



Town of Groton, Connecticut

Meeting Minutes

Town Council Committee of the Whole

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk 860-441-6640
Town Manager
860-441-6630

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, October 12, 2010

6:00 PM

Town Hall Annex - Community Room 1

SPECIAL MEETING

1. **CALL TO ORDER**

Mayor Streeter called the meeting to order at 6:02 p.m.

2. **ROLL CALL**

Members Present: Mayor Streeter, Councilor Flax, Councilor Johnson, Councilor Monteiro and Councilor O'Beirne, Jr.

Members Absent: Councilor Kolnaski, Councilor Peruzzotti, Councilor Sheets and Councilor Watson

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

3. **Calendar and Communications**

None.

4. **Approval of Minutes**

2010-0196 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 September 14, 2010 and September 28, 2010 are hereby accepted and approved.

A motion was made by Councilor Monteiro, seconded by Councilor O'Beirne, Jr., to adopt.

The motion carried unanimously

5. **NEW BUSINESS**

2010-0005 Pending Litigation (2010 Standing Referral)

A motion was made by Mayor Streeter, seconded by Councilor Monteiro, that members of the Committee of the Whole, along with Town Manager Mark Oefinger, Director of Public Works Gary Schneider and Attorney Eric Callahan, go into executive session at 6:04 p.m. pursuant to Connecticut General Statutes Section 1-200(6)(B) for the purpose of discussing strategy and negotiations with respect to pending litigation concerning damage to the Water Pollution Control Facility as a result of screen failures.

The motion carried unanimously

Discussed

Councilor Kolnaski arrived at 6:04 p.m. and joined the executive session.

The executive session concluded at 6:34 p.m.

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

2010-0084 High School Water Infiltration Issues

A motion was made by Mayor Streeter, seconded by Councilor Monteiro, that members of the Committee of the Whole, along with Town Manager Mark Oefinger, Director of Public Works Gary Schneider and Attorney Eric Callahan, go into executive session at 6:34 p.m. pursuant to Connecticut

General Statutes Section 1-200(6)(B) for the purpose of discussing strategy and negotiations with respect to pending litigation concerning water infiltration issues at the high school.

The motion carried unanimously

Discussed

Councilor Watson arrived at 6:43 p.m. and joined the executive session.

The executive session concluded at 6:55 p.m.

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

2009-0284 Judson Avenue Drainage

Discussed

Gary Schneider, Director of Public Works, provided an update on the Judson Avenue drainage project. The Town received 17 proposals and staff narrowed the decision to three engineering firms that were subsequently interviewed. The Town selected CDM out of Boston. The contract is under review along with their proposed scope of services. Mr. Schneider expects to execute the contract within 10 days. He noted that the process will heavily involve input from the neighbors.

2010-0217 Supplemental Appropriation for River Road Construction

Discussed

Gary Schneider, Director of Public Works, noted a public information meeting was held last Wednesday on River Road repairs. This request is for a supplemental appropriation to purchase equipment for a temporary solution (one-way alternating traffic) and to fund permanent repairs. Staff looked at renting the required concrete barriers, but it is more cost effective to purchase them. Mr. Schneider noted that no major changes to the road are anticipated as a result of the permanent repairs. At the public information meeting, neighbors expressed a concern with installation of a guard rail system. Staff is looking at design and legal liability issues. A wetlands permit will be required to remove materials downstream. Mr. Schneider reviewed other design details and neighbors' comments. The supplemental appropriation must be approved by the RTM and because this is a scenic road, The Town Council must hold a public hearing on the improvements. Construction is expected to begin in late winter/early spring and be completed by August.

Councilor Johnson asked about reimbursement from FEMA. Mr. Schneider noted that permit requirements may drive betterments beyond what FEMA will pay for. Councilor O'Beirne noted this repair/replacement is not going to solve the flooding problems in Old Mystic.

The Town Manager explained that in order to move ahead and get the temporary solution in place before winter, Public Works will expend the \$30,000 from its operating budget. If the supplemental appropriation is approved, Public Works' account will be reimbursed. Councilor O'Beirne suggested asking the RTM for an expedited process.

The Town Manager explained that supplemental funds will come from the Capital Reserve Fund after capital projects are closed out.

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

The motion carried unanimously

2009-0166 Townwide Police Assessment

Discussed

The Town Manager indicated that there have been two meetings with the three police chiefs, Groton City and Groton Long Point representatives. Everyone is in agreement that an

independent consultant should be hired to work with the three entities. No scope of services has been developed, but the meetings have been productive.

2010-0218 Year Round Expanded DUI Enforcement Grant

Discussed

Chief Kelly Fogg noted this is a recurring grant that allows extra patrols during holidays for DUI enforcement. The Town is requesting a grant of \$84,500; with 75% covered by the State and 25% by the Town.

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

The motion carried unanimously

2010-0210 New London's Request to Use Groton Animal Shelter

Discussed

A motion was made by Mayor Streeter, seconded by Councilor Monteiro, that members of the Committee of the Whole, along with Town Manager Mark Oefinger and Police Chief Kelly Fogg, go into executive session at 7:27 p.m. pursuant to Connecticut General Statutes Section 1-200(6) (B) for the purpose of discussing strategy and negotiations with respect to New London's request to use the Groton animal shelter.

Councilor O'Beirne questioned why this issue requires an executive session and suggested that it be an open session. The Town Manager noted that a lot of what will be discussed will impact negotiations and he will be distributing a document that could become the basis for determining value. The Town Manager expressed a willingness to do a full briefing on the history of this issue after the executive session. Councilor O'Beirne stated that going into executive session at this point presupposes that there is capacity at the animal shelter and he has not heard that yet.

The motion and second were withdrawn.

Police Chief Kelly Fogg explained he was approached by New London's Police Chief because New London needs to make a decision about their Bates Woods facility which is about to close. New London is looking for a place to house their animals and they asked the Town to propose a cost to house the animals in Groton. Chief Fogg has met with New London's Police Chief and Director of Public Works, and developed an overview of costs. Discussions have also taken place between the two towns' Finance Directors. The groups have not discussed details of the operations, but they feel that the details can be ironed out. Cost is the most important issue. Chief Fogg noted that Groton would act strictly as a boarding facility. The Town would be responsible for the animals with New London paying. The Town would need to hire an additional part time person. There have been no discussions about the length of the terms and it is unknown if New London has had discussions with any other facilities. Animal control operations in New London would stay the same. New London would transport the animals and Groton would house them. Chief Fogg noted that extra capacity was built into Groton's facility for the future.

Councilor Johnson spoke with the Animal Control Officer and her concern was with overcrowding and having a plan in place to address it. Chief Fogg stated that Groton's facility would only reach capacity if it suddenly received a large influx of animals, which would only be a temporary situation.

The Town Manager noted that the City of New London recently made a referral on this item which indicated that they are more interested in this alternative than previously thought.

A motion was made by Mayor Streeter, seconded by Councilor Kolnaski, that members of the Committee of the Whole, along with Town Manager Mark Oefinger and Police Chief Kelly Fogg, go into executive session at 7:55 p.m. pursuant to Connecticut General Statutes Section 1-200(6)(B) for the purpose of discussing strategy and negotiations with respect to New London's request to use the Groton

animal shelter.

The motion carried unanimously

Discussed

The executive session concluded at 8:29 p.m.

Mayor Streeter noted the Council discussed figures and other issues related to New London's request to use Groton's animal shelter, and this issue will be discussed in more detail in the future.

2010-0215

Community Access Television Application to DPUC

Discussed

Mayor Streeter indicated that as a result of a letter received from Terri Roper, Ms. Roper was invited in to address the Council. Ms. Roper deferred to Phil Butta, a member of Southeastern Connecticut Television (SETV). Mr. Butta stated that SETV is an independent non-profit organization that applied in April 2009 to the DPUC to become a third party community access provider for southeastern Connecticut. Community access includes public access, education, and government. SETV participated in mediation led by DPUC with Comcast and TVCC. Members of the group live and work in the area, and are involved in community access television. Funding for the community access effort would come from subscriber fees, grants, and other sources. SETV seeks to empower citizens and be sensitive to all segments of the community. The Town of Groton has expressed an interest in applying to DPUC as a third party provider. Mr. Butta does not believe that government should be involved in running public access, but it should contribute. Mr. Butta introduced members of the board and provided information about their backgrounds.

Councilor Watson recognized Andy Shatz. Mr. Shatz noted a number of reasons that a municipality should not run a community access station. He cited practical reasons such as receiving proposals for programs that will conflict with Town guidelines or positions. In addition, the Town will have a duty to five towns and be required to equitably portion programming time. Ms. Shatz stated that the programming done in Groton now will be welcome at SETV.

Councilor O'Beirne noted that discussion and action on this item occurred in one evening when he was not present. He asked if the Council was aware of SETV and its application when this item was acted on, and Councilors stated yes. He questioned the next steps in the process. Town Manager Oefinger stated the Town is preparing its application, which the Council will have an opportunity to review. The application is the beginning of a very long process with DPUC. The application should be submitted within a month, but the length of time for DPUC review is unknown. This proposal is not anticipated to impact next year's budget. Councilor O'Beirne expressed his opposition to this proposal.

Councilor Flax noted that the ultimate decision will be made by DPUC. He asked why SETV is coming before the Town Council. Mr. Shatz explained that the group originally filed with the DPUC about the insufficient community access funds supplied by Comcast. This was followed by discussions about the group taking over community access and negotiations to receive money to start up and transition. That is when Groton's application surfaced. Comcast is obligated to provide local access programming although it can cede its authority to another group. Now that Groton intends to submit an application, Comcast needs to decide which entity to support. Councilor Flax noted that the decision to apply was based on an anticipated cost savings to the Town, not an attempt to undermine SETV. Mr. Shatz feels the issue should be considered in an open forum and the cost savings is a debatable issue. Councilor Johnson noted that Comcast approached the Town to submit an application.

2006-0100

Thames Street Rehabilitation Study

Discussed

Town Manager Oefinger reported that the Thames Street Review Committee held its last meeting on Thursday. The final report and PowerPoint presentation are almost complete. Discussion

followed on holding a meeting the last week of October with the City Council to receive the presentation. Councilor Watson asked if the presentation could be televised. The consensus of the Council was to cancel the October 26th Committee of the Whole and Group meetings, and to hold a special meeting on October 27th at 6:00 p.m.

2010-0216 Cardiac Rehabilitation Program Agreement

Discussed

John Silsby, Director of Parks and Recreation, described the history of the Cardiac Rehabilitation Program and the desire to enter into an agreement with Lawrence and Memorial Hospital to conduct the program at the Groton Senior Center. Councilor Monteiro asked if Lawrence and Memorial will be providing the same services to the same groups of people, and Mr. Silsby stated yes, but it would be a broader program.

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

The motion carried unanimously

2010-0009 Joint Meeting with Stonington Board of Selectmen (2010 Standing Referral)

Discussed

A joint meeting with the Stonington Board of Selectmen has been scheduled for 6:00 p.m. on October 19th prior to the regular Town Council meeting. The Town is waiting for a list of discussion items from Ed Haberek. Mayor Streeter asked that the animal control facility be added to the agenda.

2010-0172 FYE 2012 Budget

Discussed

The Town Manager reminded Councilors of the budget meeting scheduled for Saturday, October 16th at 9:00 a.m.

6. ADJOURNMENT

A motion was made by Councilor Kolnaski, seconded by Councilor Flax, to adjourn at 9:15 p.m.

The motion carried unanimously.