



# 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, June 01, 2004

7:30 PM

Town Hall Annex - Community Room 1

### REGULAR MEETING

#### I. ROLL CALL

#### II. SALUTE TO THE FLAG

#### III. RECOGNITION, AWARDS & MEMORIALS

2004-0189 Proclamation Recognizing Military Appreciation Month

Proclamation - TC

#### 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

2004-0191 Approval of Minutes (Town Council)

Resolution - Consent

RESOLUTION ACCEPTING TOWN COUNCIL MINUTES

RESOLVED, that the minutes of the Town Council of May 18, 2004 are hereby accepted and approved.

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

2002-0209 School Design Committee

Referral

2003-0176 NFS Potential Donation of Protective Equipment

Referral

2004-0053 Future Use of the King Property

Referral

2003-0192 Request for Financial Incentive - Lighthouse Square  
Redevelopment

Referral

2004-0164 Bodenwein Public Benevolent Foundation Grant for the  
Arts Cafe - Mystic Program

Referral

2004-0177 Establishment of Tax Rate for General Fund (FYE05)

Referral

2004-0178 Establishment of Tax Rate for Groton Sewer District  
Fund (FYE05)

Referral

- |           |  |          |
|-----------|--|----------|
| 2004-0179 | Establishment of Tax Rate for Mumford Cove District Fund (FYE05) | Referral |
| 2004-0183 | Extension of Conveyance Tax Increase                             | Referral |

**c. Special Trust Fund Contributions**

- |           |                                      |                      |
|-----------|--------------------------------------|----------------------|
| 2004-0182 | Contributions to Special Trust Funds | Resolution - Consent |
|-----------|--------------------------------------|----------------------|

RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS

RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:

J. Donald & Jean Simpson - \$30.00 - Social Services Discretionary

Thames Valley Council - \$1,700.00 - Social Services Discretionary

**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

**IX. UNFINISHED BUSINESS**

**X. NEW BUSINESS**

- |           |   |          |
|-----------|---|----------|
| 2003-0192 | Request for Financial Incentive - Lighthouse Square Redevelopment | Referral |
|-----------|---|----------|

RESOLUTION APPROVING FINANCIAL INCENTIVES

WHEREAS, the Town Council of the Town of Groton, on February 10, 1999, established by resolution its Financial Incentive Policy, which provides that the Town may offer tax and other financial incentives to encourage quality development when the Town Council deems such action to be in the best interest of the community, and

WHEREAS, Schochet Associates, Inc., the developer of the shopping center known as Lighthouse Square, requested a tax abatement of \$210,000 to cover the cost of a new façade for the property, and

WHEREAS, such a new facade was deemed by the Town of Groton Department of Planning and Development to be desirable and to be in accord with the goals of the Town's Plan of Conservation and Development, and

WHEREAS, the Town Council has held a public hearing concerning the proposed tax incentive and has given extended consideration to all the evidence, and

WHEREAS, the Lighthouse Square shopping center is situated close to the Town of Groton's Enterprise Zone in which substantial tax incentives may be provided, including abatements beginning as high as 100%, and

WHEREAS, the Town Council concludes that a partial tax incentive of approximately \$46,800 should be allowed in recognition and encouragement of the developer's façade and improvements to the existing structure, now therefore be it

RESOLVED, that Schochet Associates is hereby granted a tax incentive to be applied to the grand list added value of the project, consisting of an allowance of 50% in the first year in which such improvement appears on the Grand List, 40% in the second year, 30% in the third year, 20% in the fourth year, and 10% in the fifth year, with the full tax rate to be applied and paid in the sixth year and thenceforth, and be it

FURTHER RESOLVED, that the Town Manager may enter into an agreement with the property owner/developer to assure that all terms and conditions of the granted financial incentive will be met.

**Legislative History**

**7/21/03 Mayor Referred Town Council Committee of tl**

**7/22/03 Town Council Committee of Discussed  
the Whole**

*Town Manager Oefinger explained to the Council that Schochet Associates, Inc.*

*purchased Lighthouse Square. He added that they also own Country Glen Apartments.*

*Mr. Oefinger explained that Mr. Schochet tied up a piece of property at the end of Ronald Road to build more units and that Light House Square was not willing to have an intersection built, then in turn Mr. Schochet bought Light House Square. Mr. Oefinger stated that Lighthouse Square had never been real successful. Mr. Oefinger stated that Mr. Shocket's proposal was to tear down 1/3 of the Lighthouse Square to build a Walgreen's. Town Manager Oefinger continued that Mr. Schochet was looking for a tax incentive and that he did not have a high level of comfort with this. Councilor Skrmetti stated that when he read the proposal, he thought that he was asking to keep the tax the same for the next couple of years. Mark said he did not know where he got the \$210,000 figure from, but that he would look into it.*

*Councilor Wirzbicki reported to the Town Council that he had a previous dealing with Schochet Associates, Inc. and that Attorney Carey suggested that Councilor Wirzbicki recuse himself from voting, but Councilor Wirzbicki stated that this would not stop him from voicing his opinion. Councilor Wirzbicki thought that it was a bad idea that Towns are racing to the bottom for tax abatement. He added that he did not see that we were gaining anything by giving tax cuts, and he thought that it was not good public policy. Mayor O'Beirne stated that he thought that the Council had to make up their mind as to whether to take this issue seriously. Councilor Vary asked how was this going to effect the individual districts involved. Town Manager Oefinger stated that they were generally dealing with the assessment value. Councilor Hauber said that she agreed with Councilor Wirzbicki and that she did not see the need to have Mr. Schochet invited to attend a meeting. Mayor O'Beirne also agreed. Mayor O'Beirne stated to Town Manager Oefinger that they would follow the policy for this issue. He added that if you consider this a formal request, have Sal, Attorney Mike Carey come up with a recommendation and come back to the Council with it.*

**12/23/03 Town Council Committee of Discussed  
the Whole**

*Town Manager Oefinger explained that the Council adopted a policy a couple of years ago that calls for a public hearing on requests for financial incentives. He distributed a staff memo outlining a review of the Lighthouse Square developer's request. The requested incentives would help defray the costs of a new façade and traffic enhancements in Route 1.*



benefit when they built an addition. This is a unique situation because it represents a major overhaul of the center. Town Manager Oefinger went on to describe the boundaries of the Enterprise Zone and the seven-year incentive program in the Zone.

Councilor O'Beirne noted the Enterprise Zone was created for a specific area. Giving the benefits to a site outside of the zone instead of changing the zone sets a precedent. He noted he could support a different, lesser, incentive schedule.

Councilor Bond feels that tax abatements are important to small businesses. Improvements will lead to improvements at other business and as the area improves, new businesses will come in.

**5/25/04 Town Council Committee of Motion the Whole**

to recommend for resolution financial incentives for Lighthouse Square Redevelopment based on the following schedule: 50% reduction in Year 1, 40% in Year 2, 30% in Year 3, 20% in Year 4, 10% in Year 5.

Councilor Bartinik expressed concern with inconsistencies in the policy and providing abatements to specific groups of people. He wants to support existing businesses and attract new businesses, but in a different way. Councilor Skrmetti expressed support for extending the Enterprise Zone to support all businesses in Town. He reminded the Committee that the incentive applies only to the new investment.

Councilor Billing shared Councilor Bartinik's concerns. She is more concerned with over-taxation of residential property owners and feels this proposal shifts the tax burden. She is not sure this proposal meets the criteria for financial incentives.

Councilor Skrmetti asked that tax incentives be re-referred to the Finance Committee.

Town Manager Oefinger explained this proposal encourages reinvestment, which is very different from setting a precedent. The incentive is not for Walgreen's, it's for the center to make improvements.

Councilor Sheets would support a revision of the Enterprise Zone, but feels there is no difference between this site and others in Town.

Councilor Skrmetti noted there is already an existing policy for tax incentives. This proposal does not require any investment by the Town.

Councilor Billing clarified that she would vote in favor of the motion to support it being on the Town Council agenda for further consideration, but she is not sure she supports the resolution

**2004-0164**

**Bodenwein Public Benevolent Foundation Grant for the Arts Cafe - Mystic Program**

**Referral**

**RESOLUTION AUTHORIZING A BODENWEIN GRANT APPLICATION FOR THE ARTS CAFE-MYSTIC PROGRAM**

WHEREAS, the Arts Cafe-Mystic is a popular program that provides live performances by writers and musicians, supports the local writing community, and gives scholarships to student writers at local high schools, and

WHEREAS, the Arts Café-Mystic has received grants from the Bodenwein Public Benevolent Foundation for the past seven years, including four years in which the Town of Groton's Department of Parks and Recreation has administered the Arts Café performances, therefore be it

RESOLVED, that the Town Manager may apply for a Bodenwein Foundation grant of \$7,800 for the fall of 2004 and the spring of 2005.

**Legislative History**

5/11/04	Mayor	Referred	Town Council Finance Commi
5/20/04	Mayor	Referred	Town Council Committee of tl
5/25/04	Town Council Committee of the Whole	Recommended for a Resolution	



whatever option they choose. He expressed support for Option 6, followed by Option 1a and Option 5. He noted that there wasn't much cut out of the budget. Town operations came in at under zero percent, but the rest of the budget did not. He feels the approval of the referendum shows some support for continuing to fund things and he is concerned with choosing an option that will handicap the Town next fiscal year.

Councilor O'Beirne noted that estimates have always been very conservative. He has plotted out the projected mill rate versus the actual mill rate, and the farther The Town goes into the future, the less real some of the numbers become. He expressed support for Option 2a because he feels the 7% fund balance is a good number, and there is a reduction in the mill rate.

Councilor Wright expressed support for Option 3a because it is the greatest reduction in the mill rate and still increases the fund balance.

Councilor Sheets asked if the analysis considers the bonding impact of the school referendum, and the Town Manager stated it does not. The best thing the Town can do to prepare for the school project is to maintain a healthy fund balance for bonding purposes. He expressed support for saving some of the revenues for a "rainy day."

Councilor Bond expressed support for Option 2a or Option 4 and a decrease in the mill rate.

Councilor Billing expressed concern about using so much of the fund balance to balance the budget, which the Town Council has been criticized for in previous years. The benefit of a small increase in the mill rate this year is that the Town averts larger increases down the road.

Mayor Watson expressed support for Option 5.

Councilor Kolnaski feels the Town will regret not having "rainy day" funds, and she would support an increase in the mill rate.

Councilor Bartinik favors Options 3a or 2a. He stated it is extremely difficult to reduce taxes once they go up. Past criticism was directed at the Council for reducing the fund balance rather than reducing spending. If the choice is to reduce the mill rate or the fund balance, he would prefer a reduction in the mill rate.

Councilor Sheets favors Option 2a or, reluctantly, Option 4.

Councilor Skrmetti noted that for a period of 10 years, Groton held its tax rate stable and actually decreased the tax rate. Everyone needs to remember there are no major problems in the Town. There have been no spending increases, only a loss of state and federal revenues.

Councilor Wright feels the Town should continue to contain costs and reduce the property tax burden to the greatest extent possible.

Councilor Billing suggested that maintaining Town services will probably require small increases in the mill rate. The RTM is representative of the Town and the RTM has sent a message indicating they do not want services cut.

Discussion followed on how to determine a consensus on an option.

A motion was made by Councilor Billing, seconded by Mayor Watson, to recommend for resolution Option 5 (mill rate of 22.94).

It was agreed that the Mayor should poll the Committee about their preferred option prior to voting. The motion and second were withdrawn. Mayor Watson polled the Committee.

**5/25/04 Town Council Committee of Motion**  
**the Whole**  
to recommend for resolution Option 2a (mill rate of 22.62)

2004-0178

**Establishment of Tax Rate for Groton Sewer District Fund (FYE05)**

Referral

RESOLUTION ESTABLISHING TAX RATE FOR GROTON SEWER DISTRICT FUND DUE JULY 1, 2004

WHEREAS, the Representative Town Meeting has approved a Groton Sewer District Fund Budget for fiscal year ending June 30, 2005 providing for expenditure appropriations totaling \$1,447,740, and

WHEREAS, the Town Council estimated cash revenue exclusive of FYE 2005 property taxes will total \$63,320, therefore be it

RESOLVED, that \$300,005 is hereby appropriated as fund balance available as of July 1, 2004, to partially meet expenditure appropriations contained in the FYE 2005 Sewer District Fund budget, and be it

FURTHER RESOLVED, that the tax rate for taxes due for the Groton Sewer District Fund on July 1, 2004 is hereby established at 0.75 mills per dollar of assessed valuation ( $\$1,084,415 \div \$1,482,340,629$  (excluding motor vehicles)  $\div 97.5\% \times 1,000 = 0.75$  mills).

Legislative History

5/17/04	Mayor	Referred	Town Council Committee of t
5/25/04	Town Council Committee of the Whole	Recommended for a Resolution	

**2004-0179 Establishment of Tax Rate for Mumford Cove District Fund (FYE05) Referral**

RESOLUTION ESTABLISHING TAX RATE FOR MUMFORD COVE DISTRICT FUND DUE JULY 1, 2004

WHEREAS, the Representative Town Meeting has approved a Mumford Cove District Fund Budget for fiscal year ending June 30, 2005 providing for expenditure appropriations totaling \$11,345, and

WHEREAS, the Town Council estimated cash revenue exclusive of FYE 2005 property taxes will total \$50, therefore be it

RESOLVED, that \$465 is hereby appropriated as fund balance available as of July 1, 2004, to partially meet expenditure appropriations contained in the FYE 2005 Mumford Cove District budget, and be it

FURTHER RESOLVED, that the tax rate for taxes due for the Mumford Cove District Fund on July 1, 2004 is hereby established at 0.26 mills per dollar of assessed valuation ( $\$10,830 \div \$41,638,883 \div 99.5\% \times 1,000 = 0.26$  mills).

Legislative History

5/17/04	Mayor	Referred	Town Council Committee of t
5/25/04	Town Council Committee of the Whole	Discussed	

*Councilor Sheets disclosed that she lives in Mumford Cove.*

5/25/04	Town Council Committee of the Whole	Recommended for a Resolution	
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**2004-0183 Extension of Conveyance Tax Increase Referral**

RESOLUTION SETTING AND EXTENDING A CONVEYANCE TAX

WHEREAS, the Town of Groton is a Targeted Investment Community, as defined in Section 32-222 of the Connecticut General Statutes (CGS), because it contains an enterprise zone pursuant to Section 32-70 of the CGS, and

WHEREAS, Section 51-(c) of the State Budget Act, Public Act No. 04-216, amending Section 12-494 of the Connecticut General Statutes, as amended by Section 40 of Public Act 03-2, authorizes

the Town of Groton, as a Targeted Investment Community, to impose an additional conveyance tax, the revenue from such increased conveyance tax to become part of the general revenue of the town, and

WHEREAS, the Town Council previously laid a supplemental tax on real estate conveyance documents, amounting to 0.25%, on transactions beginning January 1 and expiring at the close of business on June 30, 2004, and

WHEREAS, the Town Council finds that the reauthorization of the expiring conveyance tax as authorized by the statutes cited above, will constitute a fair means of raising necessary revenue while reducing the burden on taxpayers as a whole, and

WHEREAS, the Town Council of the Town of Groton hereby elects to implement this authorized increase to conveyance taxes, now therefore be it

RESOLVED, by the Town Council of the Town of Groton that the Town Clerk of the Town of Groton be, and hereby is, authorized and directed to collect the additional conveyance tax of 0.25 percent, which it hereby imposes as authorized by the State of Connecticut.

**Legislative History**

5/18/04	Mayor	Referred	Town Council Committee of tl
5/25/04	Town Council Committee of the Whole	Recommended for a Resolution	

**XI. OTHER BUSINESS**

**XII. ADJOURNMENT**