Elementary School - Eastern Point</b>	<b>Referral</b>
2004-0035	<b>CGS 8-24 Referral to Planning Commission of Ordinance for Construction of a New Elementary School - Eastern Point</b>	<b>Referral</b>
2004-0045	<b>Grant for Expanded DUI Enforcement</b>	<b>Referral</b>
2004-0047	<b>Family Support Center Grant</b>	<b>Referral</b>
2004-0057	<b>Adoption of Rules for Twenty-Fourth Town Council</b>	<b>Referral</b>
2004-0058	<b>Legal Advice Concerning the Status of Groton Long Point</b>	<b>Referral</b>
2004-0059	<b>Appointment of James J. Loughlin, Jr. to Board of Assessment Appeals</b>	<b>Referral</b>
2004-0060	<b>Appointment of Jeffrey C. Pritchard to Planning Commission</b>	<b>Referral</b>
2004-0061	<b>Appointment of George Marcus to Zoning Commission</b>	<b>Referral</b>
2004-0062	<b>Appointment of Timothy L. Tussing to Water Pollution Control Authority</b>	<b>Referral</b>
2004-0063	<b>Appointment of Joel S. Douglas to Water Pollution Control Authority</b>	<b>Referral</b>
2004-0064	<b>Appointment of Raymond Munn to the Planning Commission</b>	<b>Referral</b>
2004-0065	<b>Appointment of Michael Sullo to the Planning Commission</b>	<b>Referral</b>
2004-0066	<b>Environmental Investigations/Site Analysis - School Design Consultant Work</b>	<b>Referral</b>

### **c. Special Trust Fund Contributions**

2004-0046	<b>Special Trust Fund Contributions</b>	<b>Resolution - Consent</b>
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RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS  
RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:

Various Donations - \$81.00 - Groton Utilities Energy Assistance Fund  
City of Groton - \$1,513.00 - Groton Utilities Energy Assistance Fund  
Donation in memory of Alfred Battista - \$25.00 - Senior Center Discretionary  
Donation in memory of Louis Murray - \$20.00 - Senior Center Discretionary  
Donation in memory of Nina Holmes - \$50.00 - Senior Center Discretionary  
Various Donations in memory of Evelyn Cote - \$120.00 - Senior Center Discretionary  
Donation in memory of Dora Adair - \$25.00 - Senior Center Discretionary  
Donation from Mr. Norman Fagin - \$10.00 - Senior Center Discretionary  
Various Groups performances - \$232.40 - Senior Center Discretionary

Groton Education Foundation Grant - \$500.00 - Senior Center Discretionary  
 Southeastern Connecticut Association for the Retarded, Inc. - \$775.00 - Special Recreation Program  
 Stuart Lamson/Bank Square Books - \$500.00 - Arts Cafe  
 United Way of Southeastern Connecticut, Inc. - \$225.07 - Special Recreation  
 Pfizer Foundation Volunteer Program - \$1,000.00 - Roller Hockey  
 Pfizer Foundation Volunteer Program - \$1,000.00 - Mystic Valley Soccer

## VII. COMMUNICATION REPORTS (Other than Committee Reports)

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

## VIII. COMMITTEE REPORTS

- a. Community & Cultural Development - Chairman Billing
- b. Economic Development - Chairman Bond
- c. Education/Health & Social Services - Chairman Kolnaski
- d. Environment & Recreation - Chairman Sheets
- e. Finance - Chairman Wright
- f. Personnel/Appointments/Rules - Chairman O'Beirne
- g. Public Safety - Chairman Skrmetti
- h. Public Works - Chairman Bartinik
- i. Committee of the Whole - Mayor Watson
- j. Temporary Rules Committee - Chairman Kolnaski
- k. Ad Hoc Committee on School Cost - Chairman O'Beirne

## IX. UNFINISHED BUSINESS

## X. NEW BUSINESS

**2004-0027 Introduction of Ordinance for Renovations and Additions to Fitch High School Ordinance**

INTRODUCTION OF ORDINANCE APPROPRIATING \$45,000,000 FOR PHASE I OF RENOVATIONS AND ADDITIONS TO FITCH HIGH SCHOOL 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 FORTY FIVE MILLION DOLLARS (\$45,000,000) is appropriated for renovations and additions to Fitch High School to be located on the existing high school site off Groton Long Point Road in the southern part of Groton. The Phase I project will include design and construction of additions of approximately 119,000 square feet, renovations of approximately 40,000 square feet of the existing facility and demolition of approximately 50,000 square feet of the existing facility. The additions and renovations will include approximately twenty four classrooms for grades

nine through twelve, science classrooms/laboratories, art studios, technology and vocational education classrooms, language classrooms, special education classrooms, cafeteria and support spaces, and spaces and facilities for administration, support services and storage, parking and access drives as well as temporary classrooms and support spaces. The appropriation may be spent for design and construction costs, demolition costs, equipment, furnishings, materials, land or easement acquisition, necessary utilities, parking, road and sidewalk improvements to and on the school sites, site improvements, portable classrooms, storage and moving costs, architects' fees, engineering fees, construction manager fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing. The Town Council, or its designee, shall approve the final concept for the school project. The Town Council may reduce or modify the project and may delete portions of the project if funds are insufficient to complete the entire project.

Section 2. That the Town issue bonds or notes, in an amount not to exceed FORTY FIVE MILLION DOLLARS (\$45,000,000) 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 Section 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. The Town does hereby covenant and agree with the holders of the bonds or notes and all notes issued in anticipation of the receipt of the proceeds from the sale of such bonds or notes that in each year while any such bonds or notes are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town 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 as the same become due and payable.

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 or the receipt of grants for the project. The amount of the notes outstanding at any time shall not exceed FORTY FIVE MILLION DOLLARS (\$45,000,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes 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 Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

Section 4. That the Town Council shall determine the amount of bonds or notes authorized by Section 2 to be sold. 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, Berry & Howard 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 ordinance 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 Board of Education is authorized to apply for and accept state grants for the project. The Board of Education is authorized to file applications with the State Board of Education, to execute grant agreements for the project, and to file such documents as may be required by the State Board of Education to obtain grants for the costs of financing the project.

Section 8. That the Town Manager, the Director of Finance, the Board of Education 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 9. 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 Section 8.12 of the Town Charter, and notice of passage has been published in accordance with the provisions of the Town Charter.

**2004-0028 Resolution Setting Public Hearing Date on Ordinance for Renovations and Additions to Fitch High School Referral**

RESOLUTION SETTING PUBLIC HEARING DATE ON "ORDINANCE APPROPRIATING \$45,000,000 FOR PHASE I OF RENOVATIONS AND ADDITIONS TO FITCH HIGH SCHOOL AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION"

RESOLVED, a public hearing is hereby scheduled on the "ORDINANCE APPROPRIATING \$45,000,000 FOR PHASE I OF RENOVATIONS AND ADDITIONS TO FITCH HIGH SCHOOL AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION" at 7:30 p.m. on Monday, March 1, 2004, in Community Room No. 1 at the Town Hall Annex, Groton Long Point Road, Groton, Connecticut.

**2004-0029 CGS 8-24 Referral to Planning Commission of Ordinance for Renovations and Additions to Fitch High School Referral**

RESOLUTION REFERRING "ORDINANCE APPROPRIATING \$45,000,000 FOR PHASE I OF ADDITIONS AND RENOVATIONS TO FITCH HIGH SCHOOL AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION"

RESOLVED, the Town Council refers to the Groton Planning Commission, under Connecticut General Statutes Section 8-24, the proposed "ORDINANCE APPROPRIATING \$45,000,000 FOR PHASE I OF ADDITIONS AND RENOVATIONS TO FITCH HIGH SCHOOL AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION.

**2004-0030 Introduction of Ordinance for Demolition of Freeman Hathaway and Construction of New Elementary School Ordinance**

INTRODUCTION OF ORDINANCE APPROPRIATING \$20,800,000 FOR DEMOLITION OF THE FORMER FREEMAN-HATHAWAY ELEMENTARY SCHOOL FACILITY AND CONSTRUCTION OF A NEW ELEMENTARY SCHOOL ON THE SAME PROPERTY 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 TWENTY MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$20,800,000) is appropriated for demolition of the former Freeman-Hathaway Elementary School facility and construction of a new Elementary School to be located on the existing Freeman-Hathaway property off Oslo Street in the northeastern part of Groton. The project will include demolition of the former school building, design and construction of an approximately 74,000 square foot new elementary school which will include eighteen classrooms for grades

kindergarten through five, a pre-kindergarten classroom, a science classroom, art classroom, music classroom, special education spaces, resource room, media center, gymnasium, cafeteria/multi-purpose room, kitchen, spaces and facilities for administration, support services and storage, recreational fields, parking and access drives. The appropriation may be spent for design and construction costs, demolition costs, equipment, furnishings, materials, land or easement acquisition, necessary utilities, parking, road and sidewalk improvements to and on the school sites, site improvements, portable classrooms, storage and moving costs, architects' fees, engineering fees, construction manager fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing. The Town Council, or its designee, shall approve the final concept for the school project. The Town Council may reduce or modify the project and may delete portions of the project if funds are insufficient to complete the entire project.

Section 2. That the Town issue bonds or notes, in an amount not to exceed TWENTY MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$20,800,000) 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 Section 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. The Town does hereby covenant and agree with the holders of the bonds or notes and all notes issued in anticipation of the receipt of the proceeds from the sale of such bonds or notes that in each year while any such bonds or notes are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town 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 as the same become due and payable.

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 or the receipt of grants for the project. The amount of the notes outstanding at any time shall not exceed TWENTY MILLION EIGHT HUNDRED THOUSAND DOLLARS (\$20,800,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes 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 Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

Section 4. That the Town Council shall determine the amount of bonds or notes authorized by Section 2 to be sold. 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, Berry & Howard 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 ordinance 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 Board of Education is authorized to apply for and accept state grants for the project. The Board of Education is authorized to file applications with the State Board of Education, to execute grant agreements for the project, and to file such documents as may be required by the State Board of Education to obtain grants for the costs of financing the project.

Section 8. That the Town Manager, the Director of Finance, the Board of Education 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 9. 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 Section 8.12 of the Town Charter, and notice of passage has been published in accordance with the provisions of the Town Charter.

**2004-0031 Resolution Setting Public Hearing Date on Ordinance for Demolition of Freeman Hathaway and Construction of a New Elementary School Referral**

RESOLUTION SETTING PUBLIC HEARING DATE ON ORDINANCE APPROPRIATING \$20,800,000 FOR DEMOLITION OF THE FORMER FREEMAN-HATHAWAY ELEMENTARY SCHOOL FACILITY AND CONSTRUCTION OF A NEW ELEMENTARY SCHOOL ON THE SAME PROPERTY AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED, a public hearing is hereby scheduled on the "ORDINANCE APPROPRIATING \$20,800,000 FOR DEMOLITION OF THE FORMER FREEMAN-HATHAWAY ELEMENTARY SCHOOL FACILITY AND CONSTRUCTION OF A NEW ELEMENTARY SCHOOL ON THE SAME PROPERTY AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION" at 7:30 p.m. on Monday, March 1, 2004, in Community Room No. 1 at the Town Hall Annex, Groton Long Point Road, Groton, Connecticut.

**2004-0032 CGS 8-24 Referral to Planning Commission of Ordinance for Demolition of Freeman Hathaway and Construction of a New Elementary School Referral**

RESOLUTION REFERRING ORDINANCE APPROPRIATING \$20,800,000 FOR DEMOLITION OF THE FORMER FREEMAN-HATHAWAY ELEMENTARY SCHOOL FACILITY AND CONSTRUCTION OF A NEW ELEMENTARY SCHOOL ON THE SAME PROPERTY AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED, the Town Council refers to the Groton Planning Commission, under Connecticut General Statutes Section 8-24, the proposed ORDINANCE APPROPRIATING \$20,800,000 FOR DEMOLITION OF THE FORMER FREEMAN-HATHAWAY ELEMENTARY SCHOOL FACILITY AND CONSTRUCTION OF A NEW ELEMENTARY SCHOOL ON THE SAME PROPERTY AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION.

**2004-0033 Introduction of Ordinance for Construction of a New Elementary School - Eastern Point Ordinance**

INTRODUCTION OF ORDINANCE APPROPRIATING \$26,100,000 FOR CONSTRUCTION OF A NEW ELEMENTARY SCHOOL ON EITHER THE EASTERN POINT SCHOOL SITE OR THE KING PROPERTY SITE 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 TWENTY SIX MILLION ONE HUNDRED THOUSAND DOLLARS (\$26,100,000) is appropriated for construction of a new Elementary School to be located on either (a)

the existing Eastern Point Elementary School property off Shennecosset Road in the southwestern part of Groton, or (b) a portion of Town-owned property, the so called King property, off Poquonock Road in the southwestern part of Groton. The project will include design and construction of an approximately 74,000 square foot new elementary school which will include approximately eighteen classrooms for grades kindergarten through five, a pre-kindergarten classroom, a science classroom, art classroom, music classroom, special education spaces, resource room, media center, gymnasium, cafeteria/multi-purpose room, kitchen, spaces and facilities for administration, support services and storage, recreational fields, parking and access drives, as well as any necessary demolition of existing school facilities, off site wetland mitigation and temporary classroom and school spaces. The appropriation may be spent for design and construction costs, demolition costs, equipment, furnishings, materials, land or easement acquisition, necessary utilities, parking, road and sidewalk improvements to and on the school site, site improvements, portable classrooms, storage and moving costs, architects' fees, engineering fees, construction manager fees, legal fees, net interest on borrowings and other financing costs, and other expenses related to the project or its financing. The Town Council, or its designee, shall approve the final concept for the school project, subject to the determination by the voters of the Town of the project site at referendum in accordance with the provisions of Sections 9 and 11 of this ordinance. The Town Council may reduce or modify the project and may delete portions of the project if funds are insufficient to complete the entire project.

Section 2. That the Town issue bonds or notes, in an amount not to exceed TWENTY SIX MILLION ONE HUNDRED THOUSAND DOLLARS (\$26,100,000) 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 Section 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. The Town does hereby covenant and agree with the holders of the bonds or notes and all notes issued in anticipation of the receipt of the proceeds from the sale of such bonds or notes that in each year while any such bonds or notes are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town 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 as the same become due and payable.

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 or the receipt of grants for the project. The amount of the notes outstanding at any time shall not exceed TWENTY SIX MILLION ONE HUNDRED THOUSAND DOLLARS (\$26,100,000). The notes shall be issued pursuant to Section 7-378 of the General Statutes of Connecticut, Revision of 1958, as amended. The notes 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 Section 7-378a of the General Statutes with respect to any notes that do not mature within the time permitted by said Section 7-378.

Section 4. That the Town Council shall determine the amount of bonds or notes authorized by Section 2 to be sold. 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, Berry & Howard 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 ordinance 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 Board of Education is authorized to apply for and accept state grants for the project. The Board of Education is authorized to file applications with the State Board of Education, to execute grant agreements for the project, and to file such documents as may be required by the State Board of Education to obtain grants for the costs of financing the project.

Section 8. That the Town Manager, the Director of Finance, the Board of Education 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 9. That, notwithstanding Sections 1, 2 and 3 of this ordinance: (a) the appropriation provided in this ordinance shall be spent on, and the borrowings provided in this ordinance shall be authorized for, a school project on only one of the two sites specified in Section 1, which specific site shall be determined by the voters in the manner described in Section 11 of this ordinance; and (b) if the Eastern Point site is chosen as the site for the new elementary school, the appropriation and authorization of bonds and notes to finance the appropriation under this ordinance shall be limited to \$24,300,000.

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 Section 8.12 of the Town Charter, and notice of passage has been published in accordance with the provisions of the Town Charter.

Section 11. If the appropriation set forth in Section 1 and the issuance of bonds and notes to finance said appropriation are approved by the voters as provided in Section 10, this ordinance shall not become effective until the voters at referendum, in accordance with Section 8.12 of the Town Charter, have determined whether the expenditure of the appropriation and the borrowing authorization shall be applied to a school project at the existing Eastern Point Elementary School site or at the King property site, and notice of passage of such determination has been published in accordance with the Town Charter.

2004-0034

**Resolution Setting Public Hearing on Ordinance for Construction of a New Elementary School - Eastern Point**

**Referral**

RESOLUTION SETTING PUBLIC HEARING DATE ON ORDINANCE APPROPRIATING \$26,100,000 FOR CONSTRUCTION OF A NEW ELEMENTARY SCHOOL ON EITHER THE EASTERN POINT SCHOOL SITE OR THE KING PROPERTY SITE AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED, a public hearing is hereby scheduled on the" ORDINANCE APPROPRIATING \$26,100,000 FOR CONSTRUCTION OF A NEW ELEMENTARY SCHOOL ON EITHER THE EASTERN POITN SCHOOL SITE OR THE KING PROPERTY SITE AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION" at 7:30 p.m. on Monday, March 1, 2004, in Community Room No. 1 at the Town Hall Annex, Groton Long Point Road, Groton, Connecticut.

**2004-0035 CGS 8-24 Referral to Planning Commission of Ordinance for Construction of a New Elementary School - Eastern Point Referral**

RESOLUTION REFERRING ORDINANCE APPROPRIATING \$26,100,000 FOR CONSTRUCTION OF A NEW ELEMENTARY SCHOOL ON EITHER THE EASTERN POINT SCHOOL SITE OR THE KING PROPERTY SITE AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION

RESOLVED, the Town Council refers to the Groton Planning Commission, under Connecticut General Statutes Section 8-24, the proposed ORDINANCE APPROPRIATING \$26,100,000 FOR CONSTRUCTION OF A NEW ELEMENTARY SCHOOL ON EITHER THE EASTERN POINT SCHOOL SITE OR THE KING PROPERTY SITE AND AUTHORIZING THE ISSUE OF BONDS AND NOTES IN THE SAME AMOUNT TO FINANCE SAID APPROPRIATION.

**2004-0045 Grant for Expanded DUI Enforcement Referral**

RESOLUTION AUTHORIZING A GRANT APPLICATION FOR DUI ENFORCEMENT

WHEREAS, the Connecticut Department of Transportation's Division of Highway Safety provides funding to towns for ongoing prevention of Driving Under Influence, so that towns can carry on DUI operations in addition to their normal patrols, and

WHEREAS, the Town of Groton has, for a number of years, relied on such grants to maintain a serious level of DUI enforcement to prevent injuries and loss of life, and

WHEREAS, the state grant will let Groton carry out a DUI enforcement program costing a total of \$16,000, with a 25% matching contribution of only \$4,000 from Town funds that are budgeted for this purpose, now therefore be it

RESOLVED, that Town Manager Mark R. Oefinger may submit a grant for a matching State of Connecticut DUI enforcement grant providing \$16,000 of specific funding.

Legislative History

2/2/04	Referred	Town Council Finance Committee
2/10/04	Recommended for a Resolution	Town Council Finance Committee

**2004-0047 Family Support Center Grant Referral**

RESOLUTION AUTHORIZING THE TOWN MANAGER TO ENTER INTO AND AMEND CONTRACTUAL INSTRUMENTS PERTAINING TO THE GROTON FAMILY SUPPORT CENTER WITH THE STATE OF CT DEPARTMENT OF CHILDREN AND FAMILIES

WHEREAS, continued intervention and prevention services are needed by Groton families that are at varying levels of dysfunction, and

WHEREAS, funding is available from the State of CT Department of Children and Families for the continuation of intervention and prevention services for families via Groton's Family Support Center, therefore be it

RESOLVED, that the Town Manager, Mark R. Oefinger, is empowered to enter into and amend contractual instruments in the name and on behalf of the Town of Groton with the State of CT Department of Children and Families for the operation of the Groton Family Support Center and to affix the corporate seal.

Legislative History

2/4/04	Referred	Town Council Finance Committee
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<b>2004-0057</b>	<b>2/10/04</b>	<b>Recommended for a Resolution</b>	<b>Town Council Finance Committee</b>	<b>Referral</b>
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**Adoption of Rules for Twenty-Fourth Town Council**

RESOLUTION ADOPTING THE RULES OF PROCEDURE TO GOVERN THE TWENTY-FOURTH GROTON TOWN COUNCIL

WHEREAS, at the first convening of the Twenty-Fourth Town Council on November 5, 2003, Mayor Watson appointed a Temporary Rules Committee of Councilors O'Beirne, Kolnaski and Bond, and

WHEREAS, the Temporary Rules Committee has held three meetings and reviewed numerous comments and suggestions by members of the Town Council, now therefore be it

RESOLVED, that the Groton Town Council adopts the attached "Rules of Procedure to Govern Town Council, Groton Connecticut," attached hereto, effective immediately.

**Legislative History**

<b>2004-0058</b>	<b>2/10/04</b>	<b>Recommended for a Resolution</b>	<b>Town Council</b>	<b>Referral</b>
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**Legal Advice Concerning the Status of Groton Long Point**

RESOLUTION SEEKING THE TOWN ATTORNEY'S LEGAL ADVICE CONCERNING THE STATUS OF GROTON LONG POINT

WHEREAS, the Town Council has held discussions with the Board President of the Groton Long Point Association on mutual interests, including annual Town appropriations for police and highways and the legal status of Groton Long Point, and

WHEREAS, the state law that enabled and empowered the establishment of Groton Long Point explicitly conferred upon it the powers of a borough under Connecticut law, and

WHEREAS, for many years Groton Long Point represented itself as A Borough of New London County on its letterhead and otherwise, and

WHEREAS, recently officials of the Groton Long Point Association have represented that it is not a municipality in the form of a borough, but is instead a form of condominium association and/or private corporation that simultaneously possesses certain municipal powers, and

WHEREAS, members of the Town Council consider it necessary to find the best means to resolve open issues which may impinge on the propriety of both Town of Groton taxation of Groton Long Point properties and of appropriations to Groton Long Point by the Town of Groton, and

WHEREAS, the Town Council anticipates the formation of a temporary joint committee to seek mutual agreements and understandings on these matters between the Town and Groton Long Point, now therefore be it

RESOLVED, that the Town Attorney is directed to review prior opinions of their office, along with representations and citations offered by the Groton Long Point Association, and to render advice to the Town Council as promptly as feasible.

**Legislative History**

<b>2004-0059</b>	<b>2/10/04</b>	<b>Recommended for a Resolution</b>	<b>Town Council</b>	<b>Referral</b>
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**Appointment of James J. Loughlin, Jr. to Board of Assessment Appeals**

## APPEALS

RESOLVED, that James J. Loughlin, Jr., 35 West Mystic Avenue, Mystic, is appointed as a regular member to the Board of Assessment Appeals for a term ending 12/31/05.

Legislative History

2/10/04

Recommended for a  
Resolution

Town Council

2004-0060

**Appointment of Jeffrey C. Pritchard to Planning Commission**

Referral

RESOLUTION APPOINTING JEFFREY C. PRITCHARD TO THE PLANNING COMMISSION AS A REGULAR MEMBER

RESOLVED, that Jeffrey C. Pritchard, 31 West Mystic Avenue, Mystic, currently an alternate member, is appointed as a regular member to the Planning Commission for a term ending 12/31/04.

Legislative History

2/10/04

Recommended for a  
Resolution

Town Council

2004-0061

**Appointment of George Marcus to Zoning Commission**

Referral

RESOLUTION APPOINTING GEORGE MARCUS TO THE ZONING COMMISSION AS A REGULAR MEMBER

RESOLVED, that George Marcus, 370 Meridian Street Extension, Apt. 65, currently an alternate member, is appointed as a regular member to the Zoning Commission for a term ending 12/31/08.

Legislative History

2/10/04

Recommended for a  
Resolution

Town Council

2004-0062

**Appointment of Timothy L. Tussing to Water Pollution Control Authority**

Referral

RESOLUTION APPOINTING TIMOTHY L. TUSSING TO THE WATER POLLUTION CONTROL AUTHORITY

RESOLVED, that Timothy L. Tussing, 104 Oslo Street, Mystic, is appointed to the Water Pollution Control Authority for a term ending 5/24/05.

Legislative History

2/10/04

Recommended for a  
Resolution

Town Council

2004-0063

**Appointment of Joel S. Douglas to Water Pollution Control Authority**

Referral

RESOLUTION APPOINTING JOEL S. DOUGLAS TO THE WATER POLLUTION CONTROL AUTHORITY

RESOLVED, that Joel S. Douglas, 66 Neptune Drive, is appointed to the Water Pollution Control Authority for a term ending 5/24/06.

Legislative History

2/10/04

Recommended for a  
Resolution

Town Council

2004-0064

**Appointment of Raymond Munn to the Planning Commission**

Referral

RESOLUTION APPOINTING RAYMOND MUNN TO THE PLANNING COMMISSION AS AN ALTERNATE MEMBER

RESOLVED, that Raymond Munn, 26 Middlefield Street, Groton Long Point, is appointed as an

alternate member to the Planning Commission for a term ending 12/31/07.

Legislative History

2/10/04

Recommended for a Resolution

Town Council

2004-0065

**Appointment of Michael Sullo to the Planning Commission**

**Referral**

RESOLUTION APPOINTING MICHAEL SULLO TO THE PLANNING COMMISSION AS AN ALTERNATE MEMBER

RESOLVED, that Michael Sullo, 75 Steamboat Wharf, Apt. 12, Mystic, is appointed as an alternate member to the Planning Commission for a term ending 12/31/05.

Legislative History

2/10/04

Recommended for a Resolution

Town Council

2004-0066

**Environmental Investigations/Site Analysis - School Design Consultant Work**

**Referral**

RESOLUTION AUTHORIZING EXPENDITURES FOR ENVIRONMENTAL INVESTIGATIONS, SITE ANALYSIS, AND ADDITIONAL SCHOOL DESIGN CONSULTANT WORK

WHEREAS, the Town Council wishes to offer the voters a choice of locating a new elementary school on either the Town-owned land known as the King Property or the current Eastern Point School site, and

WHEREAS, prudence requires that, prior to voting in a bonding referendum, we have as much information as practicable concerning environmental conditions and subsoil factors such as rock that would impede construction or cause major additional costs, and

WHEREAS, the Town has been in contact with qualified consultants and technical engineering specialists who can promptly address these concerns, including environmental and geotechnical work on the King property, environmental evaluation on the Eastern Point site, and additional consultant design work from Jeter Cook & Jepson, and

WHEREAS, the Town Manager anticipates a total cost of approximately \$100,000 for the above-stated tasks, now therefore be it

RESOLVED, that as much as \$75,000 of funds that have already been appropriated to the Town Manager for management and efficiency studies in FY 2004 may be used for geotechnical and environmental assessments and related evaluations, on the Eastern Point School property and the King property, along with necessary consultant design work.

Legislative History

2/10/04

Recommended for a Resolution

Town Council

**XI. ADJOURNMENT**