



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 Rita M. Schmidt, Councilors Genevieve Cerf, Joe de la Cruz, Bruce S. Flax, Bob Frink, Rich Moravsik, Deborah L. Peruzzotti, Heather Bond Somers and Harry A. Watson

Tuesday, April 22, 2014

6:00 PM

Town Hall Annex - Community Room 1

REGULAR MEETING

1. **CALL TO ORDER**

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

2. **ROLL CALL**

Members Present: Mayor Schmidt, Councilor de la Cruz, Councilor Flax, Councilor Frink and Councilor Moravsik

Members Absent: Councilor Cerf, Councilor Peruzzotti, Councilor Somers and Councilor Watson

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

3. **Calendar and Communications**

None.

4. **Approval of Minutes**

2014-0131 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 April 1, 2014 and April 15, 2014 are hereby accepted and approved.

A motion was made by Councilor Frink, seconded by Councilor Moravsik, to adopt.

The motion carried unanimously

5. **UNFINISHED BUSINESS**

None.

6. **NEW BUSINESS**

2014-0127 FYE 2014 PILOT Funds

Discussed

- *Center Groton*

District President Kathy Ivey, Vice President Ed Quinlan, and Deputy Chief Pat Fearnbaugh were present to address the Council.

Mayor Schmidt started by asking about the number of calls in the district (fire vs. medical). Ms. Ivey stated there was an average of 238 incidents for the last three years (2011, 2012, and 2013). Ms. Ivey provided percentages of calls with medical calls accounting for 30.53%. Statistics are also available for mutual aid calls in and out of the service area. The district has five vehicles.

Councilor Cerf arrived at 6:05 p.m.

Roll Call: Members Present: Mayor Schmidt, Councilor Cerf, Councilor de la Cruz, Councilor Flax, Councilor Frink and Councilor Moravsik

Members Absent: Councilor Peruzzotti, Councilor Somers and Councilor Watson

Discussed

Ms. Ivey noted that the Center Groton Fire Department is 100% volunteer. The department has been in service for 66 years. There are 25 active members and all are qualified for fire and medical. There is not much commercial development in the district; it is 75% wooded.

Councilor Watson arrived at 6:07 p.m.

Roll Call: Members Present: Mayor Schmidt, Councilor Cerf, Councilor de la Cruz, Councilor Flax, Councilor Frink, Councilor Moravsik and Councilor Watson
Members Absent: Councilor Peruzzotti and Councilor Somers

Discussed and Recommended no action taken

Deputy Chief Fearnbaugh noted the publicly-owned properties in the district.

Ms. Ivey stated there are 10 district board members. She did not have a total budget figure, but indicated she would send the information to the Council. There is a volunteer incentive program. The fire district does not provide trash pickup.

Councilor Frink asked about any trends in the types or causes of emergencies. Mr. Fearnbaugh stated it is mostly cooking fires, brush fires, and wood stove/chimney fires.

Councilor de la Cruz questioned equipment replacement. Ms. Ivey stated that the district will be replacing the rescue truck and refurbishing the tanker. All vehicle maintenance is done by New England Fire.

Councilors were invited to the district meeting, which occurs the second Wednesday of the month.

- Groton Long Point

John Touhy, President of the Groton Long Point Association, stated that he did not receive the original request to appear before the Council. He is representing the fire department, of which he is also a member.

The department is all volunteer, with 25 to 30 active members. Participation fluctuates between summer and winter. Mr. Touhy did not have any information on the number of calls in Groton Long Point. The department's budget is approximately \$25,000 to \$30,000 per year and they have an engine, rescue vehicle, and fire rescue boat. Trash pickup is provided by Groton Long Point's public works. Mr. Touhy noted that not all of the volunteers are from Groton Long Point or the Town of Groton. The department does its training with Noank and Mystic. Mr. Touhy stated that the department works well with the professional firefighters in Poquonnock Bridge and they work well with the volunteers. There are six EMTs in Groton Long Point. With respect to the rescue boat, people from Groton Long Point are more trained than non-residents.

In response to Councilor Cerf, the Town Manager explained that fire districts set their own mill rates and they are not approved by the Council.

2014-0118

FYE 2014 Fourth Quarter Transfers

Discussed

Director of Finance Sal Pandolfo explained the request for fourth quarter transfers for two functions: Public Works for snow removal costs and the City of Groton for the highway budget mediation award. It is recommended that \$69,820 be used from Public Safety and \$335,350 from Contingency for a total of \$405,170.

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

The motion carried unanimously

2014-0075

Request for Financial Incentive - LBI, Inc.

Discussed

Town Manager Oefinger noted that a public hearing on LBI, Inc.'s financial incentive request was held at the last Council meeting. Mr. Legnos is waiting to hear back from the state on an application through the Urban Jobs Program. Mr. Legnos will let the Town know when his application is approved. No Town Council action is required at this point.

Mayor Schmidt noted that the Urban Jobs Program requires the applicant to create and maintain a certain number of jobs.

2014-0123 Regional Performance Incentive Program Grant - Internet Connectivity**Discussed**

Brian Hancock, Manager of Information Technology, described the grant for the Connecticut high speed fiber network being installed throughout Connecticut. The grant amount requested has been revised to \$18,700 to provide a connection to the Nutmeg network, which was recently upgraded to 365/24/7 service. The Town would save well over \$10,000 per year on internet connectivity with the Nutmeg network. No matching funds are required.

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

The motion carried unanimously

2014-0110 Acceptance of Open Space Formerly Associated with the Hilltop Associates Subdivision**Discussed**

Town Manager Oefinger explained the history of the property, which was identified as open space in the Hilltop Associates Subdivision in 1989. The deed for the property was not in order and attempts to get a corrected deed were unsuccessful. The Town took over ownership of the property through foreclosure. The property is very wet and not developable. The Town Manager recommends designation of the property as open space.

Councilor Cerf expressed support for the open space designation, noting this is a valuable wetland area.

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

The motion carried unanimously

2014-0108 Disposal of Spicer Dock**Discussed**

Town Manager Oefinger explained that the dock at the Spicer House needs to be replaced. This request is to donate the old dock to the Noank Rowing Club for a fundraiser to support their program. The donation would not occur until the new dock is obtained.

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

The motion carried unanimously

2014-0107 Mystic Garden Club Grant - Jabez Smith House

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

The motion carried unanimously

2014-0106 Pfizer Community Grant - Library Summer Reading Program

A motion was made by Councilor Flax, seconded by Councilor de la Cruz, that this matter be Recommended for a Resolution.

The motion carried unanimously

2014-0068 Televis Special Meetings of the Town Council Committee of the Whole**Discussed and Recommended no action taken**

Town Manager Oefinger noted that there are a fair number of special meetings of the Committee of the Whole. Background on the televising of meetings was provided to the Council. The Town Manager stated that it can be done, but there is an extra cost and the real issue is that there are only so many hours of viewing time available. The Town currently televises all regular meetings of the Town Council and Committee of the Whole.

Councilor Watson suggested that if Councilors feel that something important is coming up, they can ask to have a special meeting televised. Councilor Cerf expressed support for televising special meetings, suggesting that there are not that many. Councilor Frink feels it should be on an 'as-needed' basis, noting that agendas are filed properly and the Town's process is transparent. Councilor Moravsik agreed with Councilor Cerf, and Councilor Flax agreed with Councilor Frink. Councilor de la Cruz noted the Town is trying to keep costs down. If the public is really interested, people will come and speak to the Council.

Councilor Watson noted that if something is passed in Committee of the Whole, the information is disseminated quickly and ratified at a Town Council meeting where people have a chance to speak. He agreed that if there is an issue that is important enough, arrangements to televise the meeting can be made ahead of time.

The consensus of the group was to only televise special meetings of the Committee of the Whole on an 'as-needed' basis.

2014-0114 Adoption of 2014 Town Council Finance Committee Regular Meeting Schedule

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

Councilor Frink stated that the idea is to have grants go before the Finance Committee. Also, budget issues could be discussed, such as the budget format. Town Manager Oefinger reminded Councilors that the Mayor designates the committee to which referrals are made. He suggested reviewing the referral list to determine if any items need to be redirected to the new committees.

The motion carried unanimously

2014-0021 Disposition of Fitch Middle School**Discussed**

Town Manager Oefinger explained that Superintendent Graner had discussions with LEARN about moving one of their magnet schools to Fitch Middle School. LEARN toured the building and their primary focus is the wing of the building closest to Depot Road and the cafeteria. The Town Manager stated that the Town doesn't know what it is doing with the building yet. He originally thought that LEARN was looking for a temporary location, but they have now indicated this would be a permanent home. The Town Manager suggested that the Council tour both Fitch Middle School and William Seely, and invite LEARN in to meet with the Council about their proposal. The Town Manager thought that the wing of the building under consideration would be good for Parks and Recreation.

Councilor Watson noted that the Town Council/RTM/Board of Education Liaison Committee has also expressed an interest in touring Fitch Middle. City Councilor Ilvento has also offered to give a tour of Colonel Ledyard School.

Councilor de la Cruz does not feel the timing of LEARNH's request is right. Councilor Moravsik noted that one of the Town Council's goals is to consolidate Town and Board of Education operations at Fitch Middle School and the Town's requirements should be primary. Once a decision is made about how the space will be used, then there may be available space. Councilors

Frink and Cerf agreed with creating a master plan for Fitch Middle first.

A tour of Fitch Middle School and William Seely was scheduled for Wednesday, May 7th at 4:00 p.m.

Discussion followed on the extent of Parks and Recreation programming at William Seely.

2014-0067 Godfrey Street - Request for Easement

Discussed

This easement request was referred to the Planning Commission under CGS Section 8-24, and the Commission supported the grant of the easement.

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

The motion carried unanimously

2014-0047 Review of the Town's Planning and Zoning Functions

Discussed

See discussion under #2014-0112 Request for Proposals to Review Zoning Regulations and Plan of Conservation and Development in 4/22/14 Committee of the Whole minutes.

2014-0096 Review of Planning and Development Services

Discussed

See discussion under #2014-0112 Request for Proposals to Review Zoning Regulations and Plan of Conservation and Development in 4/22/14 Committee of the Whole minutes.

2014-0112 Request for Proposals to Review Zoning Regulations and Plan of Conservation and Development

Discussed

Mayor Schmidt noted that the Council has three referrals that are similar in nature. The Town Manager would like to discuss the referrals because of possible overlap and to obtain direction from the Town Council.

Councilor Frink noted that he requested 2014-0047 based on anecdotal evidence of issues in planning and zoning. He feels there is room for organizational optimization. Councilor Frink noted the location of the economic development function in Planning and Development Services, the extent to which regulations are user-friendly, the number of special zoning districts and lack of awareness of special requirements. Councilor Frink supports 2014-0112 and the idea of an external review of the Town's Zoning Regulations from an applicant's standpoint.

A motion was made by Councilor Moravsik that the Town Manager develop and issue an RFP (Request for Proposal) to solicit the professional services of a commercial real estate development/advisory firm with experience in state and municipal land use regulations to review the following Town of Groton documents: Zoning Regulations and Draft Plan of Conservation and Development (POCD).

There was no second.

The Town Manager noted that there is no funding available in the current fiscal year to hire a consultant. A steering committee is in the process of finalizing the POCD update and there is a meeting on Thursday. The Town Manager suggested it would be crazy to adopt a new POCD and then relook at it in a month. If there is something in particular that the Council is interested in, it could be looked at by the committee, staff, or the consultant. The Town Council ultimately adopts the POCD. It is hoped that the Steering Committee will finish its work by early summer. The Planning Commission will conduct a public hearing, and after Planning Commission review, the

document will be submitted to the Town Council. He suggested that the Council get engaged with the document sooner as opposed to later.

With respect to the Zoning Regulations, a fair amount of time has been spent with a consultant looking at the Zoning Regulations. Before bringing another consultant on board, the Council should have a discussion with the Zoning Commission and staff. Special districts have developed because people have been uncomfortable with allowing uses outright. The Council needs to have a better understanding of the regulations.

Councilor Frink stated that a review would include staff and the Planning and Zoning Commissions. He does not feel this will be a costly effort. It will be a simple review and report that will take about two weeks. Then, the Council can meet with the commissions and staff and decide what to do.

Councilor Cerf agreed with Councilors Moravsik and Frink and she would like to include the process in the review. She would like to see applicants guided through the development process.

Councilor de la Cruz suggested that an RFP will take three to four months. Councilor Moravsik suggested that the review is intended to develop "simple, swift, and certain regulations."

Councilor Flax explained that there is a group of people at the tail end of completing a project that they have been working on for over a year. Councilors should educate themselves about the process before hiring another consultant. Some people complain about the development process, but many do not. The Council must address concerns, but not throw out the current effort. Hiring another consultant is premature. Councilor Watson agreed.

Councilor Frink cited examples of complaints he has heard and stated he does not want to duplicate the current efforts. Discussion followed.

A motion was made by Councilor Moravsik, seconded by Councilor Cerf, that the Town Manager develop and issue an RFP to solicit the professional services of a commercial real estate development/advisory firm with experience in state and municipal land use regulations to review the following Town of Groton documents: Zoning Regulations and Draft Plan of Conservation and Development.

The Town Manager stated that a motion is not necessary. Also, he does not believe that the Council wants the Town Manager to develop and issue an RFP in a vacuum, as suggested by the motion. An RFP would have to be developed, reviewed by the Town Council, and funded.

Councilor Frink stated he would attend the POCD Steering Committee meeting on Thursday to determine if there will be a duplication of effort with the RFP. The Town Manager was asked to schedule a meeting with staff and the Planning and Zoning Commissions to collaborate on a scope of work so that a draft RFP can be developed for the Council to vote on.

The motion and second were withdrawn.

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

Recommended for Deletion:

2014-0042 Non-Union Personnel Matter

Recommended for Deletion

2014-0086 Water Quality Testing

Recommended for Deletion

2014-0095 FYE 2015 Proposed Budget Deliberations

Recommended for Deletion**8. OTHER BUSINESS**

Town Manager Oefinger notified the Council that an administrative site plan application has been submitted for the John Kelley memorial statue. The life-size statue of Mr. Kelley is now over 7' tall and the group wants to install a plaque on a 4' x 3' rock near the stairway leading up to the statue. There is some concern that the changes will give the impression that the whole park is a memorial to Mr. Kelley. The plaque should be located at the base of the sculpture so that people know who they are looking at. Another issue that has arisen is maintenance of the statue. The group wants the Town to maintain it, but there should be an agreement about what will happen if the statue is damaged.

Councilors Watson and Moravsik expressed support for placing the information plaque on the base on the statue. Councilor Cerf expressed concern with the height of the statue.

The Town Manager stated is he unsure if the statue has been cast, but if the Town Council has concerns, he will contact the group.

Councilor Frink expressed support for a life-size statue. Councilor Cerf noted this is not a large park and the statue will be out of scale.

Councilor Flax expressed support for the taller statue.

Councilor Flax asked if there has been any follow-up with the City on the highway budget and Councilor Moravsik stated the subcommittee is meeting on Friday.

Councilor Flax also asked about having a meeting on the police study and Councilor Watson noted the Council has not received information from the City on fund balances.

Councilor de la Cruz expressed support for a volunteer day in Groton.

The Town Manager distributed copies of other towns' ethics ordinances noting the Town's draft ordinance will be discussed in May.

Councilor Frink suggested that the Council discuss lessons learned during the budget process.

9. ADJOURNMENT

A motion was made by Councilor Frink, seconded by Councilor Moravsik, to adjourn the meeting at 8:26 p.m.

The motion carried unanimously.