



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, December 14, 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 Monteiro, Councilor O'Beirne, Jr., Councilor Peruzzotti and Councilor Watson
Members Absent: Councilor Sheets

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

3. Calendar and Communications

None.

4. Approval of Minutes

2010-0252 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 November 8, 2010, November 23, 2010, December 6, 2010, and December 7, 2010 are hereby accepted and approved.

A motion was made by Councilor Monteiro, seconded by Councilor Peruzzotti, to adopt.

The motion carried unanimously

Councilor Sheets arrived at 7:03 p.m.

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

5. UNFINISHED BUSINESS

None.

6. NEW BUSINESS

2010-0084 High School Water Infiltration Issues

A motion was made by Mayor Streeter, seconded by Councilor Monteiro, that the 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 7:09 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 Fitch High School.

The motion carried unanimously

Discussed

The executive session concluded at 7:35 p.m.

2010-0253 Scheduling a Public Hearing on River Road Repairs

Discussed

where a number of comments were received. Alternating one-way traffic has been instituted and permanent repairs are expected to begin in the spring. River Road is a scenic road so a public hearing is required for the improvements. Attorney Eric Callahan was present to address the need for "modern" guiderails, an issue that was raised at the public meeting.

Director of Public Works Gary Schneider explained that he is in the process of seeking an inland wetlands permit for the permanent repairs to River Road. The plans will include guiderails, if approved by the Town Council after the public hearing. Staff recommends a public hearing be held in January.

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

The motion carried unanimously

Discussed

Attorney Eric Callahan noted that the consulting engineer recommended guiderails, which are generally required by the Town's Road and Drainage Standards and the State Department of Transportation standards. Councilor Flax asked if the design could be modified to address the neighbors' concerns. Mr. Schneider noted that the Town has looked at alternatives, but there is not enough room if the vehicle exits the roadway to allow the use of other types of barriers. Staff is proposing a wood-faced design to soften the look. Since the road is being reconstructed, eliminating guiderails would be a defect and liability issue. The Town will install the minimum amount of guiderail. Councilor Flax asked if the speed limit of the road is taken into consideration when requiring sidewalks. Speed is taken into consideration by the consulting engineer along with DOT standards. Councilor Sheets asked about the accident history on the road and Mr. Schneider indicated he could provide that information.

2010-0255

Agreement Between Town of Groton, Board of Education and Bristol Collegiate Baseball Club, Inc.

A motion was made by Mayor Streeter, seconded by Councilor Kolnaski, that the members of the Committee of the Whole, along with Town Manager Mark Oefinger, and Attorney Eric Callahan go into executive session at 8:08 p.m. pursuant to Connecticut General Statutes Section 1-200(6)(E) for the purpose of attorney-client privileged discussion related to the draft Agreement pertaining to the relocation of the Bristol NECBL team to Fitch High School.

The motion carried unanimously

Discussed

The executive session concluded at 8:25 p.m.

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

The motion carried unanimously

2010-0005

Pending Litigation (2010 Standing Referral)

A motion was made by Mayor Streeter, seconded by Councilor Monteiro, that the members of the Committee of the Whole, along with Town Manager Mark Oefinger, Director of Public Works Gary Schneider, Carl Almquist, and Attorney Eric Callahan go into executive session at 7:37 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

The executive session concluded at 8:07 p.m.

2006-0100

Thames Street Rehabilitation Study

Discussed

Town Manager Oefinger stated that the bond attorney is working on preparing the bond

ordinance. The latest bond referendum schedule was provided to the Council. With the cancellation of the December 28th meeting, the schedule requires that the Committee of the Whole conduct a special meeting on January 4th.

2006-0282 School Improvement Project - Phase II

Discussed

Town Manager Oefinger stated this item is on the same schedule as the Thames Street ordinance, however it is a more complicated issue. The Town Manager is waiting for information to be provided to the bond attorney. Councilor Flax asked what would happen to the bond if the state can not provide the grant money and the Town Manager indicated it could be deferred.

2010-0199 Interlocal Agreement with Durham to Provide Property Tax Relief for Emergency Services Volunteers

Discussed

The Town Manager received a letter from Durham's First Selectman in September and the referral was assigned to the Public Safety Committee, but the Committee has not met. Two emergency service volunteers in Durham are Groton residents. This proposal would allow Durham to reimburse the Town for these two residents' taxes. The idea of offering tax incentives for emergency services workers has been discussed on previous occasions but never implemented in the Town. Establishing an interlocal agreement would require the municipality to provide the benefit for all volunteers. Mayor Streeter noted the difficult budget coming up and indicated he can not support this program. The Town Manager indicated he would review with the Town Attorney whether or not the Town can participate in the interlocal agreement without adopting a local ordinance. Discussion followed on the program and the consensus was to not pursue a local ordinance, but to explore entering into the interlocal agreement with Durham.

2010-0254 Bodenwein Public Benevolent Foundation Grant - Arts Cafe Mystic

Discussed

Jerry Lokken described the lack of funding for the Arts Café Mystic. Parks and Recreation would like to apply for the Bodenwein grant in the hope of putting together a spring season. The future of the program lies outside of Parks and Recreation. There is a group attempting to set up a private organization to run the Arts Café and raise funds. Costs for Arts Café speakers run \$1,000 to \$1,200; regional musicians \$500; local opening voices receive a stipend of \$100; and the high school poets laureate receive \$100. Councilor Sheets spoke in support of the program.

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

The motion carried unanimously

2010-0171 Town Manager Annual Evaluation

Discussed

Mayor Streeter stated he is waiting for one Councilor's evaluation. He suggested that this item be discussed at a special meeting before next week's Town Council meeting.

2010-0172 FYE 2012 Budget

A motion was made by Mayor Streeter, seconded by Councilor Sheets, to add 2010-0172 FYE 2012 Budget to the agenda for the purpose of discussing budget guidelines.

The motion carried unanimously

Discussed

A motion was made by Mayor Streeter, seconded by Councilor Sheets, that the members of the Committee of the Whole along with Town Manager Mark Oefinger go into executive session at 9:04 p.m. pursuant to Connecticut General Statutes Section 1-200(6)(B) for the purpose of discussing the highway budget appropriation process.

Councilor O'Beirne objected to going into executive session. Discussion followed on the potential for arbitration. The Town Manager noted that this relates to negotiations and the appropriateness of going into executive session has been reviewed with the Town Attorney. Councilors Sheets and Flax also feel that the budget guidelines should be discussed in open session.

The motion failed by the following vote:

In favor: 3 - Mayor Streeter, Councilor Johnson, Councilor Watson

Opposed: 5 - Councilor Flax, Councilor Kolnaski, Councilor Monteiro, Councilor O'Beirne, Councilor Sheets

Abstained: 1 - Councilor Peruzzotti

Town Manager Oefinger noted that budget preparation has started. He has requested from department heads an initial budget submission of level service (with the exception of a 100% contribution to fleet) to establish a baseline. He has also asked for a zero dollar budget and 5% reduction. The Town Manager has discussed with department heads doing a separate analysis for a 10% reduction so that the information is available. At a zero dollar budget, positions will be lost since operating budgets have already been decimated.

Councilor Monteiro asked about the state's Minimum Budget Requirement. The Town Manager noted that it is due to sunset, but he assumes it will be reenacted. He noted that approximately 14.3% of Education Cost Sharing has been paid by stimulus funds that are no longer available. Councilor O'Beirne noted that SCCOG's legislative list included eliminating the Minimum Budget Requirement this year.

Councilor Johnson suggested that the City use the same guidelines as the Town for CIP projects. Councilor O'Beirne suggested that the same guidelines the Town Manager is using should be passed on to the City and Groton Long Point. Mayor Streeter also mentioned accountability issues and what happens to remaining funds. He would like to see how Town funds were spent last fiscal year. Councilor Peruzzotti asked if the Town can manage the disbursement of funds for City CIP projects. Councilor Flax asked that the budget be presented in the same format as the Town's. Although Mayor Popp indicated the City budget is in the same format, it is not.

A motion was made by Councilor Sheets, seconded by Councilor O'Beirne, Jr., to provide FYE 2012 budget guidelines to the City of Groton and Groton Long Point to submit a level service budget, a zero dollar budget, and 5% and 10% reductions.

Mayor Streeter suggested that the Town Manager draft letters to the City and Groton Long Point incorporating all of the suggestions. Councilor Kolnaski noted that it will be difficult for the City to comply with the request because their budget figures include benefits. The Town Manager explained why those figures are pulled out of the Town budget. The bigger discussion is getting to a basic understanding of what the Town is obligated to pay for. The Town has not done a good job monitoring what the City is asking to be reimbursed for.

A motion was made by Councilor Watson, seconded by Councilor Sheets, to amend the motion to send letters to the City of Groton and Groton Long Point indicating the budget guidelines and requesting that the budgets be submitted in the same format as the Town's budget, without benefits and other items not included by the Town, and to separate CIP projects.

The motion to amend carried unanimously.

The motion carried unanimously

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

Councilor Peruzzotti asked about the status of 2010-0026 Town Clerk's Terms and Conditions. Councilor O'Beirne reminded the Council of the Town Attorney's opinion and stated it should be discussed in executive session. The Council asked that the Town Attorney come to speak to the Council about the issue.

Councilor Peruzzotti expressed her disappointment that the Town Manager's evaluation was not completed in a timely manner. The consensus of the Council was to discuss this item next week.

8. OTHER BUSINESS

None.

9. ADJOURNMENT

A motion was made by Councilor Kolnaski, seconded by Councilor Watson, to adjourn the meeting at 9:35 p.m.

The motion carried unanimously.