



Town of Groton, Connecticut

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Meeting Minutes

Town Council Committee of the Whole

Mayor Harry A. Watson, Councilors Heather Sherman Bond, Kathryn M. Brown-Tracy, Catherine Kolnaski, Deborah B. Monteiro, Frank O'Beirne, Jr., Rita M. Schmidt, Paulann H. Sheets, and James L. Streeter

Tuesday, March 3, 2009

6:30 PM

Town Hall Annex - Community Room 1

SPECIAL MEETING

1. CALL TO ORDER

Mayor Watson convened the meeting at 6:37 p.m.

2. ROLL CALL

Members Present: Mayor Watson, Councilor Bond, Councilor Monteiro, Councilor O'Beirne, Jr., Councilor Schmidt, Councilor Sheets and Councilor Streeter
Members Absent: Councilor Brown-Tracy and Councilor Kolnaski

Also present were Town Manager Mark Oefinger, Assistant to the Town Manager Lee Vincent and Executive Assistant Nicki Bresnyan.

3. NEW BUSINESS

2009-0009 Legislative Policy (2009 Standing Referral)

Mayor Watson read a list of possible topics for discussion with the legislators.

Representative Moukawsher provided a brief update on pending legislation for authorization of additional computer purchases at Fitch High School as part of the Phase I School Project.

The next item discussed was legislation proposed by Representative Wright (House Bill No. 5264) regarding municipally acquired open space. Councilor Sheets thanked Representative Wright for proposing the legislation and feels it addresses a need of the taxpayers of the Town. Councilor Sheets stated that the criticism of Representative Wright's motives is odd when Town staff is assigned to monitor what is happening in the legislature. She conceded that the bill can be improved, but noted significant testimony that was given in support of the bill.

Representative Wright stated that she did not intend for the bill to be specific to Groton and the bill does not mention or allude to Groton. She clarified that the bill was not opposed by CCM. Councilor Wright suggested that the legislation will not add any more restrictions or limitations to currently used open space lands. She read a statement describing the purpose of her proposed legislation and reiterated this is not simply a local issue. Councilor Wright summarized the purpose of her proposed legislation as requiring notice on the land records of what voters voted for and what the intent was.

Councilor Monteiro asked that Representative Wright give the Council some notice when she proposes a bill. Councilor Monteiro does not have a problem with the bill, but does feel that some of the wording needs to be changed. Representative Wright stated the language will be refined as the bill goes through the process. Councilor Monteiro noted that although Groton was not specifically mentioned in the legislation, Groton was mentioned numerous times in the public hearing testimony. She feels it is unfortunate that Town Councilors were caught unawares by this proposed legislation.

Senator Maynard explained that legislators have a one month window to introduce bills. He personally collects a file of ideas all year so that they can be introduced at the appropriate time.

It was noted that Groton was made aware that there was a public hearing on this legislation. Representative Wright stated that public hearings are posted on line and Senator Maynard suggested that the Town should rely on regular checking of the web site or a staff person to monitor legislation.

Representative Moukawsher asked if the Town has a position on this bill. Mayor Watson stated that the Council has not yet discussed the legislation, but had initial concerns with the process.

Representative Wright further explained her bill. Representative Moukawsher feels this is a policy question that could be enacted by local ordinance rather than state legislation. He asked if the legislation would hamper the Town in the event there is another use planned for an open space parcel. Representative Moukawsher reiterated that he is looking for the Town's position on this legislation.

Councilor Bond noted this issue has been discussed by the Council in the past and it failed at the Council level. She expressed frustration on behalf of many of the Councilors with the way the bill circumvented the Council. Councilor Bond characterized this legislation as yet another state mandate when municipalities should be autonomous to make decisions that affect land within their jurisdictions. If circumstances change, a municipality may have to revisit previous decisions. Referendums to do so are expensive. Councilor Bond feels the wording of this legislation is too restrictive. She received calls from the Parks and Recreation Commission and the Copp Board who did not know about the public hearing and were not able to testify.

Councilor O'Beirne feels there are two issues under consideration: the process and the bill itself. With respect to the process, Councilor O'Beirne has always asked that the Town's local legislators let staff know if they introduce a bill. Also, if there is a public hearing, legislators should notify staff. The second issue is the bill itself. Representative Moukawsher's characterization of CCM's position that a referendum can undo a previous referendum would be problematic because a municipality can not have an "advisory" referendum according to the Town Attorney. Councilor O'Beirne added that the legislation could be a disincentive to municipalities considering the purchase of open space.

Councilor Streeter asked if the bill would be retroactive to past purchases. Representative Wright stated her opinion that those purchases are already dedicated and protected. She suggested that this is remedial legislation, i.e. a clarification, not a change in status. Towns have the latitude to frame referenda questions with a wide range of possible uses. CCM has indicated their willingness to work with Representative Wright on substitute language for the bill.

Councilor Wright questioned Assistant to the Town Manager Vincent's statement in a previous e-mail that the Town Council wishes to be known as opposed to the bill at this time. Councilor Sheets noted that the Council has not taken a position on the bill. Councilor Sheets then reviewed the history of the \$8,000,000 bond referendum and wording of the referendum. She suggested that the Town needs to pay closer attention at the staff level to bills and public hearings.

Discussion followed on having another meeting to discuss remaining topics. Councilor O'Beirne asked if the Council could meet again with the legislators. Councilor O'Beirne stated he would like to discuss local option taxes.

4. ADJOURNMENT

The meeting adjourned at 7:33 p.m.