



Town of Groton, Connecticut

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Meeting Minutes

Town Council Committee of the Whole

Mayor James L. Streeter, Councilors Bruce S. Flax, Bill Johnson, Catherine Kolnaski, Deborah B. Monteiro, Frank O'Beirne, Jr., Deborah L. Peruzzotti, Paulann H. Sheets, and Harry A. Watson

Tuesday, January 26, 2010

7:00 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

1. **CALL TO ORDER**

Mayor Streeter called the meeting to order at 7:00 p.m.

2. **ROLL CALL**

Members Present: Mayor Streeter, Councilor Flax, Councilor Johnson, Councilor Kolnaski, Councilor Peruzzotti, Councilor Sheets and Councilor Watson
Members Absent: Councilor Monteiro and Councilor O'Beirne, Jr.

Also present were Town Manager Mark Oefinger and Executive Assistant Nicki Bresnayan.

3. **Calendar and Communications**

None.

4. **Approval of Minutes**

2010-0025 Approval of Minutes (Committee of the Whole)

RESOLUTION ACCEPTING COMMITTEE OF THE WHOLE MINUTES

RESOLVED, that the minutes of the Town Council Committee of the Whole meetings of January 6, 2010 and January 12, 2010 are hereby accepted and approved.

Tabled

5. **UNFINISHED BUSINESS**

None.

6. **NEW BUSINESS**

2010-0020 Extension of Auditor's Agreement

Discussed

Sal Pandolfo, Director of Finance, described the request to extend the contract with the Town's auditors, Blum Shapiro, for two years.

A motion was made by Councilor Kolnaski, seconded by Councilor Sheets, that this matter be Recommended for a Resolution.

The motion carried unanimously

2008-0034 Remediation of Town Land

Discussed

John Hankins of Fuss & O'Neill, the consultant who studied environmental issues on the King property, addressed the Council. Fuss & O'Neill conducted a Phase I environmental study prior to construction of the school. Three areas were identified on the perimeter of the property that do not impact school operations: an area of fill at the rear of the Main Plaza shopping center; a pile of coal ash; and an area of corroded drums. The purpose of this study was to identify the types of contaminants and extent of the impact. Mr. Hankins noted that the state's remediation standards do not dictate the need to clean a site, but provide a benchmark for cleanliness.

Samples were taken in the fill area which covers 1.7 acres and is 10 feet deep. The fill consists of asphalt fragments and industrial waste similar to casting sand. The impact is limited specifically to the area that is easily identifiable as fill. There were some metals in the surface water of the filled pond, which is a small tributary to Birch Plain Creek.

The coal ash pile covers approximately 500 square feet and extends onto Electric Boat's property. There are fragments of coal and ash covering a larger area, but it is well defined. The substances identified are similar to the fill area.

The third area involves several drums located in an area of wetlands. Samples were taken throughout the wetlands and concentrations of substances did not correlate with the locations of the drums. Fuss & O'Neill would recommend removing the drums.

With respect to remediation, Mr. Haskins stated it is up to the Town to decide how to deal with the three areas since there are no legal requirements to remediate. The areas are above the residential standards for long term exposure but they are currently isolated from any active use of the property (school area).

Councilor Sheets feels that most residents expect that contamination once detected is required to be cleaned up, but that is not the case in the State of Connecticut. She questioned the impact on Birch Plain Creek from runoff and asked if the waters of Birch Plain Creek should be sampled. Mr. Haskins noted that there were no off-site assessments done and this is a small tributary to Birch Plain Creek. Councilor Peruzzotti asked if base line samples were done in 2004 and how they compare to these samples. Mr. Haskins noted that metals and all classes of material found at this site do not go away over time.

The Town Manager noted that the Electric Boat Annex has been demolished, and full remediation of that site has been done by Electric Boat.

Mayor Streeter noted that presumably the fill in the pond that extends under the shopping center was placed there for construction purposes. Also, the coal ash and drums probably precede Electric Boat and go back to a thread mill that was there. He asked if Electric Boat could be asked to remove the coal ash since it is also on their property. The Town Manager noted that there have been no discussions with Electric Boat except to provide access for them to remove a fallen water tower.

Councilor Sheets questioned the recommendation that the drum area be fenced off. Mr. Haskins stated that if there is a concern about possible exposure, a fence will prevent that but it is not a permanent solution. Mr. Haskins noted that if there is no exposure, there is no risk. If the use of the property were to change, then the conclusions would be different.

Councilors were encouraged to review the report for discussion at a future meeting. Councilor Sheets feels that water sampling of Birch Plain Creek should be considered. Discussion followed on potential costs. Councilor Sheets noted that Birch Plain Creek will be used by the Marine Magnet School.

2006-0100**Thames Street Rehabilitation Study****Discussed**

The Town Manager noted that the Town Council will be meeting with the City Council soon and they may want to add this item to the agenda for discussion purposes. Since the failed referendum, there have not been any discussions about options to move the project forward. Even though the referendum was not approved by the voters, the street is in terrible condition. Mayor Streeter suggested a joint meeting with the City Council and the Thames Street Advisory Committee. Councilor Peruzzotti asked if a public meeting could be held to solicit comments from

the public about the project. The Town Manager stated the Council could also meet with the design consultants about alternatives.

2008-0121 Condition of Chipperini Property on Library Street

Discussed

Town Manager Oefinger noted that the case is going to trial tomorrow and depositions have been taking place. A report will be provided when more information is available.

2009-0231 South Road Underpass Flooding

Discussed

The Town Manager noted that Town staff met with John DiCastro, lead engineer for the State Department of Transportation (DOT) District II. They identified follow-up items including lowering the existing signage so that Town police officers can keep them up to date. DOT does not monitor the underpass; it is the Town Police who monitor the situation. There was also a lengthy discussion about the pump system which is located in the manhole near Tilcon. It is not a robust system. The sump was recently cleaned out, but it needs regular maintenance. The Town and Mr. DiCastro also discussed a plan from 1997 that was never completed that called for additional catch basins to capture some of the water that filters into the underpass, as well as installing a "real" pump system. The state must evaluate the whole catchment area and research available systems. They will also try to identify a more workable signage system since the current signs have created a sense of complacency. Staff will be meeting again with Mr. DiCastro to follow up on these items. Also, the Town will pre-position saw horses and cones so that police officers can put them in place if necessary and request permission from Amtrak to light the underpass with wall pack units that will help illuminate any flooding conditions.

The Town Manager noted that he also talked to Mr. DiCastro about seepage of water on Fort Hill Road which freezes in the winter. Mr. DiCastro will follow up on that item.

2009-0254 Town Historian

Discussed

Town Manager Oefinger provided a brief history of this issue. Carol Kimball has stepped down from the position of Town Historian and there was a desire on the part of the Council to do a solicitation. The Town Attorney has issued an opinion that it would not be appropriate for a Town Councilor or other board or commission member to serve as the Town Historian. Mr. Carey has indicated this is a conservative opinion and he would be willing to answer any questions from the Council. Councilor Watson supported filling the position. Councilor Sheets feels the Town Attorney's opinion is a "stretch." The Town Manager suggested that the Council settle the Town Attorney opinion issue so that all board and commission members know if they are eligible to apply or not. The consensus of the Council was to ask the Town Attorney to come in for a discussion about his opinion.

2009-0305 Council Goalsetting

Discussed

There will be a goal setting work session on Saturday, February 6th at 9:00 a.m. The Town Manager asked what resources the Council would like brought to the session. Councilors discussed identifying achievable goals and submitting any suggested goals to the Town Manager's office by Monday.

2010-0028 License Agreement with Electric Boat to Allow Removal of Water Tower

Discussed

Town Manager Oefinger noted that the Electric Boat Annex on Poquonnock Road has been demolished. A water tower on the Electric Boat property fell onto Town property a number of years ago, the Electric Boat is seeking approval to access the remains of the tower and remove them through the Town's property. Electric Boat will be required to provide insurance and

restore the property. They will also need to secure access rights from a private property owner. The Town Attorney has developed a temporary license agreement for Town Council authorization.

A motion was made by Councilor Watson, seconded by Councilor Sheets, that this matter be Recommended for a Resolution.

The motion carried unanimously

2010-0006 Joint Meeting with City of Groton (2010 Standing Referral)

Not Discussed

2010-0022 Contribution to Haitian Relief Effort

Discussed

A number of statements have been issued by the Governor regarding relief efforts in Haiti and the agencies accepting donations. Councilor Peruzzotti suggested that Councilors undertake a fundraising effort and she stated she would provide additional information. Councilor Kolnaski expressed support for making a contribution, noting that her granddaughter has worked in Haiti and there is a dire need for help. The Town Manager stated he can find the funds in various accounts. Discussion followed and the Council suggested a minimum donation of \$1,000 to be increased if additional funding could be identified.

A motion was made by Councilor Kolnaski, seconded by Councilor Watson, that this matter be Recommended for a Resolution.

The motion carried unanimously

2010-0023 International Council for Local Environmental Initiatives (ICLEI) Membership

Recommended for a Resolution

The Town has been a member of ICLEI for approximately one year. The Town Council previously authorized a one year membership and funds for continued membership were not included in the current year budget. The Town Manager explained that the Town is just beginning to take advantage of some of the resources that ICLEI offers. Councilor Sheets noted that the Town is waiting to receive a grant that will produce meaningful savings in the future. ICLEI is in the forefront of climate change discussions and has created templates that communities can use to develop base lines for energy conservation and other climate change issues. ICLEI is used as a resource by Town staff and the Climate Change Task Force.

A motion was made by Councilor Sheets, seconded by Councilor Watson, to authorize 2010 dues for ICLEI and direct that funding be placed in the proposed budget for FYE 2011 for future dues.

The motion carried unanimously

2010-0026 Terms and Conditions of Town Clerk Employment

Discussed

Town Clerk Betsy Moukawsher indicated she would like to have this discussion in executive session. The Town Manager explained the purpose of having this discussion and the need to document the terms and conditions of employment relative to insurance, sick time, vacation time, etc. The Council has received all documentation that has been found with respect to Town Clerk benefits in the past.

A motion was made by Mayor Streeter, seconded by Councilor Peruzzotti, to enter executive session at 8:43 p.m. to discuss terms and conditions of Town Clerk employment and to invite the Town Clerk and Town Manager to attend.

The motion carried unanimously

Discussed

The executive session concluded at 9:28 p.m.

7. Consideration of Committee Referral Items as per Town Council Referral List

2008-0174 National Park Service - American Battlefield Protection Program

- 2008-0261 **Recommended for Deletion**
Updating of Land Use Regulations - Update
Recommended for Deletion
- 2008-0265 **Board of Education Storage Needs**
Recommended for Deletion
- 2009-0078 **Proposed Legislation on Municipally Acquired Open Space**
Recommended for Deletion
- 2009-0150 **Healthy Groton Month**
Recommended for Deletion
- 2009-0322 **Community Garden Report**
Recommended for Deletion
- 2009-0033 **Submarine Capital of the World Sign**
Recommended for Deletion
- 2007-0041 **Open Space Plan**
Recommended for Deletion
- 2009-0153 **Reports on Activities in Groton**
Referred

8. OTHER BUSINESS

None.

9. ADJOURNMENT

The meeting adjourned at 10:13 p.m.